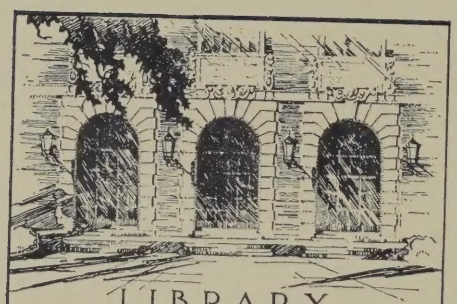

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, JANUARY 3, 1961. No. 1.

SENATE

TUESDAY, JANUARY 3, 1961, 12:00 M.

This being the day and hour fixed by the Constitution for the meeting of the General Assembly, the Members of the Senate, together with the Senators-elect, chosen at the last general election held on November 8, 1960, assembled in the Senate Chamber.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) called the Senate to order at 12:00 M.

PRAYER

The Chaplain, Rev. ELVIN B. SHARP, Pastor of the First Presbyterian Church, Ford City, offered the following prayer:

Most gracious God, we humbly beseech Thee, as for the people of this Commonwealth, so especially for the Senate here assembled, that Thou will be pleased to direct and prosper all their consultation to the advancement of Thy glory, the good of Thy church, the safety, the honor and welfare of the people, that all things may be so ordered and settled by their endeavors upon the best and surest foundations, that peace and happiness, truth and justice, virtue and piety may be established among them.

We pray especially for those coming to these Chambers for the first time as elected representatives of the people, that they may discharge their duties in all honor and respect, using their best judgment as they rely upon Thy divine wisdom.

May Thy presence be known to those in particular positions of leadership. May Thy Spirit be the guiding entity to all who serve in this legislative body. Deliver them from all error, pride and prejudice; enlighten them with divine wisdom from above, and so order all their doings that Thy Kingdom may be advanced in love, peace and understanding.

By Thy great wisdom, shed the light of Thy countenance upon us here. Advance the cause of peace throughout the world. For these and all Thy blessings we humbly pray this day, in the Name of Jesus Christ, our Lord. Amen.

PRESENTATION OF ELECTION RETURNS

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms of the Senate.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to introduce the Secretary of the Commonwealth, the Honorable John S. Rice.

The PRESIDENT. Will the Secretary of the Commonwealth come to the Bar of the Senate?

Mr. RICE. Mr. President, I have the honor to present the official returns of the general election held on November 8, 1960, at which certain members of this body were elected, as well as the official returns of the election of the Auditor General and State Treasurer of the Commonwealth of Pennsylvania.

The PRESIDENT. Thank you, Mr. Secretary.

ELECTION RETURNS FOR AUDITOR GENERAL AND STATE TREASURER LAID ON THE TABLE

The PRESIDENT. The returns of the election for Auditor General and State Treasurer of the Commonwealth of Pennsylvania are laid on the table.

COMMUNICATIONS FROM THE GOVERNOR LAID ON THE TABLE

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present the Secretary to the Governor, the Honorable Otis B. Morse.

The PRESIDENT. The Secretary to the Governor will approach the rostrum.

Mr. MORSE. Mr. President, I have the honor to present communications in writing from His Excellency, the Governor of the Commonwealth of Pennsylvania.

The PRESIDENT. Thank you. These communications will be laid on the table.

RETURNS OF ELECTION OF SENATORS

The PRESIDENT. The Chief Clerk will read the returns of election of Senators, and the Clerks of the Senate will act as tellers.

FIRST SENATORIAL DISTRICT

County	Anthony J. Di Silvestro D.	Albert Bartolomeo R.
Philadelphia	71,475	22,516

THIRD SENATORIAL DISTRICT

County	Peter J. Camiel D.	Thomas J. Harkins R.
Philadelphia	16,124	6,194

FIFTH SENATORIAL DISTRICT

County	Israel Stiefel D.	Harry Schwartz R.
Philadelphia	31,975	11,612

SEVENTH SENATORIAL DISTRICT

County	Charles R. Weiner D.	William Lynch R.
Philadelphia	51,093	12,207

NINTH SENATORIAL DISTRICT

County	Elden S. Magaw D.	Clarence D. Bell R.
Delaware	119,962	136,704

ELEVENTH SENATORIAL DISTRICT

County	Gus Yatron D.	Archibald R. Judd R.
Berks	57,497	53,491

THIRTEENTH SENATORIAL DISTRICT

County	John A. Taddie D.	Edward J. Kessler R.
Lancaster	23,432	50,376

FIFTEENTH SENATORIAL DISTRICT

County	Lee F. Swope D.	M. Harvey Taylor R.
Dauphin	38,550	55,984

SEVENTEENTH SENATORIAL DISTRICT

County	Ellis W. Wolfe D.	Thomas A. Ehrgood R.
Lancaster	10,840	26,232
Lebanon	12,285	24,280
Totals	23,125	50,512

NINETEENTH SENATORIAL DISTRICT

County	Francis M. Wampler D.	John H. Ware III R.
Chester	30,114	52,556

TWENTY-FIRST SENATORIAL DISTRICT

County	Martin L. Murray D.	John Radko R.
Luzerne	55,089	32,147

TWENTY-THIRD SENATORIAL DISTRICT

County	Ellsworth S. Keller D.	Albert E. Madigan R.
Bradford	7,017	16,010
Susquehanna	5,617	10,061
Wyoming	2,956	5,833
Totals	15,590	31,904

TWENTY-FIFTH SENATORIAL DISTRICT

County	J. Alden Anderson D.	James S. Berger R.
McKean	7,459	13,647
Potter	2,713	5,070
Tioga	4,198	10,797
Totals	14,370	29,514

TWENTY-SEVENTH SENATORIAL DISTRICT

County	Wilfred E. Swinehart D.	Samuel B. Wolfe R.
Northumberland	25,669	23,959
Snyder	2,851	7,215
Union	2,878	6,530
Totals	31,398	37,704

TWENTY-NINTH SENATORIAL DISTRICT

County	Michael A. Close D.	Paul L. Wagner R.
Schuylkill	41,367	45,721

THIRTY-FIRST SENATORIAL DISTRICT

County	William H. McCrea, Jr. D.	George N. Wade R.
Cumberland	18,982	31,984
Juniata	3,090	4,388
Mifflin	5,257	9,595
Perry	3,991	7,460
Totals	31,320	53,427

THIRTY-THIRD SENATORIAL DISTRICT

County	William O. Shuman D.	D. Elmer Hawbaker R.
Adams	8,976	11,792
Franklin	16,131	17,945
Totals	25,107	29,737

THIRTY-FIFTH SENATORIAL DISTRICT

County	John J. Haluska D.	Walter E. Rose R.	George J. Salem Ind. Citizens
Cambria	40,648	37,738	9,660

THIRTY-SEVENTH SENATORIAL DISTRICT

County	James R. Edgerly D.	Arthur E. Kromer R.
Indiana	14,042	17,486
Jefferson	8,514	12,991
Totals	22,556	30,477

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THIRTY-NINTH SENATORIAL DISTRICT

County	Paul W. Mahady D.	Edmund J. McDonald R.
Westmoreland	88,061	64,350

FORTY-FIRST SENATORIAL DISTRICT

County	Donald O. Oesterling D.	Albert R. Pechan R.
Armstrong	14,918	19,764
Butler	21,643	23,628
Totals	36,561	43,392

FORTY-THIRD SENATORIAL DISTRICT

County	John H. Devlin D.	Donald F. Glunt R.
Allegheny	48,038	21,255

FORTY-FIFTH SENATORIAL DISTRICT

County	Leonard C. Staisey D.	Frank Kopriver, Jr. R.
Allegheny	136,057	103,755

FORTY-SEVENTH SENATORIAL DISTRICT

County	John Carl Miller D.	Arthur W. Pettibon R.
Beaver	46,797	36,974
Lawrence	24,239	22,884
Totals	71,036	59,858

FORTY-NINTH SENATORIAL DISTRICT

County	William G. Sesler D.	W. W. Waterhouse R.
Erie	53,291	50,300

Whereupon, the following named persons were declared duly elected Senators in the General Assembly of the Commonwealth of Pennsylvania:

First District—Anthony J. DiSilvestro
Third District—Peter J. Camiel
Fifth District—Israel Stiefel
Seventh District—Charles R. Weiner
Ninth District—Clarence D. Bell
Eleventh District—Gus Yatron
Thirteenth District—Edward J. Kessler
Fifteenth District—M. Harvey Taylor
Seventeenth District—Thomas A. Ehrgood
Nineteenth District—John H. Ware, III
Twenty-first District—Martin L. Murray
Twenty-thrid District—Albert E. Madigan
Twenty-fifth District—James S. Berger
Twenty-seventh District—Samuel B. Wolfe
Twenty-ninth District—Paul L. Wagner
Thirty-first District—George N. Wade
Thirty-third District—D. Elmer Hawbaker
Thirty-fifth District—John J. Haluska
Thirty-seventh District—Arthur E. Kromer
Thirty-ninth District—Paul W. Mahady
Forty-first District—Albert R. Pechan
Forty-third District—John H. Devlin
Forty-fifth District—Leonard C. Staisey
Forty-seventh District—John Carl Miller
Forty-ninth District—William G. Sesler

ADMINISTRATION OF OATHS OF OFFICE

The PRESIDENT. The next order of business will be the administration of the oaths of office to the newly elected Senators.

The oath of office will be administered to the Democratic Senators-elect by the Honorable Eustace H. Bane, a former Member of the Senate and now President Judge of the Court of Common Pleas of Fayette County. The oath of office will be administered to the Republican Senators-elect by the Honorable R. Dixon Herman, Judge of the Court of Common Pleas of Dauphin County.

The Chair now presents the Honorable Eustace H. Bane. The Democratic Senators-elect, who are to be sworn in by Judge Bane, will present themselves in front of the rostrum, and will bring with them the Bibles which have been placed on their desks.

Will those present in the Senate Chamber please rise?

(Oath of office administred accordingly.)

The PRESIDENT. The Chair now presents the Honorable R. Dixon Herman. The Republican Senators-elect, who are to be sworn in by Judge Herman, will present themselves in front of the rostrum. They should also bring with them the Bibles which have been placed on their desks.

Will those present in the Senate Chamber please rise?

(Oath of office administered accordingly.)

The PRESIDENT. The Chair wishes to thank Judge Bane and Judge Herman for administering the oaths of office, and also wishes to congratulate the newly elected Senators and wish them Godspeed in their work.

NOTIFICATION OF SPECIAL CEREMONY

The PRESIDENT. The Chair wishes to announce at this time that the oath of office was administered in the Senate Chamber to the Honorable Stanley G. Stroup, of the Thirty-sixth Senatorial District, at a Special Ceremony on the twelfth day of December 1960.

The transcript of these proceedings will be entered in the Legislative Journal as a Supplement.

QUORUM PRESENT

The PRESIDENT. The Clerk wil now call the roll to determine if a quorum is present.

The Clerk called the roll and the following Senators were present:

First District—Anthony J. DiSilvestro
Second District—Benjamin R. Donolow
Third District—Peter J. Camiel
Fourth District—Thomas P. McCreesh
Fifth District—Israel Stiefel
Sixth District—Martin Silvert
Seventh District—Charles R. Weiner
Eighth District—William Vincent Mullin
Ninth District—Clarence D. Bell
Tenth District—Marvin V. Keller

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Eleventh District—Gus Yatron
Twelfth District—Henry J. Propert
Thirteenth District—Edward J. Kessler
Fourteenth District—William Z. Scott
Fifteenth District—M. Harvey Taylor
Sixtheenth District—John T. Van Sant
Seventeenth District—Thomas A. Ehrgood
Eighteenth District—Fred B. Rooney
Nineteenth District—John H. Ware, III
Twentieth District—Harold E. Flack
Twenty-first District—Martin L. Murray
Twenty-second District—Hugh J. McMenamin
Twenty-third District—Albert E. Madigan
Twenty-fourth District—Zehnder H. Confair
Twenty-fifth District—James S. Berger
Twenty-sixth District—George B. Stevenson
Twenty-seventh District—Samuel B. Wolfe
Twenty-eighth District—Harry E. Seyler
Twenty-ninth District—Paul L. Wagner
Thirtieth District—Charles R. Mallery
Thirty-first District—George N. Wade
Thirty-second District—Thomas J. Kalman
Thirty-third District—D. Elmer Hawbaker
Thirty-fourth District—Jo Hays
Thirty-fifth District—John J. Haluskla
Thirty-sixth District—Stanley G. Stroup
Thirty-seventh District—Arthur E. Kromer
Thirty-eighth District—George J. Sarraf
Thirty-ninth District—Paul W. Mahady
Fortieth District—Robert D. Fleming
Forty-first District—Albert R. Pechan
Forty-second District—Bernard B. McGinnis
Forty-third District—John H. Devlin
Forty-fourth District—Joseph D. Ripp
Forty-fifth District—Leonard C. Staisey
Forty-sixth District—William J. Lane
Forty-seventh District—John Carl Miller
Forty-eighth District—Leroy E. Chapman
Forty-ninth District—William G. Sesler
Fiftieth District—Raymond P. Shafer

The PRESIDENT. Fifty Senators having answered to their names, a quorum is present.

ELECTION OF PRESIDENT PRO TEMPORE

The PRESIDENT. The next order of business before the Senate is the election of the President pro tempore. The Chair recognizes Senator Lane.

Mr. LANE. Mr. President and Members of the Senate, it certainly is my honor today to present to you, as a nominee for President pro tempore of this Senate, one of Pennsylvania's most distinguished citizens. I am speaking with reference to the Honorable Anthony J. DiSilvestro, of Philadelphia.

This gentleman is a statesman, a lawyer and a pharmacist. He also is a publisher in the Philadelphia area. This gentleman has dedicated his life to public service. He has served in this great Body from 1937 until the present time. Indeed, his wife, too, is quite a distinguished person, being a teacher and a public relations expert.

Senator DiSilvestro is well known to every Member of this Senate and all of us think the world of him. As a matter of fact, he has our affection and I know that he has the affection of quite a number of the Members on the other side.

Therefore, Mr. President, on behalf of the Democratic Party and myself, personally, I am happy, indeed, to place in nomination the name of the Honorable Anthony J. DeSilvestro for the office of President pro tempore of the Senate of Pennsylvania.

Mr. WEINER. Mr. President, having known the nominee, Senator DiSilvestro, for many years, and having served with him in this Body, I think he has the distinction of being one of the oldest Members of this Body inasmuch as he is beginning his seventh term of office today. I would like to heartily concur in everything which Senator Lane has stated and, therefore, I wish to second the nomination of the Honorable Anthony J. DiSilvestro, of Philadelphia, for the office of President pro tempore of this Senate.

The PRESIDENT. Are there any further nominations?

Mr. FLEMING. Mr. President, for the past sixteen years, or during the last eight Sessions of the General Assembly, we, on this side of the Senate, have very proudly presented a name in nomination for the office of President pro tempore of the Senate and he, subsequently, on each occasion, was elected. We certainly like to feel, and point with pride to the fact, that we have had served in this great Senate of Pennsylvania one of the outstanding public servants, not only of Pennsylvania but of the entire United States of America. I think his fairness, as the President pro tempore, is known from one end of this Commonwealth to the other, as well as all over the Nation.

Certainly, the order changeth. There is nothing we can do about it today. Therefore, we, on this side of the aisle, are not presenting any name in nomination.

I know that I speak for my colleagues when I say that if the order had to be changed, we can think of no one whom we would rather see become President pro tempore than the gentleman who has just been nominated.

On behalf of my colleagues, Mr. President, it gives me a great deal of pleasure to also second the nomination of the Honorable Anthony J. DiSilvestro for the office of President pro tempore of the Senate.

NOMINATIONS CLOSED

Mr. RIPP. Mr. President, I move that the nominations for the office of President pro tempore of the Senate be closed.

Mr. MURRAY. Mr. President, I rise to second this motion that the nominations be closed.

The motion was agreed to.

The PRESIDENT. On the election of the President pro tempore, the Clerk will call the roll. The candidate is the Honorable Anthony J. DiSilvestro, of Philadelphia County.

The roll was called and resulted as follows:

FOR MR. DiSILVESTRO—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,	Miller,	Silvert,	Yatron,
Hays,			

PRESENT—1

DiSilvestro,

The PRESIDENT. The Honorable Anthony J. DiSilvestro having received forty-nine votes, the Chair declares Senator Anthony J. DiSilvestro duly elected President pro tempore of the Senate of Pennsylvania.

Will you please rise Senator DiSilvestro. We want to see the gentleman who has been so nicely spoken of and we do congratulate you, Senator.

COMMITTEE APPOINTED TO ESCORT PRESIDENT PRO TEMPORE-ELECT TO THE ROSTRUM

The PRESIDENT. The Chair takes pleasure in naming as the Committee to Escort the President pro tempore-elect to the Rostrum, the gentleman from Philadelphia, Mr. Weiner; the gentleman from Washington, Mr. Lane; and the gentleman from Dauphin, Mr. Taylor.

(Whereupon, the President pro tempore-elect was escorted to the rostrum of the Senate.)

ADMINISTRATION OF OATH OF OFFICE TO PRESIDENT PRO TEMPORE

The PRESIDENT. The oath of office will be administered to the newly elected President pro tempore by the Honorable Eustace H. Bane, President Judge of the Court of Common Pleas of Fayette County.

(The oath of office was administered accordingly.)

REMARKS BY THE PRESIDENT PRO TEMPORE

Mr. DiSILVESTRO. Mr. President, Members of the Senate, distinguished guests and ladies and gentlemen, I wish to thank you all for the great honor you have bestowed upon me this morning. As I begin my twenty-fifth year here as a Member of the Pennsylvania Senate, it is gratifying to me that my colleagues have shown their confidence in me by electing me to this high office.

This honor not only inures to me, but to the people of my District who have shown their confidence in me by electing me seven times to the distinguished office of State Senator. I want to assure them and you that this confidence which they and you have placed in me will be fully justified in the future as I hope it has been in the past.

I am sure that in the months ahead as we face the many difficult and complex problems on which we will have to act, that we will deal with them in a spirit of harmony and in the interest of all of the people and without political rancor.

I pledge to address myself to the business of this office in such a manner that we all can continue to merit the respect of the people of this great Commonwealth, and maintain the high trust that they have placed in us.

Again, my humblest and heartfelt thanks for the great honor you have accorded me, my wife, my mother and my family.

ELECTION OF SECRETARY OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Secretary of the Senate. The Chair recognizes the gentleman from Centre County, Senator Hays.

Mr. HAYS. Mr. President and Members of the Senate, it is my purpose to offer a nominee for the office of Secretary of the Senate.

From the "Handbook for Senators," issued in 1960, I want to read a couple of sentences, defining the duties of the Secretary of the Senate:

> "The Secretary of the Senate is primarily the Parliamentarian of the Senate. He supervises all procedural detail, answers requests made by Senators and contracts for all Senate printing. He directs the compiling of the Senate History, Senate Calendar, amendments to bills in the Senate, Senate portion of the Legislative Directory, Senate portion of The Pennsylvania Manual, plus other duties."

It is now my pleasure to nominate for this office the Honorable Paul C. Moomaw of Franklin County. Mr. Moomaw, I think, is admirably equipped by native ability, training and experience to carry out the duties enumerated.

Mr. Moomaw has served as a member of the General Assembly of Pennsylvania and, for two terms, has been Secretary of the House of Representatives.

I only know of one blot on this man's career. He was not born in the State of Pennsplvania. However, this happened at a very early age and I do not think he had much control over it, and he remedied this I believe at a very early time in life.

I am pleased to place in nomination, on behalf of my Caucus and myself, the name of Paul C. Moomaw of Franklin County.

Mr. CAMIEL. Mr. President, it is my honor and a great privilege to second the nomination, for Secretary of the Senate of Pennsylvania, of a most distinguished gentleman from Franklin County, Paul C. Moomaw.

The PRESIDENT. Are there any further nominations?

NOMINATIONS CLOSED

Mr. WEINER. Mr. President, I now move that the nominations for the office of Secretary of the Senate be closed.

Mr. STAISEY. Mr. President, I second the motion that the nominations be closed.

The motion was agreed to.

The PRESIDENT. On the election of the Secretary of the Senate, the Clerk will call the roll. The candidate is the Honorable Paul C. Moomaw of Franklin County.

The roll was called and resulted as follows:

FOR MR. MOOMAW—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

The PRESIDENT. The Honorable Paul C. Moomaw having received fifty votes, the Chair declares Mr. Moomaw duly elected Secretary of the Senate of Pennsylvania.

ELECTION OF CHIEF CLERK OF THE SENATE

The PRESIDENT. The next order of business before the Senate is the election of the Chief Clerk.

Mr. McGINNIS. Mr. President, I am pleased to place the name of Dennis J. Mulvihill, from Pittsburgh, in nomination for the position of Chief Clerk.

Mr. Mulvihill was here a little over twenty-two years ago in that same position, and he served us well. He is a lawyer in Pittsburgh, has raised a fine family, has a son in Yale University right now, and I am sure if he is elected again to this position, that he will serve every Senator on this floor well and helpfully.

Mr. STIEFEL. Mr. President, the sage of the Senate has spoken. I second the nomination.

NOMINATIONS CLOSED

Mr. McMENAMIN. Mr. President, I move that the nominations be closed.

Mr. SARRAF. Mr. President, I desire to second the motion.

The motion was agreed to.

The PRESIDENT. On the election of the Chief Clerk of the Senate, the Clerk will call the roll. The candidate is the Honorable Dennis J. Mulvihill, of Allegheny County.

The roll was called and resulted as follows:

FOR MR. MULVIHILL—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

The PRESIDENT. The Honorable Dennis J. Mulvihill having received fifty votes, the Chair declares Mr. Mulvihill duly elected Chief Clerk of the Senate of Pennsylvania.

ELECTION OF SENATE LIBRARIAN

The PRESIDENT. The next order of business before the Senate is the election of the Senate Librarian.

Mr. DEVLIN. Mr. President, it was my pleasure during the past two Sessions to serve in the other Chamber with a dedicated public servant, the gentleman from Fulton County, Marl H. Garlock. It is now my privilege to place his name in nomination to be the Librarian of the Senate of Pennsylvania.

Mr. SESLER. Mr. President, it is a pleasure for me to rise and second the nomination of Marl H. Garlock for Senate Librarian. I do so with the assurance that he will serve the Members of this Senate faithfully and well.

The PRESIDENT. Are there any further nominations?

NOMINATIONS CLOSED

Mr. ROONEY. Mr. President, I move that the nominations for the office of Senate Librarian now be closed.

Mr. SILVERT. Mr. President, I wish to second the motion of Senator Rooney to close the nominations for Senate Librarian.

The motion was agreed to.

The PRESIDENT. On the election of the Senate Librarian, the Clerk will call the roll. The candidate is the Honorable Marl H. Garlock, of Fulton County.

The roll was called and resulted as follows:

FOR MR. GARLOCK—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

The PRESIDENT. The Honorable Marl H. Garlock having received fifty votes, the Chair declares Mr. Garlock duly elected Librarian of the Senate of Pennsylvania.

OATH OF OFFICE ADMINISTERED TO SECRETARY OF THE SENATE, CHIEF CLERK OF THE SENATE AND SENATE LIBRARIAN

The PRESIDENT. The Secretary-elect of the Senate, Paul C. Moomaw, the Chief Clerk-elect of the Senate, Dennis J. Mulvihill and the Senate Librarian-elect, Marl H. Garlock, will approach the rostrum in order that the oath of office may be administered.

(Oath of office was accordingly administered to the above officers by the Honorable Eustace H. Bane, President Judge, Court of Common Pleas, Fayette County.)

ANNOUNCEMENT OF MAJORITY AND MINORITY SENATE LEADERSHIP

The PRESIDENT. The Chair has been advised by the Majority Caucus that they have elected as Majority Floor Leader, the gentleman from Philadelphia, Senator Charles R. Weiner, and as Whip, the gentleman from Washington, Senator William J. Lane. They have further elected as Caucus Chairman, the gentleman from Philadelphia, Senator Israel Stiefel, and as Caucus Secretary, the gentleman from Allegheny, Senator George J. Sarraf.

The Chair has also been informed by the Minority Caucus that they have elected as Minority Floor Leader, the gentleman from Potter, Senator James S. Berger, and as Whip, the gentleman from Armstrong, Senator Albert R. Pechan. They have elected as Caucus Chairman, the gentleman from Allegheny, Senator Robert D. Fleming, and as Caucus Secretary, the gentleman from Lancaster, Senator Edward J. Kessler.

Congratulations and best wishes to the gentlemen named.

SENATE RESOLUTIONS

NOTIFICATION TO THE HOUSE

Mr. WEINER offered the following resolution, which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That a committee of three be appointed to inform the House of Representatives that the Senate is now in session and ready to proceed to business.

APPOINTMENT OF COMMITTEE TO NOTIFY THE HOUSE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to announce the appointment of the following Committee of the Senate to notify the House of Representatives that the Senate is duly organized for the conduct of business: the gentleman from Berks, Mr. Yatron, Chairman; the gentleman from Allegheny, Mr. Devlin; and the gentleman from Bedford, Mr. Stroup.

The committee will leave immediately and discharge its duties.

NOTIFICATION TO HIS EXCELLENCY, THE GOVERNOR

Mr. WEINER offered the following resolution, which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That a committee of three be appointed to wait upon His Excellency, the Governor, and inform him that the Senate is convened and organized and ready to receive any communication he may be pleased to make.

APPOINTMENT OF COMMITTEE TO NOTIFY THE GOVERNOR

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to advise the Senate of the appointment of the following Committee to inform the Governor that the Senate is organized: the gentleman from York, Mr. Seyler, Chairman; the gentleman from Westmoreland, Mr. Mahady; and the gentleman from Delaware, Mr. Bell.

The committee will leave immediately and discharge its duties.

THANKS OF THE SENATE TENDERED TO HONORABLE EUSTACE H. BANE FOR QUALIFYING CERTAIN NEWLY ELECTED SENATORS

Mr. KALMAN offered the following resolution, which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the thanks of the Senate are hereby tendered to the Honorable Eustace H. Bane, President Judge of the Court of Common Pleas of Fayette County, for his services in qualifying certain newly elected Senators and Officers.

Mr. WEINER. Mr. President, I think we would be amiss in our duties if we did not recognize that Judge Bane was formerly Senator Bane, before they demoted him to the position of Judge. I think he is the only man in the Commonwealth who has the distinction of having been a Member of the Senate and going on to the judiciary. In the judiciary, I think his experiences here have served him well, as you have seen this morning in his performance.

Mr. ROONEY. Mr. President, I would like to correct the gentleman from Philadelphia, Senator Weiner.

The Court of Common Pleas, in Northampton County, has, as its President Judge, Judge William G. Barthold. Also serving on the Court of Common Pleas is Judge Carleton T. Woodring. Both of these gentlemen were former Senators.

The PRESIDENT. Thank you, Senator Rooney. I had not remembered that either.

Mr. LANE. Mr. President, I also would like to correct the Majority Leader.

My predecessor was Senator Wallace S. Gourley, who is now the Chief Judge of the Federal Courts in the Pittsburgh District.

The PRESIDENT. It seems to me that I reversed the procedure and came from a judgeship to the august Halls of the Senate.

Mr. STIEFEL. Also, Mr. President, William Troutman, now Judge Troutman of Sunbury, is a former Senator.

The PRESIDENT. Does the gentleman from Philadelphia, Mr. Weiner, stand corrected?

Mr. WEINER. Mr. President, as a Senator from Philadelphia and the Majority Leader, I merely wish to state that you can readily see that my job is not going to be an easy one during this Session.

The PRESIDENT. We are very happy to have former Senator Bane with us today as Judge Bane.

Mr. BERGER. Mr. President, I would merely like to remind the gentleman from Philadelphia, Senator Weiner, that the Honorable John F. Lord, of the Federal Courts, was also a Member of this Senate.

The PRESIDENT. The gentleman from Philadelphia is really being reminded, Senator Berger.

SENATE RESOLUTION

THANKS OF THE SENATE TENDERED TO HONORABLE R. DIXON HERMAN FOR QUALIFYING CERTAIN NEWLY ELECTED SENATORS

Mr. TAYLOR offered the following resolution which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the thanks of the Senate are hereby tendered to the Honorable R. Dixon Herman, Judge of the Court of Common Pleas of Dauphin County, for his services in qualifying certain newly elected Senators.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee of the Senate.

The PRESIDENT. The committee may proceed to the rostrum.

Mr. YATRON. Mr. President, the committee appointed to wait upon the House of Representatives and inform that Body that the Senate is organized and ready to proceed with the business of the Senate has performed its duty.

The PRESIDENT. The Chair receives the report and the committee is discharged with the thanks of the Senate.

SENATE RESOLUTION

STANDING RULES OF THE SENATE ADOPTED FOR 1961 SESSION

Mr. DONOLOW offered the following resolution (Serial No. 1), which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the standing rules of the Senate during the regular session of 1960 be adopted for the government of the Senate for the present regular session.

SENATE CONCURRENT RESOLUTION

JOINT COMMITTEE TO REPRESENT THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA IN THE INAUGURAL CEREMONIES OF THE HONORABLE JOHN F. KENNEDY

Mr. MULLIN offered the following resolution (Serial No. 100), which was read, considered and adopted:

In the Senate, January 3, 1961.

Whereas, on January 20, 1961, the Honorable John F. Kennedy will be inaugurated as the President of the United States of America, and

Whereas, it is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies to be held in Washington, D. C. at that time, now therefore be it

Resolved (if the House of Representatives concur), That the President pro tempore of the Senate is hereby author-

ized to appoint the twenty-five Democratic Members of the Senate, and the Speaker of the House is hereby authorized to appoint one hundred and nine Democratic Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable John F. Kennedy.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee of the Senate.

The PRESIDENT. The committee will please approach the rostrum.

Mr. SEYLER. Mr. President, we have waited upon the Governor and notified him thatt we are organized and ready to proceed to business, and are prepared to receive any communications which he may be pleased to make.

The PRESIDENT. The Chair receives the report and the committee is discharged with the thanks of the Senate.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. WEINER offered the following resolution, which was read, considered and adopted:

In the Senate, Januuary 3, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, January 16, 1961 at three o'clock P. M., E. S. T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvene Monday, January 16, 1961 at three-thirty o'clock P. M., E. S. T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTIONS

AUTHORIZATION OF APPOINTMENT OF ALL SPECIAL AND STANDING COMMITTEES

Mr. WEINER offered the following resolution which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the President pro tempore of the Senate be authorized to appoint all special and standing committees of the Senate during the session and shall be ex-officio a member of all standing, special and joint legislative committees.

SELECT COMMITTEE

Mr. WEINER offered the following resolution (Serial No. 2), which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That a Temporary Select Committee on Legislation shall be appointed by the President pro tempore, consisting of six Senators, one of whom shall be designated as Chairman by the President pro tempore.

All bills, when introduced in the Senate or presented to the Senate by the House for concurrence prior to the time the Standing Committees of the Senate are appointed, shall be referred by the President to the Select Committee on Legislation for its consideration.

APPOINTMENT OF SELECT COMMITTEE

The PRESIDENT. Pursuant to the resolution just adopted, the Chair wishes to advise the Senate that the Select Committee has been named and is as follows: the gentleman from Philadelphia, Mr. Weiner, Chairman; the gentleman from Washington, Mr. Lane; the gentleman from Philadelphia, Mr. Stiefel; the gentleman from Allegheny, Mr. Sarraf; the gentleman from Tioga, Mr. Berger; and the gentleman from Carbon, Mr. Scott.

The Members will not their appointments.

TELLER TO COMPUTE AND COUNT VOTE FOR AUDITOR GENERAL AND STATE TREASURER

Mr. WEINER offered the following resolution which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the Senator from Philadelphia County, Mr. McCreesh, be appointed Teller on the part of the Senate for the purpose of witnessing the opening, computing and counting the vote for Auditor General and State Treasurer.

APPROVAL OF PAYMENT OF SALARIES AND WAGES TO OFFICERS AND EMPLOYEES OF THE SENATE

Mr. WEINER offered the following resolution which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved, That the Chief Clerk of the Senate approve orders for the payment of salaries and wages only to such officers and employees of the Senate as are specifically authorized by law and who actually perform the duties of the positions to which they have been elected or appointed.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Tuesday, January 3, 1961, at 2:00 p. m.

SENATE CONCURRENT RESOLUTIONS

JOINT SESSION

Mr. HALUSKA offered the following resolution, which was read, considered and adopted.

In the Senate, January 3, 1961.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Tuesday, January 3, 1961, at two o'clock P. M., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer, held Tuesday, November 8, 1960, in the several counties of this Commonwealth; and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. WEINER offered the following resolution, which was read, considered and adopted:

In the Senate, January 3, 1961.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed, to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

REASONS FOR PARDONS AND COMMUTATIONS

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons and commutations granted by me from January 6, 1960, to date.

DAVID L. LAWRENCE.

The PRESIDENT. The Reasons for Pardons and Commutations will be noted in the Journal of the Senate, and printed in the Appendix.

COMMUNICATIONS FROM THE GOVERNOR TAKEN FROM THE TABLE

The PRESIDENT. The Chair now calls from the table communications in writing from His Excellency, the Governor of the Commonwealth, which the Clerk will read.

The communications were read by the Clerk as follows:

NOMINATIONS BY THE GOVERNOR

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons:

DAVID L. LAWRENCE.

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Mary Harris, Erie, from November 15, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

MEMBER OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Sarah R. Halperin, Lancaster, from December 28, 1960 until December 31, 1961, and until her successor is duly appointed and qualified.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Florence A. Staeger, Lebanon, from January 1, 1961, until December 31, 1963, and until her successor is duly appointed and qualified.

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Dorismarie Rowe, Mohnton, from January 1, 1961, until December 31, 1963, and until her successor is duly appointed and qualified.

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Virginia E. Heath, Osceola Mills, from December 29, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

MEMBERS OF THE ADVISORY BOARD ON PROBLEMS OF OLDER WORKERS

January 3, 1961.

Earl C. Bohr, Harrisburg, from November 15, 1960, for the term of four years or until his successor is appointed and qualified.

John H. Bream, Harrisburg, from November 15, 1960, for the term of four years or until his successor is appointed and qualified.

MEMBER OF THE ADVISORY HEALTH BOARD

January 3, 1961.

Edward F. Kunde, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified.

MEMBERS OF THE AIR POLLUTION COMMISSION

January 3, 1961.

(Mrs.) Elizabeth B. Wylam, Wyndmoor, from November 15, 1960, for a term of four years or until a successor is duly appointed.

H. H. Schrenk, Pittsburgh, from November 15, 1960, for a term of four years or until a successor is duly appointed.

W. H. Jukkola, Aliquippa, from November 15, 1960, for a term of four years or until a successor is duly appointed.

Allen D. Brandt, Bethlehem, from November 15, 1960, for a term of four years or until a successor is duly appointed.

E. M. Parrish, Pittsburgh, from November 15, 1960, for a term of four years or until a successor is duly appointed.

Elmer Roy Queer, State College, from November 15, 1960, for a term of four years or until a successor is duly appointed.

MEMBERS OF THE BRANDYWINE BATTLEFIELD PARK COMMISSION

January 3, 1961.

(Mrs.) Mary K. Fisher, Chadds Ford, from November 15, 1960, for the term of four years, and until her successor shall have been appointed and qualified.

Frank J. O'Brien, West Chester, from November 15, 1960, for the term of four years, and until his successor shall have been appointed and qualified.

MEMBER OF THE COAL RESEARCH BOARD

January 3, 1961.

William J. Rude, Ashley, from December 16, 1960, for the term of three years, and until his successor shall have been appointed and qualified.

MEMBER OF THE NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS NAVIGABLE TRIBUTARIES

January 3, 1961.

William J. Coopersmith, Chester, from November 15, 1960, for the term of four years, and until his successor is appointed and qualified.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

January 3, 1961.

Jack Sirott, Levittown, from November 15, 1960, until terminated.

MEMBER OF THE BOARD OF TRUSTEES OF HAMBURG STATE SCHOOL AND HOSPITAL

January 3, 1961.

(Mrs.) Agnes McCartney, Lansford, from November 15, 1960, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

January 3, 1961.

Thomas H. Lane, Middletown, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Wendell P. C. Morganthaler, Harrisburg, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Harold W. Swope, Harrisburg, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Dawson Kohr, Lebanon, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

MEMBERS OF THE MILK CONTROL COMMISSION

January 3, 1961.

G. Emerson Work, Smock, from November 15, 1960, until May 1, 1965, and until his successor shall have been appointed and qualified.

John A. Smith, Dickinson, from November 15, 1960, until May 1, 1961, and until his successor shall have been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

January 3, 1961.

George C. Winterling, Lancaster, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

John C. Albohm, York, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

(Mrs.) Clara Bard Leisey, Ephrata, from November 15, 1960, until the third Tuesday of January 1965, and until her successor is appointed and qualified.

G. Marlin Spaid, Lititz, from November 15, 1960, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

January 3, 1961.

Robert M. Taylor, Philadelphia, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE STATE REAL ESTATE COMMISSION

January 3, 1961.

Vernon M. Wood, Sr., Harrisburg, from November 15, 1960, until September 21, 1964, and until his successor has been appointed and qualified.

MEMBERS OF THE BOARD OF TRUSTEES OF RETREAT STATE HOSPITAL

January 3, 1961.

Marlyn F. Leppert, Hughestown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Phillip Fitelson, Mountaintop, from November 29, 1960, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

MEMBER OF THE PENNSYLVANIA SECURITIES COMMISSION

January 3, 1961.

John R. Torquato, Johnstown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 3, 1961.

Charles T. Douds, Camp Hill, from November 15, 1960, until July 1, 1962, and until his successor shall have been appointed and qualified.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

January 3, 1961.

James L. McWherter, Derry, from November 17, 1960, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

MEMBERS OF THE STATE VETERANS' COMMISSION

January 3, 1961.

Bernard J. McGowan, McKeesport, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Wilbert C. Plusa, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Vincent A. Hanna, Havertown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Leonard R. Santore, Greensboro, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Edward T. Hoak, Manor, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

WORKMEN'S COMPENSATION REFEREE

January 3, 1961.

George A. Spohrer, Pittston, from January 2, 1961, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

MEMBER OF THE DELAWARE RIVER PORT AUTHORITY

January 3, 1961.

Joseph S. Lord, Philadelphia, from January 3, 1961, for a term of five years, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wesley Reitze, Mercer Pike, Meadville, Crawford County, for appointment as a member of the Board of Trustees of Edinboro State College, until the third Tuesday of January

1965, and until his successor is appointed and qualified, vice Frank S. Holowach, resigned.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

The PRESIDENT. The nominations just read by the Clerk will be laid on the table.

The Senate will be at ease awaiting communications from the House of Representatives.

(The Senate was at ease.)

HOUSE NOTIFIES SENATE IT IS ORGANIZED

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House of Representatives.

The PRESIDENT. Will you proceed and bring them forward?

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable James Musto.

The PRESIDENT. The Chair is pleased to recognize the Chairman of the Committee, Representative Musto.

Mr. MUSTO. Mr. President, this committee has been appointed to inform the Senate that the House is organized and ready to proceed with the business of the Session.

The PRESIDENT. The Chair receives your report and thanks you for its delivery.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in the following resolutions from the Senate, entitled:

Joint Committee to Represent the General Assembly of the Commonwealth of Pennsylvania in the Inaugural Ceremonies of the Honorable John F. Kennedy (Serial No. 100).

Weekly Adjournment.

Joint Session.

Committee to Escort the Governor to the Hall of the House.

APPOINTMENT OF TELLER

In the House of Representatives, January 3, 1961.

He also informed the Senate that the Honorable David M. Boies, of the County of Allegheny, has been elected Teller on the part of the House of Representatives to compute the vote cast on November 8, 1960, for Auditor General and State Treasurer in Joint Session of the General Assembly Tuesday, January 3, 1961.

GENERAL COMMUNICATION

REPORT OF THE LEHIGH COAL AND NAVIGATION COMPANY

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

THE LEHIGH COAL AND NAVIGATION COMPANY

528 NORTH WEST STREET, BETHLEHEM, PENNSYLVANIA

W. B. JOACHIM, JR.
Secretary
and
Ass't Treasurer

W. E. SPATIG
Treasurer
and
Ass't Secretary

December 15, 1960.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in the General Assembly met:

In compliance with the requirements of the 19th Section of the Act of Assembly, passed March 20, 1818, entitled "An act to Improve the Navigation of the River Lehigh," I wish to report that no tolls were received on the Lehigh Navigation during the year 1960.

Very truly yours,
/s/ W. E. Spatig
Assistant Secretary

Commonwealth of Pennsylvania }
County of Northampton } ss:

Before me, the subscriber, a Notary Public of the County of Northampton and Commonwealth of Pennsylvania, personally appeared on the 15th day of December, 1960, W. E. Spatig, Assistant Secretary of The Lehigh Coal and Navigation Company, who being duly affirmed according to law, did depose and say that the above statement is just and true to the best of his knowledge, information and belief.

/s/ W. E. Spatig

Affirmed and Subscribed
before me the day and
year aforesaid.
(SEAL)
/s/ Stella R. Beam
Notary Public
My Commission expires: 9/8/61.

MEMBERS OF WOMEN'S GUILD OF THE FIRST LEGISLATIVE DISTRICT, OF WESTMORELAND COUNTY, PRESENTED TO SENATE

Mr. MAHADY. Mr. President, in bad weather, more than forty members of the Women's Guild of the First Legislative District, of Westmoreland County, have come to be present today.

I would like to introduce, at this time, their President, Ruth Shick, and the ladies from the Women's Guild of the First Legislative District, of Westmoreland County.

The PRESIDENT. Will the ladies please rise?

On behalf of the Senate, the Chair would like to state that we are very happy to have you here today. We hope that you will find the proceedings of interest to you.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House.

The PRESIDENT. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable Joshua Eilberg.

The PRESIDENT. The Chair is very happy to recognize Representative Eilberg, of Philadelphia.

Mr. EILBERG. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in Joint

Session and to escort the Senators to the Hall of the House.

The PRESIDENT. The Chair receives the report with thanks.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. Pursuant to a resolution previously adopted, the Chair wishes to announce the appointment of the following Committee of the Senate to escort His Excellency, the Governor, to the Hall of the House: the gentleman from Lackawanna, Mr. McMenamin, Chairman; the gentleman from Centre, Mr. Hays: and the gentleman from Schuylkill, Mr. Wagner.

The committee will leave immediately to discharge its duties.

RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms, and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

SENATE PROCEEDS TO HOUSE TO HEAR GOVERNOR'S MESSAGE AND TO COUNT VOTE FOR STATE OFFICERS

The hour of two o'clock, p.m. having arrived, a committee on the part of the House of Representatives being introduced, informed the Senate that the House of Representatives was ready for the reception of the President and Members of the Senate for the purpose of listening to the reading by His Excellency, the Governor, of his message and witnessing the opening, counting and publishing of the official returns of the votes cast on the first Tuesday of November, A.D., 1960, for Auditor General and State Treasurer.

Whereupon,

The President and Members of the Senate proceeded to the Hall of the House of Representatives.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

TELLER'S REPORT OF PROCEEDINGS OF JOINT SESSION OF SENATE AND HOUSE OF REPRESENTATIVES FOR THE OPENING, COUNTING AND PUBLISHING OF VOTES FOR AUDITOR GENERAL AND STATE TREASURER

Mr. McCREESH. Mr. President, I would like to submit the following Report of the Senate Teller to the Chair.

The PRESIDENT. The Clerk will read the report.

The report was read by the Clerk as follows:

That the President and Members of the Senate and the Speaker and Members of the House of Representatives, met in the Hall of the House of Representatives at 2:00 p.m. this day, and the President, John Morgan Davis, of the Senate, in pursuance of the Constitution and the laws of this Commonwealth, did then and there proceed to open and count and publish the official returns of the election of Auditor General and State Treasurer, held on the eighth day of November, Anno Domino One Thousand Nine Hundred and Sixty, in the several counties of the Commonwealth.

CERTIFICATES OF ELECTION

The General Assembly
In Joint Session
January 3, 1961

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the third day of January, A.D., one thousand nine hundred and sixty-one, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for Auditor General of this Commonwealth, and publish the same in the present of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of the said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that Thomas Z. Minehart had the highest number of votes; whereupon the said Thomas Z. Minehart was declared to have been duly elected Auditor General of the Commonwealth.

In Testimony Whereof, we have hereunto set our hands and affixed our Seals the day and year above written.

(SEAL) JOHN MORGAN DAVIS,
President of the Senate
(SEAL) HIRAM G. ANDREWS,
Speaker of the House of Representatives
THOMAS P. McCREESH,
Teller on the part of the Senate
DAVID M. BOIES,
Teller on the part of the House of Representatives

The General Assembly
In Joint Session
January 3, 1961

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the third day of January, A.D., one thousand nine hundred and sixty-one, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of the said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that Grace M. Sloan had the highest number of votes; whereupon the said Grace M. Sloan was declared to have been duly elected State Treasurer of the Commonwealth.

In Testimony Whereof, we have hereunto set our hands and affixed our Seals the day and year above written.

(SEAL) JOHN MORGAN DAVIS,
President of the Senate
(SEAL) HIRAM G. ANDREWS,
Speaker of the House of Representatives
THOMAS P. McCREESH,
Teller on the part of the Senate
DAVID M. BOIES,
Teller on the part of the House of Representatives

The PRESIDENT. The Chair wishes to thank the gentleman for a job well done.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

ADDRESS OF GOVERNOR DAVID L. LAWRENCE
JOINT SESSION OF THE GENERAL ASSEMBLY
JANUARY 3, 1961

The PRESIDENT. This communication will be noted in the Legislative Journal.

SUPPLEMENT

In the Senate, December 12, 1960.

Pursuant to notification, Hon. Stanley G. Stroup, of the Thirty-sixth Senatorial District, elected at a Special Election held on November 8, 1960 to fill a vacancy, presented himself in the Hall of the Senate on December 12, 1960, when the oath of office was administered to him; the President of the Senate, Lieutenant-Governor John Morgan Davis, presiding.

The President (John Morgan Davis) in the Chair.

The PRESIDENT. This meeting has been called today to enable Senator-elect Stanley G. Stroup to take the oath of office in the Senate Chamber in accordance with provisions in the Constitution of Pennsylvania. I will ask the Secretary of the Senate to read the returns of the Special Election held in the Thirty-sixth Senatorial District on November 8, 1960.

In the Name and by Authority of the Commonwealth of Pennsylvania

To His Excellency the President of the Senate and to the Members of the Senate of the General Assembly of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the returns of the Special Election of the Member of the Senate of the General Assembly of the Commonwealth of Pennsylvania for the Thirty-sixth Senatorial District, as the same has been certified to and filed with the Secretary of the Commonwealth by the County Boards of Elections:

STANLEY G. STROUP
Thirty-sixth Senatorial District
of Pennsylvania

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of my office at the City of Harrisburg this ninth day of December, in the year of our Lord one thousand nine hundred and sixty and of the Commonwealth the one hundred and eighty-fifth.

(SEAL)
JOHN S. RICE
Secretary of the Commonwealth

NOVEMBER ELECTION
OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania } ss: Bedford, Pa.
County of Bedford } November 8, 1960.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 8, 1960, for each and every candidate in the County of Bedford as the same remain on file in this office, for the office of Senator in the General Assembly—36th Dist.

REPUBLICAN

Stanley G. Stroup had Eleven thousand eight hundred thirty-four votes 11,834

DEMOCRATIC

Joseph N. Cascio had Six thousand seven hundred fifty votes 6,750

In Testimony Whereof, We have hereunto set our hands and seal of office, this 6th day of December, 1960.

E. C. CLAYCOMB
E. E. BUCHANAN
ROBERT FOY
County Board of Elections

(SEAL)

Attest:
W. R. WINUS
Clerk

NOVEMBER ELECTION
OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania } ss: McConnellsburg, Pa.
Countyof Fulton } November 26, 1960.

To the Secretary of the Commonwealth:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 8, 1960, for each and every candidate in the County of Fulton as the sae remain on file in this office, for the office of Senator in the General Assembly—36th Dist.

REPUBLICAN

Stanley G. Stroup had Two thousand four hundred twenty votes 2,420

DEMOCRATIC

Joseph N. Cascio had One thousand nine hundred four votes 1,904

In Testimony Whereof, We have hereunto set our hands and seal of office, this 26th day of November, 1960.

EARL R. SIPES
DELMAR A. MELLOTT
BRINTON C. WRIGHT
County Board of Elections

(SEAL)

Attest:
AMOS STOUTEAGLE
Clerk

NOVEMBER ELECTION
OFFICE OF THE COUNTY BOARD OF ELECTIONS

Commonwealth of Pennsylvania } ss: Somerset, Pa.
County of Somerset } November 8, 1960.

To the Secretary of the Commonwealh:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the Special Election held on Tuesday, November 8, 1960, for each and every candidate in the County of Somerset as the same remain on file in this office, for the office of Senator in the General Assembly—36th Dist.
(For the unexpired Term of J. Irving Whalley)

REPUBLICAN

Stanley G. Stroup had Seventeen Thousand Two Hundred Thirty-three votes 17,233

DEMOCRATIC

Joseph N. Cascio had Seventeen Thousand Nine Hundred Fifty votes 17,950

OTHER PARTIES

W. John Stiteler, Jr. (Write-In) had One vote 1
Geo. Salem (Write-In) had Two votes 2
John Haluska (Write-In) had One Vote 1

In Testimony Whereof, We have hereunto set our hands and seal of office, this 8th day of November, 1960.

LEWIS A. BAUMGARDNER
ISABEL C. KLINE
WARREN K. HAY
County Board of Elections

(SEAL)

Attest:
MABEL V. COMBECKER
Clerk

The PRESIDENT. Senator-elect Stroup will now please stand in front of the rostrum so that the oath of office may be administered. A Bible has been placed there for your use.

(Senator-elect Stanley G. Stroup approached the rostrum.)

The PRESIDENT. We are privileged to have with us

today the Honorable R. Dixon Herman, Judge of the Court of Common Pleas of Dauphin County. I now present Judge Herman, who will administer the oath.

(The oath of office was administered.)

The PRESIDENT. The Chair wishes to extend the sincere thanks of the Senate to Judge Herman for taking time out from his busy schedule to come to the Capitol today and render this special service.

The Chair would also like to congratulate Senator Stroup and welcome him to the Senate of Pennsylvania.

The Chair directs the Chief Clerk to have the proceedings of this meeting entered in the Legislative Journal when the Senate shall next convene in Session.

The purpose for which this meeting was called having been accomplished, the Chair declares the meeting now adjourned.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Thursday, January 5, 1961 at 8:00 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:43 p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, January 3, 1961

At 11:30 a.m., the Honorable David M. Boies, a Member from Allegheny County, accompanied by the gentleman from Lancaster, Mr. Norman Wood, made the following announcement in the Hall of the House.

In accordance with the provisions of Article II, Section 4 of the Constitution of Pennsylvania, the Members-elect of this 145th regular session of the House of Representatives will meet this day at twelve o'clock noon in the Hall of the House for the purpose of organization.

The hour of twelve o'clock having arrived, Honorable Joseph Ominsky, Chief Clerk of the House of Representatives, called the Members-elect to order and announced that:

This being the day and the hour fixed by Article II, Section 4 of the Constitution of Pennsylvania for the meeting of the General Assembly, the Members-elect of the House of Representatives will come to order.

The CHIEF CLERK. At the conclusion of the prayer the Members-elect will remain standing in silence until the sound of the gavel as a mark of respect to the memory of our Members who have died during the past year, Honorable Robert Wheeler, Member from Fayette County who died June 13, 1960; Honorable Samuel Mahan, County of Butler, died June 15, 1960; Honorable Charles F. Luigard, County of Berks, a Member-elect, died December 30, 1960.

PRAYER

Prayer was offered by the Chaplain, Reverend David R. Hoover, Pastor of St. Paul's Lutheran Church, McConnellsburg, Fulton County, Pennsylvania, as follows:

Almighty and Everlasting Father, Thou who best ordained government, and Thou who dost continually guide and direct those whom Thou hast called into this service, we look to Thee at the beginning of this new Session with confidence and assurance; grant to the Members of this House of Representatives the awareness of Thy presence, make them conscious of Thy accessibility and bestow upon them the richness of Thy grace.

We sadly regret the passing of Representative Charles Luigard who served this House capably and was to have been present at this Session.

In the troubled times which face this world of ours, we humbly pray that Thou wilt look with faver upon those who guide the destinies of this great Commonwealth; and by the exercise of Thy power in their lives, enable them to make real and lasting contributions for the welfare of all men everywhere: through Jesus Christ, Thy dear Son, Our Lord, who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor, Honorable Otis B. Morse, being introduced, presented communications in writing from the Governor which were laid upon the table.

PRESENTATION OF ELECTION RETURNS

The Secretary of the Commonwealth, Mr. John A. Rice, being introduced presented to the House of Representatives the returns of the election of November 8, 1960 for Members of the House of Representatives of the General Assembly.

RESOLUTION

ELECTION RETURNS OPENED

Mr. RUDISILL, a Member-elect, offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, Tuesday, January 3, 1961.

Resolved, That the returns for the election of Members of the House of Representatives held Tuesday, November 8, 1960, be now opened and read.

VOTES CAST FOR CANDIDATES FOR REPRESENTATIVES IN THE GENERAL ASSEMBLY AT THE GENERAL ELECTION —NOVEMBER 8, 1960

ADAMS COUNTY
1 Member

Party	Name	Address	Votes
Dem.	Dale Eugene Clark,	Bendersville	9,258
*Rep.	Francis Worley,	Latimore Twp., R.D.#1, York Springs	11,597

ALLEGHENY COUNTY
1st District—2 Members

*Dem.	James F. Clarke,	3606 Parkview Ave., Pittsburgh 13	29,840
*Dem.	K. Leroy Irvis,	2170 Centre Ave., Pittsburgh 19	29,673
Rep.	Raymond J. Duff,	2533 Wadsworth St., Pittsburgh 13	9,051
Rep.	Charles D. Clark,	2031 Center Ave., Pittsburgh 19	8,962

2nd District—1 Member

Dem.	Harry A. Kramer,	355 W. Penn Place, Pittsburgh 24	10,376
Rep.	Leo L. Andres,	3930 Howley St., Pittsburgh 24	4,340

3rd District—1 Member

*Dem.	Walter T. Kamyk,	4627 Carlton St., Pittsburgh 1	14,307
Rep.	John E. Staiger,	4542 Friendship Ave., Pittsburgh 24	4,299

4th District—1 Member

Dem.	Thomas H. Cauley,	927 N. Sheridan Ave., Pittsburgh 6	10,859
Rep.	Joseph P. Rigby,	624 Copeland St., Pittsburgh 32	10,196

5th District—1 Member

*Dem.	Leo J. McLaughlin,	7137 Upland St., Pittsburgh 8	13,275
Rep.	Walter C. Rainey,	7215 Tilden St., Pittsburgh 6	5,431

6th District—1 Member

Dem.	Milton K. Susman,	5819 Ferree St., Pittsburgh 17	10,701
*Rep.	Maurice H. Goldstein,	5666 Phillips Ave., Pittsburgh 17	13,760

Party	Name	Address	Votes
	7th District—1 Member		
*Dem.	Edward A. Schuster, Sr.,	425 Susanna Court, Pittsburgh 7	12,064
Rep.	Thomas Lane,	6 Tecumseh St., Pittsburgh 7	4,494
	8th District—1 Member		
*Dem.	Paul F. Lutty,	150 Monastery Ave., Pittsburgh 3	14,401
Rep.	C. W. Beckman,	244 Hays Ave., Pittsburgh 10	6,765
	9th District—1 Member		
*Dem.	Thomas F. Lamb,	905 Gladys Ave., Pittsburgh 16	21,006
Rep.	Glenn E. Stuart,	237 Olympia St., Pittsburgh 11	13,565
	10th District—1 Member		
*Dem.	Louis Leonard,	1217 Strahley Place, Pittsburgh 20	14,027
Rep.	William J. Davis,	1247 Chartiers Ave., Pittsburgh 20	8,368
	11th District—1 Member		
*Dem.	Martin C. Mihm,	716 Lockhart St., Pittsburgh 12	13,088
Rep.	August A. Gonlin,	601 Union Ave., Pittsburgh 12	6,300
	12th District—1 Member		
*Dem.	Thomas J. Foerster,	3714 Ruggles St., Pittsburgh 14	12,655
Rep.	John J. Vaughan,	2423 Osgood St., Pittsburgh 14	9,544
	13th District—1 Member		
*Dem.	John T. Walsh,	1415 Freemont St., McKeesport	13,491
Rep.	Clifford Carlson,	1733 Packer St., McKeesport	6,673
	14th District—2 Members		
*Dem.	Jules Filo,	4109 Greensprings Ave., West Mifflin	36,186
*Dem.	David M. Boies,	312 4th St., Clairton	34,736
Rep.	Jack Todd,	2F Midway Drive, West Mifflin	18,825
Rep.	W. Harry McIntosh,	121 East 16th Ave., Homestead	18,019
Better Penna.	Walter L. C. Bouvé,	227 Bost Dr., Dravosburg, West Mifflin	1,636
	15th District—4 Members		
Dem.	Joseph H. Ridge,	2349 Wells Drive, Bethel Park	65,614
Dem.	Raymond L. Scheib,	Mt. Lebanon Twp., 1262 Folkstone Dr., Pittsburgh 16	64,641
Dem.	Theodore P. Telep,	Moon Twp., Hookstown Grade Rd., R.D. 1, Coraopolis	63,450
Dem.	Ann Nugent,	4735 Curry Rd., Pittsburgh 36	61,334
*Rep.	Edwin C. Ewing,	Mt. Lebanon Twp., 35 Lebanon Hills Dr., Mt. Lebanon, Pittsburgh 28	75,210
*Rep.	George K. Haudenshield,	Scott Twp., 1505 Orchardview Drive, Pittsburgh 20	74,095
*Rep.	Ronald L. Thompson,	Mt. Lebanon Twp., 224 Parker Drive, Mt. Lebanon, Pittsburgh 16	72,404
Rep.	James C. Simmons,	5010 Lindermer Ave., Bethel Park	71,815
	16th District—4 Members		
*Dem.	John J. Murray,	1616 Branning Rd., Pittsburgh 35	75,858
*Dem.	George E. Jenkins,	1009 Kirkpatrick St., North Braddock	73,352
Dem.	Thomas F. Sullivan,	11 Glasgow Rd., Forest Hill, Pittsburgh 21	72,349
Dem.	Arthur O. Guesman,	Penn Hills Twp., 372 Whittier Drive, Pittsburgh 35	68,783
Rep.	Dennis D. Stevens,	Penn Hills Twp., 368 Lougeay Rd., Pittsburgh 35	64,131
Rep.	William P. H. Johnston,	Penn Hills Twp., 1516 Hudson St., Verona	62,855
Rep.	Dawson A. Mack,	524 Mifflin Ave., Wilkinsburg	60,953
Rep.	Lester E. Spray,	827 S. Trenton Ave., Wilkinsburg, Pittsburgh 21	60,927
	17th District—4 Members		
Dem.	Thomas A. Dougherty,	7 Prospect St., Etna	57,716
Dem.	John P. McGeown,	Reserve Twp., 105 Biscayne Terrace, Pittsburgh 12	52,610
Dem.	Cyril C. Vidra,	416 Bechman St., Springdale	50,571
Dem.	M. Victoria Geddis,	633 Means Ave., Pittsburgh 2	50,482
*Rep.	Lee A Donaldson, Jr.,	3 Elizabeth St., Etna, Pittsburgh 23	65,079
*Rep.	Willard F. Agnew, Jr.,	222 Lexington Ave., Aspinwall, Pittsburgh 15	64,934
*Rep.	Raymond E. Wilt,	Ross Twp., 131 Enger Ave., Pittsburgh 14	64,491
*Rep.	Laurence V. Gibb,	624 Mulberry St., Sewickley	62,192
	ARMSTRONG COUNTY 2 Members		
Dem.	Wade M. Reeser,	584 Franklin St., Freeport	15,170
Dem.	Louis J. Poundstone,	Manorville	14,208
*Rep.	W. Stuart Helm,	940 N. McKean St., Kittanning	19,607
*Rep.	W. Mack Guthrie,	801 Terrace Ave., Apollo	18,941
	BEAVER COUNTY 1st District—1 Member		
*Dem.	Robert K. Hamilton,	917 Maplewood Ave., Ambridge	19,173
Rep.	Paul W. Lloyd,	Rochester Twp., 1477 Maple St., Rochester	11,150
	2nd District—2 Members		
*Dem.	Charles D. Stone,	Hopewell Twp., 100 N. Brodhead Rd., Aliquippa	30,908
Dem.	H. Beryl Klein,	234 Franklin Ave., Aliquippa	28,406
Rep.	Alan Daniel Webb,	Hopewell Twp., 5003 Clifton Dr., Aliquippa	23,327
Rep.	Willard S. Simmons,	Brighton Twp., R. D. 2, Beaver	22,063
	BEDFORD COUNTY 1 Member		
Dem.	LeGrand W. Perce,	232 S. Richard St., Bedford	7,226
Rep.	Percy G. Foor,	139 W. Main St., Everett	11,402
	BERKS COUNTY 1st District—2 Members		
*Dem.	Charles F. Luigard,	1548 Perkiomen Ave., Reading	24,297
Dem.	Daniel F. McDevitt,	1918 Palm St., Reading	22,315

Party	Name	Address	Votes
Rep.	Gerald S. Zember,	222 N. 6th St., Reading	17,970
Rep.	Thomas E. Schaeffer, Jr.,	309 W. Oley St., Reading	16,796
	2nd District—1 Member		
Dem.	George A. Geist, Cumru Twp.,	14 S. Wyomissing Ave., Pennwyn, Reading	11,049
*Rep.	LeRoy A. Weidner, Lower Alsace Twp.,	Stone Creek Mills, 11 Marshall Ave., Reading	15,781
	3rd District—1 Member		
Dem.	Robert R. Brown, Spring Twp.,	2548 Cleveland Ave., West Lawn	9,380
Rep.	William G. Piper, Spring Twp.,	202 Harvard Blvd., Lincoln Park, Reading	11,856
	4th District—1 Member		
Dem.	Lawrence C. Machmer, Rockland Twp.,	R.D. 1, Mertztown	10,381
Rep.	Richard L. Adams,	1907 Elizabeth Ave., Laureldale	11,107
	BLAIR COUNTY 1st District—2 Members		
Dem.	W. Gardner Ferguson,	2518 Broad Ave., Altoona	12,095
Dem.	Andrew Piotrowski,	1526 18th St., Altoona	11,475
*Rep.	Charles A. Auker,	1106 26th Ave., Altoona	16,215
*Rep.	Harold G. Miller,	1738 23rd Ave., Altoona	15,828
	2nd District—1 Member		
Dem.	John T. Peace, Jr.,	1260 Logan Ave., Tyrone	8,768
*Rep.	Joseph R. Holliday, Antis Twp.,	R.D. 2, Tyrone	17,225
	BRADFORD COUNTY 1 Member		
Dem.	Leslie A. Packard,	27 Washington St., Canton	7,049
*Rep.	Evan S. Williams, Troy Twp.,	Troy	15,948
	BUCKS COUNTY 1st District—2 Members		
Dem.	William Hart Rufe, 3rd,	146 Green St., Sellersville	27,131
Dem.	Jack Sirott, Middletown Twp.,	2 Rusthill Rd., Levittown	26,849
*Rep.	Alan Williams,	170 Cedar Drive, New Britain	44,536
*Rep.	Margarette S. Kooker,	5th and Park Ave., Quakertown	44,290
	2nd District—1 Member		
*Dem.	James J. A. Gallagher, Bristol Twp.,	26 Flower Lane, Levittown	29,162
Rep.	John H. Thomas,	20 Palm Lane, Levittown	22,924
	BUTLER COUNTY 2 Members		
Dem.	Della M. Schomaker,	Box, 81, Connoquenessing	18,836
Dem.	Warren I. Korn,	221 Brown Ave., Butler	17,794
Rep.	Thomas W. King, Jr.,	Butler Twp., Meadowood St., Butler	25,839
*Rep.	Albert L. McCandless,	Center Twp., R.D. 5, Butler	25,744
Pro.	W. P. Jones,	416 Center Ave., Butler	671
	CAMBRIA COUNTY 1st District—1 Member		
*Dem.	Hiram G. Andrews,	115 Main St., Johnstown	13,610
Rep.	Cecil Koontz Leberknight,	715 Von Lunen Rd., Johnstown	11,261
	2nd District—3 Members		
*Dem.	E. J. Farabaugh,	Loretto	34,116
Dem.	Edward W. McNally,	1646 Colonial St., Ferndale, Johnstown	33,784
*Dem.	Louis Rovansek,	414 Locust St., East Conemaugh, Johnstown	31,148
Rep.	Norman A. Krumenacker, Jr.,	2000 Bates Drive, Westmont	30,037
Rep.	Richard J. Green, Jr.,	1027 Calvin Drive, Westmont	29,945
Rep.	Earl Farabaugh,	Westside, Carrolltown	28,145
	CAMERON COUNTY 1 Member		
Dem.	J. Wright Mason, West Gibson Twp.,	R. D. 1, Driftwood	1,602
*Rep.	Edwin W. Tompkins,	120 W. 4th St., Emporium	1,889
	CARBON COUNTY 1 Member		
*Dem.	John F. Bonner,	204 W. Ludlow St., Summit Hill	13,331
Rep.	Donnas Miller,	21 E. Hazard St., Summit Hill	11,267
	CENTRE COUNTY 1 Member		
Dem.	Girard S. Bassinger,	215 East High St., Bellefonte	10,482
*Rep.	Eugene M. Fulmer,	221 S. Barnard St., State College	16,473
	CHESTER COUNTY 1st District—1 Member		
Dem.	Michael J. Reach,	444 Oak St., Coatesville	7,159
Rep.	C. Timothy Slack,	129 S. 5th Ave., Coatesville	10,530
	2nd District—2 Members		
Dem.	Sigurd Overgaard,	317 S. Walnut St., West Chester	23,018
Dem.	Constance D. Braendel, Tredyffrin Twp.,	Swedesford Rd., Malvern	22,300
*Rep.	William H. Ashton,	Delaware Chester Rd., Willistown, Edgemont	41,968
*Rep.	Joseph P. Ujobai,	137-5th Ave., Phoenixville	41,203
	CLARION COUNTY 1 Member		
Dem.	Thomas C. Filson,	603 Lafayette St., New Bethlehem	6,852
*Rep.	Paige Varner, Paint Twp.,	R. D. 1, Shippenville	9,017
	CLEARFIELD COUNTY 1st District—1 Member		
*Dem.	Harris G. Breth, Lawrence Twp.,	830 Ogden Ave., R. D. 3, Clearfield	9,366
Rep.	Paul Ruch,	211 N. Second St., Clearfield	8,226
	2nd District—1 Member		
Dem.	Frank M. O'Neil,	421 W. Garfield Ave., DuBois	7,443
Rep.	Ralph A. Marsh,	713 Chestnut Ave., DuBois	7,922

Party	Name	Address	Votes
	CLINTON COUNTY		
	1 Member		
Dem.	Chauncey F. Royer,	Loganton	6,551
Rep.	W. Max Bossert,	Beech Creek Twp., R.D., Beech Creek	8,632
	COLUMBIA COUNTY		
	1 Member		
Dem.	Roy Croop,	1631 W. Front St., Berwick	10,186
*Rep.	Albert E. Strausser,	301 E. 5th St., Berwick	14,403
	CRAWFORD COUNTY		
	2 Members		
Dem.	Leo B. Hutchinson,	164 Venango Ave., Cambridge Springs	12,375
Dem.	Merle M. Lewis,	224 Poplar St., Meadville	12,212
*Rep.	George C. Magee, Jr.,	738 Baldwin St., Meadville	17,744
*Rep	Ralph S. Merry,	Pine Twp., R.D. 1, Linesville	17,608
	CUMBERLAND COUNTY		
	2 Members		
Dem.	Brandt L. Cook,	320 Reno St., New Cumberland	18,774
Dem.	Marian Schwalm Furman,	Dickinson Twp., R.D. 5, Carlisle	18,510
*Rep.	Arthur George,	114 S. West St., Carlisle	32,612
Rep.	Guy A. Kistler,	2327 Harvard Ave., Camp Hill	31,722
	DAUPHIN COUNTY		
	1st District—2 Members		
Dem.	Sebastian D. Natale,	244 Woodbine St., Harrisburg	13,620
Dem.	Lou Cohen,	2245 N. 4th St., Harrisburg	13,529
*Rep.	James S. Bowman,	1541 State St., Harrisburg	21,190
*Rep.	Robert S. Ogilvie,	2619 N. Second St., Harisburg	21,033
	2nd District—2 Members		
Dem.	Edward J. Potteiger,	Lower Paxton Twp., 5203 Crestwood Dr., Colonial Park, Harrisburg	22,155
Dem.	John Schatt,	Swatara Twp., R.D. 1, Chamber Hill Rd., Harrisburg	21,859
*Rep.	Blaine C. Hocker,	Swatara Twp., 42 Harrisburg St., Oberlin	37,714
*Rep.	Russel C. Keiser,	Lower Paxton Twp., 4700 Orchard St., Harrisburg	37,531
	DELAWARE COUNTY		
	1st District—1 Member		
Dem.	John E. Gremminger,	312 E. 22nd St., Chester	12,924
Rep.	Peter J. Murphy,	522 E. 9th St., Chester	11,250
	2nd District—2 Members		
Dem.	Victor Ruffenach,	4900 Twp. Line Rd., Upper Darby	33,384
Dem.	Rose K. Golden,	110 W. Berkley Ave., Clifton Heights	33,238
*Rep.	Clyde R. Dengler,	Upper Darby Twp., Netherwood Rd. and Keystone Ave., Upper Darby	34,281
*Rep.	Mae W. Kernaghan,	419 Holly Rd., Yeadon	34,215
	3rd District—4 Members		
Dem.	Joseph A. Conway, Sr.,	1337 Edgehill Rd., Darby	73,510
Dem.	Donald Stapleton,	756 Bennington Rd., Folcroft	73,490
Dem.	Thomas B. Luke,	Aston Twp., 18 Scarlet Ave., Green Ridge	73,426
Dem.	August J. Lacko,	Springfield Twp., 200 Lewis Rd., Springfield	73,177
*Rep.	Edwin E. Lippincott, II,	Upper Providence Twp., Sycamore Mills Rd., Media	91,683
Rep.	D. Barry Gibbons,	Middletown Twp., Old Middleown Rd., Media	91,484
*Rep.	Joseph W. Isaacs,	1547 Baltimore Ave., Folcroft	90,972
*Rep.	Rocco A. Odorisio,	Radnor Twp., 402 W. Wayne Ave., Wayne	90,939
	ELK COUNTY		
	1 Member		
*Dem.	William F. Renwick,	130 Straub Ave., St. Marys	9,120
Rep.	Alfred J. Fleischman,	426 Walburga St., St. Marys	6,351
	ERIE COUNTY		
	1st District—1 Member		
*Dem.	Peter G. Schaaf,	323 West Seventh St., Erie	16,625
Rep.	S. Thaddeus Kwiat,	924 Weschler Ave., Erie	11,902
	2nd District—1 Member		
*Dem.	Julian Polaski,	109 W. 38th St., Erie	19,842
Rep.	Julian Polaski, (write-in)	109 W. 38th St., Erie	9,759
	3rd District—2 Members		
Dem.	William A. Peiffer,	1267 N. Center St., Corry	18,496
Dem.	Joseph C. Blasco,	Venango Twp., R.D. 2, Wattsburg	17,347
*Rep.	Ford E. O'Dell,	Harborcreek Twp., 6670 E. Lake Rd., Erie	27,301
*Rep.	Stanley L. Blair,	37 West Ave., Albion	27,157
	FAYETTE COUNTY		
	1st District—1 Member		
Dem.	J. Woodrow Cooley,	12 Maple St., Fairchance	10,014
Rep.	Joseph S. Kaputa,	42 Lyons Ave., Fairchance	5,064
	2nd District—3 Members		
*Dem.	Nicholas Kornick,	37 S. Pennsylvania Ave., Uniontown	31,369
Dem.	William James Long,	520 Church St., Brownsville	31,062
*Dem.	Pat C. Trusio,	47 E. Penn St., Uniontown	30,913
Rep.	Joel S. Strong,	Franklin Twp., R.D. 1 Smock	20,743
Rep.	Samuel R. Longanecker,	Bullskin Twp., R.D. 2, Connellsville	20,334
Rep.	George Balda,	Box 205, 2nd St., South Connellsville, Connellsville	19,577
	FOREST COUNTY		
	1 Member		
Dem.	John F. Bray,	Barnett Twp., Clarington	927
*Rep.	James Kepler Davis,	Tionesta	1,392
	FRANKLIN COUNTY		
	1 Member		
Dem.	Hazel M. Leberknight,	Letterkenny Twp., P. O. Pleasant Hall	12,817
*Rep.	Enos H. Horst,	120 Lincoln Way West, Chambersburg	21,264

Party	Name	Address	Votes
	FULTON COUNTY 1 Member		
Dem.	Marl H. Garlock,	Todd Twp., McConnellsburg	2,154
Rep.	Harry M. Elvey,	McConnellsburg	2,280
	GREENE COUNTY 1 Member		
*Dem.	Stephen McCann,	Cumberland Twp., Waynesburg, Rd., Carmichaels	10,853
Rep.	John J. Lessner,	Monongahela Twp., R. D. 1, Greensboro	6,222
	HUNTINGDON COUNTY 1 Member		
Dem.	Andrew F. Puchalla,	125 S. Division St., Mt. Union	5,821
*Rep.	Orville E. Snare,	Smithfield Twp., 610 Pennsylvania Ave., Huntingdon	10,061
	INDIANA COUNTY 1 Member		
Dem.	Robert L. Hallman,	White Twp., R. D. 4 Indiana	12,628
*Rep.	William G. Buchanan,	380 Poplar Ave., Indiana	18,927
	JEFFERSON COUNTY 1 Member		
Dem.	Fred M. Marshall,	332 Broad St., Brockway	8,490
*Rep.	Samuel B. Denison,	728 Main St., Reynoldsville	13,074
	JUNIATA COUNTY 1 Member		
Dem.	Elmer R. Lauver,	Mifflintown	3,343
*Rep.	Lester H. Zimmerman,	316 Orange St., Mifflintown	4,216
	LACKAWANNA COUNTY 1st District—1 Member		
*Dem.	William J. Reidenbach,	131 Penn Ave., Scranton	18,420
Rep.	Robert J. Pagnani,	1912½ Pittston Ave., Scranton	11,260
	2nd District—1 Member		
*Dem.	Michael J. Needham,	324 S. Hyde Park Ave., Scranton	17,859
Rep.	J. Russell Phillips,	2310 Boulevard Ave., Scranton	12,752
	3rd District—1 Member		
*Dem.	Joseph G. Wargo,	106 Bosak Court, Olyphant	15,261
Rep.	Edward W. Mokos,	306 Grant St., Olyphant	4,978
	4th District—1 Member		
*Dem.	Marion L. Munley,	175 Spruce St., Archbald	15,560
Rep.	Edward S. Miller,	110 Buttonwood St., Jessup	7,555
	5th District—1 Member		
Dem.	William E. Zeiss,	Ransom Twp., R. D. 2, Clarks Summit	10,870
*Rep.	William Edwards,	Greenfield Twp., R. D. Jermyn	13,612
	LANCASTER COUNTY 1st District—1 Member		
Dem.	Chrisian C. Rudy,	637 East End Ave., Lancaster	12,364
Rep.	Eugene S. Rutherford,	428 New Holland Ave., Lancaster	14,653
	2nd District—3 Members		
Dem.	E. Glenn Kauffman,	Salisbury Twp., R. D. 1, Gap	22,158
Dem.	Robert E. Murphy,	Rapho Twp., R. D. 3, Manheim	21,960
Dem.	Elizabeth Reith Orfanella,	East Lampeter Twp., 81 Pitney Road, Lancaster	21,394
*Rep.	Edwin D. Eshleman,	East Hempfield Twp., Spring Valley Rd., R. D. 1, Lancaster	62,030
*Rep.	Norman Wood,	Fulton Twp., Peach Bottom	61,746
*Rep.	Baker Royer,	1157 Main St., Ephrata	61,674
	LAWRENCE COUNTY 1st District—1 Member		
*Dem.	Dominick E. Cioffi,	25 E. Reynolds St., New Castle	12,248
Rep.	A. F. Zarilla (write-in),	14 Mahoning Ave., New Castle	6,909
	2nd District—1 Member		
Dem.	Tony Pagley,	Union Twp., Crestwood Dr., R. D. 2, New Castle	12,168
*Rep.	Donald W. Fox,	North Beaver Twp., R. D. 2, Enon Valley	15,948
	LEBANON COUNTY 2 Members		
Dem.	Irwin S. Huber,	Heidelherg Twp., Schaefferstown	13,307
Dem.	Amos Graby,	S. Annville Twp., R. D. 4, Lebanon	11,822
Rep.	Clarence F. Manbeck,	Bethel Twp., R. D. 1, Fredericksburg	24,349
*Rep.	H. Jack Seltzer,	229 S. Forge St., Palmyra	23,910
	LEHIGH COUNTY 1st District—2 Members		
Dem.	David Edward Mellenberg, Sr.,	329 S. 16th St., Allentown	19,692
Dem.	Oliver A. Jackson,	1324 N. Troxell St., Allentown	19,623
Rep.	John E. Backenstoe,	26 N. 14th St., Allentown	24,328
*Rep.	R. P. Stimmel,	1245 N. 19th St., Allentown	24,263
	2nd District—2 Members		
Dem.	James N. Diefenderfer,	1224 Kelchner Rd., Bethlehem	20,826
Dem.	Richard H. Stewart,	Whitehall Twp., 1301 N. 14th St., R. D. 3, Allentown	20,119
*Rep.	Marian E. Markley,	Lower Macungie Twp,. R. D. 1, Macungie	28,269
*Rep.	William A. Steckel,	1018 Main St., Slatington	27,308
	LUZERNE COUNTY 1st District—1 Member		
Dem.	William T. Bachman,	Foster Twp., 125 S. Washington St., Freeland	15,462
Rep.	Leo Kubitsky,	417 Winters Ave., West Hazleton	10,465
	2nd District—1 Member		
*Dem.	Stanley A. Meholchick,	3 Sively St., Ashley	11,881
Rep.	Stanley Nadwodny,	366 Jones St., Warrior Run, Wilkes-Barre	9,827

Party	Name	Address	Votes
	3rd District—1 Member		
*Dem.	James Musto,	61 Bryden St., Pittston ..	16,957
Rep.	Samuel W. Daley,	Pittston Twp., 193 Market St., Pittston	5,621
	4th District—1 Member		
*Dem.	William B. Curwood,	51 N. Main St., Shickshinny	12,757
Rep.	Louis H. Coopey,	358 E. Noble St., Nanticoke	7,962
	5th District—1 Member		
*Dem.	Frank P. Crossin,	130 E. Bennett St., Kingston	12,727
Rep.	E. Charles Coslett,	51 N. Wells Ave., Kingston	9,319
	6th District—1 Member		
*Dem.	Fred J. Shupnik,	550 Charles St., Luzerne	15,488
Rep.	Fred Pritchard,	192 Chapel St., Luzerne	11,884
	7th Districte—1 Member		
Dem.	Joseph G. Tomascik,	628 N. Franklin St., Wilkes-Barre	16,169
Rep.	James J. Jump,	70 E. Jackson St., Wilkes-Barre	14,454
	LYCOMING COUNTY 1st District—1 Member		
Dem.	Morris F. Good,	2714 Hillside Ave., Williamsport	10,668
*Rep.	John E. Whittaker,	137 Lincoln Ave., Williamsport	11,453
	2nd District—1 Member		
Dem.	Howard M. Burns,	Upper Fairfield Twp., R. D. 2, Montoursville	11,791
Rep.	Alvin C. Bush,	Muncy Twp., R. D. 2, Muncy	14,319
	McKEAN COUNTY 1 Member		
Dem.	Henry A. Hebda,	P. O. Box 679, 311½ Chase St., Kane	7,800
*Rep.	Albert W. Johnston,	409 Franklin St., Smethport	13,404
	MERCER COUNTY 1st District—1 Member		
Dem.	F. William Reagle,	84 Shenango St., Greenville	11,951
*Rep.	Ralph J. Down,	1647 Hannah Court, Sharon	14,168
	2nd District—1 Member		
Dem.	Harry S. Boyd,	246 W. Butler St., Mercer	12,111
*Rep.	James E. Willard,	E. Shenango Twp., R. R. 2, Pulaski	14,430
	MIFFLIN COUNTY 1 Member		
Dem.	Thomas J. Shirey,	231 Dry Valley Rd., Burnham, Lewistown	5,348
*Rep.	Harry W. Price, Jr.,	135 W. 3rd St., Lewistown	9,678
	MONROE COUNTY 1 Member		
*Dem.	Van D. Yetter, Jr.,	Smithfield Twp., R. D. 2, East Stroudsburg	9,089
Rep.	Hanford L. Cleveland,	Smithfield Twp., R. D. 2, East Stroudsburg	8,387
	MONTGOMERY COUNTY 1st District—1 Member		
Dem.	Lawrence W. Roney,	Lower Merion Twp., Penn Wynne, 109 Rockglen Rd., Philadelphia 31	10,849
*Rep.	Robert P. Johnson,	Lower Merion Twp., 287 Meeting House Lane, Merion Station	22,887
	2nd District—1 Member		
Dem.	Walter C. Fry,	211 W. Freedley St., Norristown	15,879
Rep.	Thomas H. W. Jones,	1733 DeKalb St., Norristown	14,764
	3rd District—4 Members		
Dem.	Charles A. Dasch,	336 W. Chestnut St., Pottstown	62,589
Dem.	Samuel B. Kogen,	Cheltenham Twp., 345 Harrison Ave., Elkins Pk., Phila. 17 ...	62,268
Dem.	Walter T. Boileau,	Upper Gwyneed Twp., Garfield Ave., West Point	62,166
Dem.	John Patrick McShea, Jr.,	White Marsh Twp., 4014 Fairway Rd., Lafayette Hill ..	61,825
*Rep.	Evelyn Glazier Henzel,	Abington Twp., 414 Keswick Ave., Glenside	104,672
*Rep.	Morton H. Fetterolf, Jr.,	Whitemarsh Twp., Cricket Rd., Flourtown	104,641
*Rep.	Floyd K. Brenninger,	411 E. Main St., Lansdale	104,431
*Rep.	Herman B. Willaredt,	Upper Providence Twp., Bridge St., Mont Clare	104,253
	MONTOUR COUNTY 1 Member		
Dem.	Robert Moore,	110 W. Market St., Danville	2,369
*Rep.	Harry A. Kessler,	36 Ash St., Danville ..	4,312
	NORTHAMPTON COUNTY 1st District—1 Member		
*Dem.	James A. O'Donnell,	918 Itaska St., Bethlehem	13,060
Rep.	Lillian C. Gay,	7 Moreland Ave., Bethlehem	9,581
	2nd District—3 Members		
*Dem.	Jeanette F. Reibman,	514 McCartney St., Easton	30,471
*Dem.	James F. Prendergast,	340 Paxinosa Ave., Easton	29,485
*Dem.	Gus P. Verona,	Plainfield Twp., Box 161, Pen Argyl	28,308
Rep.	Russell S. Moyer,	2131 Lincoln Ave., Northampton	27,741
Rep.	Luther H. Ackerman,	Upper Mt. Bethel Twp., R. D. 1, Mt. Bethel	27,264
Rep.	Joseph A. Ide,	810 Fairfield Ave., Easton	27,261
Ind.	Russell Sandercock,	High St., East Bangor	1,214
	NORTHUMBERLAND COUNTY 1st District—1 Member		
*Dem.	John F. Stank,	Coal Twp., 517 Webster St., Ranshaw	16,362
Rep.	George R. Health,	148 S. Second St., Shamokin	10,289
	2nd District—1 Member		
Dem.	Paul C. Fulmer,	West Chillisquaque Twp., R. D. 1, Milton	9,271
*Rep.	Adam T. Bower,	138 Bainbridge St., Sunbury	14,369

Party	Name	Address	Votes
	PERRY COUNTY		
	1 Member		
Dem.	Nathaniel Patterson,	100-A Verbeke St., Marysville	3,759
Rep.	Allan W. Holman, Jr.,	119 S. Second St., Newport	7,707
	PHILADELPHIA COUNTY		
	1st District—1 Member		
*Dem.	James J. Dougherty,	117 Tree St., Philadelphia	19,443
Rep.	Sidney Harrow,	2018 S. 10th St., Philadelphia	5,906
	2nd District—1 Member		
*Dem.	Alfonse Parlante,	1506 E. Moyamensing Ave., Philadelphia 47	13,161
Rep.	Mario Gendrachi,	1541 S. 8th St., Philadelphia	4,898
	3rd District—2 Members		
*Dem.	Vincent F. Scarcelli,	2103 S. Lambert St., Philadelphia 45	26,653
*Dem.	Vincent Capitolo,	1308 S. 10th St., Philadelphia	26,590
Rep.	Joseph A. Matteo,	2204 S. Croskey St., Philadelphia	9,574
Rep.	Frank Vacca,	2322 S. 15th St., Philadelphia 45	9,481
	4th District—1 Member		
Dem.	William Gray,	2011 Manton St., Philadelphia	16,855
Rep.	Oswald F. Wilbanks,	2038 Watkins St., Philadelphia	3,277
	5th District—2 Members		
*Dem.	Henry Cianfrani,	526 Fitzwater St., Philadelphia	21,386
*Dem.	Frances R. Jones,	2233 Christian St., Philadelphia	21,377
Rep.	Michael D'Alfonso,	807 S. 9th St., Philadelphia	10,643
Rep.	Louis Blanchard,	1024 Clinton St., Philadelphia	10,609
	6th District—1 Member		
Dem.	Arthur Rubin,	433 N. Franklin St., Philadelphia	8,675
Rep.	Emil S. Steglik,	641 N. 6th St., Philadelphia 23	2,361
	7th District—1 Member		
*Dem.	Francis X. Muldowney,	862 N. 22nd St., Philadelphia	10,391
Rep.	Joseph F. Kirk,	21 S. Mole St., Philadelphia	4,802
	8th District—1 Member		
Dem.	Ulysses Shelton,	1457 N. Camac St., Philadelphia	9,890
Rep.	James H. Robinson,	1247 W. Cambridge St., Philadelphia 23 (write-in)	2,427
	9th District—1 Member		
*Dem.	William Limper,	169 W. Huntingdon St., Philadelphia	14,841
Rep.	Theresa Reed,	2560 N. 8th St., Philadelphia	6,041
	10th District—1 Member		
*Dem.	Herbert Arlene,	1942 W. Jefferson St., Philadelphia 21	16,303
Rep.	Junius C. Bonds,	1736 N. 15th St., Philadelphia	3,539
	11th District—1 Member		
*Dem.	Susie Monroe,	1942 N. 23rd St., Philadelphia 21	12,464
Rep.	Willie Smith,	2118 N. 30th St., Philadelphia	2,476
	12th District—1 Member		
*Dem.	Hampton Riley,	2257 N. 22nd St., Philadelphia	13,649
Rep.	Adele E. Athey,	2455 N. 20th St., Philadelphia	2,678
	13th District—2 Members		
*Dem.	Thomas A. Frascella,	1230 W. Somerset St., Philadelphia 33	26,630
*Dem.	John J. Welsh,	3544 N. Broad St., Philadelphia	26,578
Rep.	Carl W. Myers,	3223 W. Queen Lane, Philadelphia	10,325
Rep.	Curtis Marsh,	1156 W. Glenwood Ave., Philadelphia	10,231
	14th District—1 Member		
Dem.	James Francis Lawler,	810 Inverness Lane, Philadelphia 28	10,913
*Rep.	Austin M. Lee,	1 Lothian Place, Philadelphia 28	10,979
	15th District—2 Members		
Dem.	Walter H. Morley,	353 W. Duval St., Philadelphia	30,587
Dem.	George B. Hartley,	209 E. Cliveden St., Philadelphia 19	30,200
Rep.	John Stewart, Jr.,	6834 Anderson St., Philadelphia	25,095
Rep.	Beatrice Z. Miller,	409 W. Price St., Philadelphia 44	24,449
Ind.	Walter Tresville,	6502 Musgrave St., Philadelphia	407
	16th District—1 Member		
*Dem.	Peter E. Perry,	7179 N. Uber St., Philadelphia	30,541
Rep.	Murray B. Dolfman,	8345 Mansfield Ave., Philadelphia	16,463
	17th District—1 Member		
*Dem.	Eugene Gelfand,	5711 N. 12th St., Philadelphia	18,776
Rep.	Daniel H. Greene,	4815 N. 9th St., Philadelphia 41	8,228
	18th District—1 Member		
*Dem.	Louis Sherman,	4805 B St., Philadelphia	16,599
Rep.	Armand B. Grimaldi,	5034 N. Fifth St., Philadelphia	12,597
	19th District—1 Member		
*Dem.	Thomas J. McCormack,	3842 N. Park Ave., Philadelphia	13,610
Rep.	William W. Mayer,	4446 N. 6th St., Philadelphia	7,217
	20th District—1 Member		
*Dem.	Harry R. J. Comer,	2764 N. Howard St., Philadelphia 33	20,992
Rep.	Louis J. Rivello,	4305 Bennington St., Philadelphia 24 (write-in)	11,137
	21st District—2 Members		
*Dem.	Martin J. Taylor,	3527 Frankford Ave., Philadelphia 34	26,741
*Dem.	Joseph A. Sullivan,	2152 E. Ann St., Philadelphia	26,714
Rep.	Anthony Arkmon,	2658 E. Clearfield St., Philadelphia	12,469
Rep.	Catharine M. Schlecht,	2313 Frankford Ave., Philadelphia	12,333

Party	Name	Address	Votes
	22nd District—1 Member		
Dem.	John V. Doughten,	1105 Arrott St., Philadelphia 24	13,066
Rep.	John Kee,	2100 Scattergood St., Philadelphia	10,643
	23rd District—3 Members		
*Dem.	Leo McKeever,	1675 E. Cheltenham Ave., Philadelphia	76,193
*Dem.	Joshua Eilberg,	1522 Longshore Ave., Philadelphia	76,126
*Dem.	Kathryn Graham Pashley,	8123 Hennig St., Philadelphia 11	75,883
Rep.	Jerome Levin,	6064 E. Roosevelt Blvd., Philadelphia	48,375
Rep.	Robert F. Kane,	3120 Fordham Rd., Philadelphia	48,224
Rep.	Alfred F. Smith,	3025 Longshore Ave., Philadelphia	48,170
	24th District—1 Member		
*Dem.	Ernest O. Branca,	4734 Sheffield Ave., Philadelphia	18,118
Rep.	Herman Bronsweig,	7163 Walker St., Philadelphia 35	11,803
	25th District—1 Member		
Dem.	Freeman Hankins,	4075 Haverford Ave., Philadelphia 4	15,224
Rep.	Samuel Rymer,	4106 Cambridge St., Philadelphia	3,853
	26th District—1 Member		
*Dem.	Sarah A. Anderson,	226 N. 52nd St., Philadelphia 39	9,974
Rep.	James B. Bannaker,	4847 Haverford Ave., Philadelphia 39	2,422
	27th District—1 Member		
*Dem.	Herbert Fineman,	4901 Wyndale Ave., Philadelphia	19,741
Rep.	Sidney B. Gottlieb,	Kevon Park, Philadelphia	5,492
	28th District—1 Member		
Dem.	William J. Kelly,	6113 Master St., Philadelphia	16,712
Rep.	Edward Nassan,	7540 Greenhill Rd., Philadelphia	7,716
	29th District—1 Member		
*Dem.	Martin P. Mullen,	5332 Glenmore Ave., Philadelphia	18,454
Rep.	Francis T. O'Keefe,	1116 S. Peach St., Philadelphia 43	9,790
	30th District—2 Members		
*Dem.	Charles D. Heavey,	5506 Cedar Ave., Philadelphia 43	24,768
Dem.	Paul M. Lawson,	5425 Sansom St., Philadelphia	24,763
Rep.	Charles E. Wiggins,	4811 Beaumont Ave., Philadelphia	9,998
Rep.	George W. Frambes,	4531 Pine St., Philadelphia	9,952
	31st District—1 Member		
*Dem.	James P. O'Donnell,	2636 S. 66th St., Philadelphia 42	17,589
Rep.	Thomas J. McKay,	6514 Elmwood Ave., Philadelphia	8,482

Party	Name	Address	Votes
	PIKE COUNTY 1 Member		
Dem.	Frank MacDonald,	Matamoras	1,873
*Rep.	J. Russell Eshback,	Lehman Twp., Bushkill	3,803
	POTTER COUNTY 1 Member		
Dem.	Reuben H. Russell,	Homer Twp., R. D. 3, Coudersport	2,884
*Rep.	Ray C. Goodrich,	Roulette Twp., Roulette	4,928
	SCHUYLKILL COUNTY 1st District—2 Members		
*Dem.	John J. McDonald,	28 E. Ogden St., Girardville	22,542
Dem.	William Joseph Long,	22 E. South St., Mahanoy City	21,794
Rep.	John Boris,	1937 Walnut St., Ashland	21,293
Rep.	John H. Thomas,	114 N. Centre St., Frackville	20,821
	2nd District—2 Members		
Dem.	Edmund W. Schlitzer,	1960 Howard Ave., Pottsville	19,274
Dem.	Albert I. Nagle,	Orchard St., P. O. Box 92, Auburn	18,923
*Rep.	George W. Heffner,	1310 Howard Ave., Pottsville	24,838
*Rep.	William K. Knecht,	134 E. Grand Ave., Tower City	23,303
	SNYDER COUNTY 1 Member		
Dem.	John W. Bittinger,	Monroe Twp., Hummel's Wharf	3,182
Rep.	Arthur J. May,	206 N. Charles Ave., Selinsgrove	6,880
	SOMERSET COUNTY 2 Members		
Dem.	Peter T. Dumbauld,	344 High St., Somerset	15,722
Dem.	Gerald N. Zeigler,	707 Graham Ave., Windber	15,356
Rep.	W. John Stiteler, Jr.,	Middlecreek Twp., R. D. 3, Rockwood	18,617
*Rep.	William R. Korns,	1100 E. Main St., Somerset	18,319
	SULLIVAN COUNTY 1 Member		
Dem.	Edward M. Flynn,	Mildred (write-in)	1,482
*Rep.	Kenneth B. Lee,	Eagles Mere	1,789
	SUSQUEHANNA COUNTY 1 Member		
Dem.	Carl D. Franceski,	1147 N. Main St., Forest City	5,928
*Rep.	Harold G. Wescott,	412 Broad Ave., Susquehanna	9,828
	TIOGA COUNTY 1 Member		
Dem.	C. Gaddis Howland,	Gaines Twp., Gaines	4,287
*Rep.	Harry R. McInroy,	Westfield	10,815
	UNION COUNTY 1 Member		
Dem.	John N. Beisel,	334 N. 4th St., Lewisburg	2,299
*Rep.	Louis A. Pursley,	East Buffalo Twp., 1030 Washington Ave., Lewisburg	7,126

Party	Name	Address	Votes
	VENANGO COUNTY 1 Member		
Dem.	Ronald E. Welton,	Sugarcreek Twp., 227 Front St., Franklin	7,999
*Rep.	Harry S. Gramlich,	806 Liberty St., Franklin	16,053
Pro.	Jack Owen Murdoch,	Cranberry Twp., Rt. 322, Cranberry	696
	WARREN COUNTY 1 Member		
Dem.	Frank A. Fago,	219 N. Carver St., Warren	7,118
Rep.	Joseph H. Goldstein,	405 Liberty St., Warren	10,877
	WASHINGTON COUNTY 1st District—2 Members		
*Dem.	Michael R. Flynn,	30 E. Prospect Ave., Washington	25,009
*Dem.	J. Dean Polen,	Independence Twp., Morn-side Dr., Avella	24,173
Rep.	Homer M. Lowry,	Hopewell Twp., R. D. 2, Avella	18,841
Rep.	Charles E. Bradshaw,	Cecil Twp., Box 216, R. D. 1, Canonsburg	17,130
	2nd District—2 Members		
*Dem.	Austin J. Murphy,	308 Fallowfield Ave., Charleroi	32,490
*Dem.	A. V. Capano,	845 Thompson Ave., Donora	29,777
Rep.	Davis G. Yohe,	Fallowfield Twp., R. D. 2, Finleyville	16,963
Rep.	Morley M. Azorsky,	Box 217, 214 5th St., California	14,856
	WAYNE COUNTY 1 Member		
Dem.	Rodney C. Follmer,	5 Crestmont Drive., Honesdale	3,932
*Rep.	Arthur J. Wall,	301 Eighth St., Honesdale	9,759
	WESTMORELAND COUNTY 1st District—1 Member		
*Dem.	Charles J. Jim,	206 Gertrude St., Latrobe	12,954
Rep.	William H. Lowry,	406 N. St. Clair St., Ligonier	11,393
	2nd District—2 Members		
*Dem.	Anthony J. Petrosky,	Salem Twp., Box 26, Slickville	38,260
*Dem.	Barnet Sakulsky,	1137 5th Ave., New Kensington	36,270
Rep.	John F. Adams,	N. Huntingdon Twp., 114 Orchard Dr., Irwin (write-in)	28,806
Rep.	Barnet Sakulsky,	1137 5th Ave., New Kensington (write-in)	21,359
	3rd District—2 Members		
*Dem.	Charles J. Mills,	711 Eastmont Drive, Greensburg	36,810
*Dem.	H. J. Maxwell,	1200 Hillcrest Ave., Mon-essen	36,533
Rep.	John P. Andrews,	916 South Broadway,	26,381
Rep.	Charles A. Rouse,	First Ave., Sutersville	24,981
	WYOMING COUNTY 1 Member		
Dem.	Paul Heller,	Braintrim Twp., R. D., Laceyville	2,558
*Rep.	James Wynd, Jr.,	Eaton Twp., R. D., Tunkhannock	6,325

Party	Name	Address	Votes
	YORK COUNTY 1st District—1 Member		
*Dem.	John R. Gailey, Jr.,	401 Roosevelt Ave., York	11,438
Rep.	William R. Flinchbaugh,	742 June St., York	10,659
	2nd District—1 Member		
Dem.	Carl W. Nelson,	Monaghan Twp., R. D. 3, Dillsburg	11,229
Rep.	Stanley H. Gross,	E. Manchester Twp., R. D. 1, Manchester	13,996
	3rd District—1 Member		
Dem.	Howard H. Perry,	York Twp., R. D. 8, York	9,903
Rep.	John Hope Anderson,	Fawn Twp., New Park	13,847
	4th District—1 Member		
*Dem.	Harold B. Rudisill,	418 Baltimore St., Hanover	11,773
Rep.	Roy D. Gladfelter,	Cordorus Twp., R. D. 3, Glen Rock	11,740

* Incumbent

CERTIFICATES OF ELECTION

TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, BREETINGS:

I have the honor to present the returns of the election held November 8, 1960, of the following Members of the House of Representatives in the General Assembly:

Francis Worley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Adams County;

James F. Clarke and K. Leroy Irvis, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Allegheny County;

Harry A. Kramer, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Allegheny County;

Walter T. Kamyk, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Allegheny County;

Thomas H. Cauley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Allegheny County;

Leo J. McLaughlin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Allegheny County;

Maurice H. Goldstein, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Allegheny County;

Edward A. Schuster, Sr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh dsitrict of Allegheny County;

Paul F. Lutty, having received the highest number of votes was duly elected a Member of the House of Repre-

sentatives in the General Assembly in the eighth district of Allegheny County;

Thomas F. Lamb, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the ninth district of Allegheny County;

Louis Leonard, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the tenth district of Allegheny County;

Martin C. Mihm, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eleventh district of Allegheny County;

Thomas J. Foerster, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twelfth district of Allegheny County;

John T. Walsh, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the thirteenth district of Allegheny County;

Jules Filo and David M. Boies, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fourteenth district of Allegheny County;

Edwin C. Ewing, George K. Haudenshield, Ronald L. Thompson and James C. Simmons, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifteenth district of Allegheny County;

John J. Murray, George E. Jenkins, Thomas F. Sullivan and Arthur O. Guesman, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the sixteenth district of Allegheny County;

Lee A. Donaldson, Jr., Willard F. Agnew, Jr., Raymond E. Wilt and Laurence V. Gibb, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the seventeenth district of Allegheny County;

W. Stuart Helm and W. Mack Guthrie, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Armstrong County;

Robert K. Hamilton, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Beaver County;

Charles D. Stone and H. Beryl Klein, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Beaver County;

Percy G. Foor, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in Bedford County;

Charles F. Luigard and Daniel F. McDevitt, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Berks County;

LeRoy A. Weidner, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Berks County;

William G. Piper, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Berks County;

Richard L. Adams, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Berks County;

Charles A. Auker and Harold G. Miller, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Blair County;

Joseph R. Holliday, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Blair County;

Evan S. Williams, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Bradford County;

Alan Williams and Margarette S. Kooker, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Bucks County;

James J. A. Gallagher, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Bucks County;

Thomas W. King, Jr. and Albert L. McCandless, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Butler County;

Hiram G. Andrews, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Cambria County;

E. J. Farabaugh, Edward W. McNally and Louis Rovansek, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Cambria County;

Edwin W. Tompkins, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Cameron County;

John F. Bonner, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Carbon County;

Eugene M. Fulmer, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Centre County;

C. Timothy Slack, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Chester County;

William H. Ashton and Joseph P. Ujobai, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Chester County;

Paige Varner, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Clarion County;

Harris G. Breth, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Clearfield County;

Ralph A. Marsh, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Clearfield County;

W. Max Bossert, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Clinton County;

Albert E. Strausser, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Columbia County;

George C. Magee, Jr. and Ralph S. Merry, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Crawford County;

Arthur George and Guy A. Kistler, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Cumberland County;

James S. Bowman and Robert S. Ogilvie, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Dauphin County;

Blaine C. Hocker and Russel C. Keiser, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Dauphin County;

John E. Gremminger, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Delaware County;

Clyde R. Dengler and Mae W. Kernaghan, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Delaware County;

Rocco A. Odorisio, Joseph W. Isaacs, Edwin E. Lippincott, II and D. Barry Gibbons, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Delaware County;

William F. Renwick, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Elk County;

Peter G. Schaaf, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Erie County;

Julian Polaski, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Erie County;

Ford E. O'Dell and Stanley L. Blair, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Erie County;

J. Woodrow Cooley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Fayette County;

Nicholas Kornick, William J. Long and Pat C. Trusio, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Fayette County;

James Kepler Davis, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Forest County;

Enos H. Horst, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Franklin County;

Harry M. Elvey, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Fulton County;

Stephen McCann, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Greene County;

Orville E. Snare, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Huntingdon County;

William G. Buchanan, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Indiana County;

Samuel B. Dennison, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Jefferson County;

Lester H. Zimmerman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Juniata County;

William J. Reidenbach, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lackawanna County;

Michael J. Needham, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lackawanna County;

Joseph G. Wargo, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Lackawanna County;

Marion L. Munley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Lackawanna County;

William Edwards, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Lackawanna County;

Eugene S. Rutherford, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lancaster County;

Edwin D. Eshleman, Baker Royer and Norman Wood, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Lancaster County;

Dominick E. Cioffi, hvaing received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lawrence County;

Donald W. Fox, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lawrence County;

Clarence F. Manbeck and H. Jack Seltzer, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Lebanon County;

R. P. Stimmel and John E. Backenstoe, having received the highest number of votes were duly elected Members

of the House of Representatives in the General Assembly in the first district of Lehigh County;

Marian E. Markley and William A. Steckel, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Lehigh County;

William T. Bachman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Luzerne County;

Stanley A. Meholchick, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Luzerne County;

James Musto, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of Luzerne County;

William B. Curwood, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Luzerne County;

Frank P. Crossin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fifth district of Luzerne County;

Fred J. Shupnik, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Luzerne County;

Joseph G. Tomascik, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh district of Luzerne County;

John E. Whittaker, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Lycoming County;

Alvin C. Bush, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Lycoming County;

Albert W. Johnson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of McKean County;

Ralph J. Down, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Mercer County;

James E. Willard, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Mercer County;

Harry W. Price, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Mifflin County;

Van D. Yetter, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Monroe County;

Robert P. Johnson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Montgomery County;

Walter C. Fry, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Montgomery County;

Evelyn Glazier Henzel, Morton H. Fetterolf, Jr., Floyd K. Brenninger and Herman Willaredt, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Montgomery County;

Harry A. Kessler, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Montour County;

James A. O'Donnell, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Northampton County;

Jeannette F. Reibman, James F. Prendergast and Gus P. Verona, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Northampton County;

John F. Stank, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Northumberland County;

Adam T. Bower, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Northumberland County;

Allan W. Holman, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Perry County;

James J. Dougherty, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Philadelphia County.

Alfonse Parlante, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of Philadelphia County;

Vincent F. Scarcelli and Vincent Capitolo, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Philadelphia County;

William Gray, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of Philadelphia County;

Frances R. Jones and Henry Cianfrani, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifth district of Philadelphia County;

Arthur Rubin, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixth district of Philadelphia County;

Francis X. Muldowney, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventh district of Philadelphia County;

Ulysses Shelton, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eighth district of Philadelphia County;

William Limper, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the ninth district of Philadelphia County;

Herbert Arlene, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the tenth district of Philadelphia County;

Susie Monroe, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eleventh district of Philadelphia County;

Hampton Riley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twelfth district of Philadelphia County;

Thomas A. Frascella and John J. Welsh, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assmbly in the thirteenth district of Philadelphia County;

Austin M. Lee, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourteenth district of Philadelphia County;

Walter H. Morley and George B. Hartley, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the fifteenth district of Philadelphia County;

Peter E. Perry, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the sixteenth district of Philadelphia County;

Eugene Gelfand, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the seventeenth district of Philadelphia County;

Louis Sherman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the eighteenth district of Philadelphia County;

Thomas J. McCormack, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the nineteenth district of Philadelphia County;

Harry R. J. Comer, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twentieth district of Philadelphia County;

Martin J. Taylor and Joseph A. Sullivan, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the twenty-first district of Philadelphia County;

John V. Doughten, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-second district of Philadelphia County;

Kathryn Graham Pashley, Leo McKeever and Joshua Eilberg, having received the highest number of votes were duly elected Members of the House of Representativs in the General Assembly in the twenty-third district of Philadelphia County;

Ernest O. Branca, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-fourth district of Philadlphia County;

Freeman Hankins, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-fifth district of Philadelphia County;

Sarah A. Anderson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-sixth district of Philadelphia County;

Herbert Fineman, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-seventh district of Philadelphia County;

William J. Kelly, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-eighth district of Philadelphia County;

Martin P. Mullen, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the twenty-ninth district of Philadelphia County;

Charles D. Heavey and Paul M. Lawson, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the thirtieth district of Philadelphia County;

James P. O'Donnell, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the thirty-first district of Philadelphia County;

J. Russell Eshback, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Pike County;

Ray C. Goodrich, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Potter County;

John J. McDonald and William J. Long, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Schuylkill County;

George W. Heffner and William K. Knecht, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Schuylkill County;

Arthur J. May, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Snyder County;

William R. Korns and W. John Stiteler, Jr., having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly of Somerset County;

Kenneth B. Lee, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Sullivan County;

Harold G. Wescott, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Susquehanna County;

Harry R. McInroy, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Tioga County;

Louis A. Pursley, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Union County;

Harry S. Gramlich, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Venango County;

Joseph H. Goldstein, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Warren County;

Michael R. Flynn and J. Dean Polen, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the first district of Washington County;

Austin J. Murphy and A. V. Capano, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assmbly in the second district of Washington County;

Arthur J. Wall, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Wayne County;

Charles J. Jim, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of Westmoreland County;

Anthony J. Petrosky and Barnet Sakulsky, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the second district of Westmoreland County;

H. J. Maxwell and Charles J. Mills, having received the highest number of votes were duly elected Members of the House of Representatives in the General Assembly in the third district of Westmoreland County;

James Wynd, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly of Wyoming County;

John R. Gailey, Jr., having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the first district of York County;

Stanley H. Gross, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the second district of York County;

John Hope Anderson, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the third district of York County;

Harold B. Rudisill, having received the highest number of votes was duly elected a Member of the House of Representatives in the General Assembly in the fourth district of York County;

as the same have been certified to and filed with the Secretary of the Commonwealth of Pensylvania by the return boards.

Respectfully submitted,

JOHN S. RICE

Secretary of the Commonwealth

SEAL

January 3, 1961

ROLL CALL

The CHIEF CLERK. The roll will now be called.

The roll was called and the following Members-elect were present:

MEMBERS PRESENT—206

Adams,	Gailey,	Limper,	Riley,
Agnew,	Gallagher,	Lippincott,	Rovansek,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Rover,
Anderson, S. A.,	George,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibb,	Lutty,	Rudisill,
Ashton,	Gibbons,	Magee,	Rutherford,
Auker,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Bachman,	Goldstein, M. H.,	Markley,	Scarcelli,
Backenstoe,	Goodrich,	Marsh,	Schaaf,
Blair,	Gramlich,	Maxwell,	Schuster,
Boies,	Gray,	May,	Seltzer,
Bonner,	Gremminger,	McCandless,	Shelton,
Bossert,	Gross,	McCann,	Sherman,
Bower,	Guesman,	McCormack,	Shupnik,
Bowman,	Guthrie,	McDevitt,	Simmons,
Branca,	Hamilton,	McDonald,	Slack,
Breth,	Hankins,	McInroy,	Snare,
Bush,	Hartley,	McKeever,	Stank,
Capano,	Haudenshield,	McLaughlin,	Steckel,
Capitolo,	Heavey,	McNally,	Stimmel,
Cauley,	Heffner,	Meholchick,	Stiteler,
Cianfrani,	Helm,	Merry,	Stone,
Cioffi,	Henzel,	Mihm,	Strausser,
Clarke,	Hocker,	Miller,	Sullivan, J. A.,
Comer,	Holliday,	Mills,	Sullivan, T. F.,
Cooley,	Holman,	Monroe,	Taylor,
Crossin,	Horst,	Morley,	Thompson,
Curwood,	Irvis,	Muldowney,	Tomascik,
Davis,	Isaacs,	Mullen,	Tompkins,
Dengler,	Jenkins,	Munley,	Trusio,
Dennison,	Jim,	Murphy,	Ujobai,
Donaldson,	Johnson, A. W.,	Murray,	Varner,
Dougherty,	Johnson, R. P.,	Musto,	Verona,
Doughten,	Jones,	Needham,	Wall,
Down,	Kamyk,	O'Dell,	Walsh,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kelly,	O'Donnell, J. P.,	Weidner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshback,	Kessler,	Ogilvie,	Wescott,
Eshleman,	King,	Parlante,	Whittaker,
Ewing,	Kistler,	Pashley,	Willard,
Farabaugh,	Klein,	Perry,	Willaredt,
Fetterolf,	Knecht,	Petrosky,	Williams, E. S.,
Filo,	Kooker,	Piper,	Wilt,
Fineman,	Kornick,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Prendergast,	Wynd,
Foor,	Lamb,	Price,	Yetter,
Fox,	Lawson,	Pursley,	Zimmerman,
Frascella,	Lee, A. M.,	Reibman,	Andrews, Speaker
Fry,	Lee, K. B.,	Reidenbach,	
Fulmer,	Leonard,	Renwick,	

MEMBERS ABSENT—3

Brenninger,	Buchanan,	Williams, A. D.,

The CHIEF CLERK. Two hundred and six Members having answered to their names, a quorum is present.

RESOLUTION

OATH OF OFFICE

Mr. Sakulsky, a member-elect offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That the Honorable David H. Weiss, a Judge learned in the law of the Court of Common Pleas of Westmoreland County, be requested to administer the oath of office required by Article VII of the Constitution, to be taken by the Members of the House of Representatives.

COMMITTEE APPOINTED TO ESCORT HONORABLE DAVID H. WEISS TO ROSTRUM

The CHIEF CLERK. The Chair appoints the gentleman from Westmoreland, Mr. Maxwell, and the gentleman from Allegheny, Mr. Donaldson, to escort his Honor Judge David H. Weiss to the rostrum.

The Committee will proceed with the performance of its duty.

Mr. MAXWELL. Mr. Speaker, I have the honor to present Honorable David H. Weiss, Judge of Westmoreland County.

The Committee is discharged with the thanks of the House.

OATH ADMINISTERED TO MEMBERS-ELECT

The CHIEF CLERK. A Bible will be found in the desk of each Member-elect for those who swear by the Bible.

The Members-elect will rise, raise their right hands and remain standing at their desks during the administration of the oath of office to which they will swear or affirm. We

will ask the visitors also to rise after the gavel has sounded.

The oath of office will be administered to two hundred and six Members-elect by Honorable David H. Weiss as follows:

Do you solemnly swear, or affirm, that you will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure your election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law?

The CHIEF CLERK. I have the honor to present to the Members of this House a former distinguished Member of this House and one with whom I had the honor and pleasure to serve as a Member. He just administered the oath to you, the Honorable David H. Weiss, who will have a few remarks to make.

HONORABLE DAVID H. WEISS. Reverend Hoover, Officers of the House, Members of the House: It is with a very deep sense of humility that I have accepted the honor that you as Members of the House have bestowed on me in selecting me to administer the oath of office to you on this very auspicious occasion.

This brings back many nostalgic feelings about the many things that occurred when I was a Member of this Assembly. We cannot help but turn the clock back a few years and recall many happy occurrences with the Members of this august body from the years 1937 to 1951.

It was as a Member of the House that I met my wife. It was during one of the recesses that we were married. It was as a Member of this House that our children were born. It was as a Member of this House that I had the opportunity to make an everlasting friendship with so many fine colleagues.

If I had to do it all over again, high up in the agenda would be the opportunity to again serve as a legislator in this august body. I pray that all of you may have an interesting and successful Session. Godspeed be with you!

Today is an occasion that will remain with me eternally and I will cherish every moment of it. From the bottom of my heart I thank you, each and everyone.

LEAVES OF ABSENCE

The CHIEF CLERK. Are their any requests for leave of absence?

(No leaves of absence were requested)

RESOLUTION

ELECTION OF SPEAKER

Mr. TAYLOR offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That in accordance with the provisions of Article 2, Section 9 of the Constitution of Pennsylvania, the House do now proceed to the election of a Speaker, and that the Clerks act as Tellers.

NOMINATION FOR SPEAKER

The CHIEF CLERK. The House will now proceed to the election of a Speaker. Nominations are in order.

The chair recognizes the gentleman from Greene, Mr. Mr. McCann.

Mr. McCann. Mr. Chief Clerk, today in this Session of the General Assembly, I have the distinct honor and pleasure to bring into nomination the first name of this great body of the House of Representatives, a man from Cambria County, who for well over half a century has been a part of the Hall of the House of Representatives, both as a newspaper reporter and editor, a Member, and twice Speaker.

Today we place his name in nomination and for the first time in the history of the House of Representatives of the Commonwealth of Pennsylvania, the name's to be placed for the third time as the Speaker of this great House.

Words would by far be inadequate to describe the things and the work that this man has done. In behalf of the Members of the House and his colleagues therefore, I place in nomination the name of Hiram G. Andrews of Cambria County for Speaker of the House of Representatives.

The CHIEF CLERK. The gentleman from Greene, Mr. McCann, places in nomination for the Office of Speaker of this House, the gentleman from Cambria, the Honorable Hiram G. Andrews.

The chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Chief Clerk, ladies and gentlemen of the House, it is with a great deal of personal pleasure that I rise to second the nomination of my very good friend, and my very close neighbor from Cambria County, the gentleman from Cambria, Mr. Andrews.

As has been pointed out, I believe, there is probably no Member of the House who through the years has done so much for the Members of the House as the gentleman from Cambria, Mr. Andrews. I am sure no one in this Commonwealth can say that they have done more, not only to raise the dignity of being Members of this House, but the dignity of the House itself in the housing we enjoy, the salaries we receive, and the fine attention that we get as Members of this House.

Therefore, with a great deal of personal pleasure, I second the nomination of the gentleman from Cambria, Mr. Andrews, and at this time move that the nominations for Speaker be closed.

The CHIEF CLERK. The gentleman from Armstrong, Mr. Helm, seconds the nomination of Hiram G. Andrews, and moves that the nominations be now closed.

On the question,

Will the House agree to the motion?

It was unanimously agreed to.

The CHIEF CLERK. There being no other nominations, the Honorable Hiram G. Andrews is unanimously declared elected Speaker of this House.

The Chair requests the gentleman from Armstrong, Mr. Helm, a former Speaker of this House, to now take the Chair and preside.

Ladies and gentlemen of this Assembly, I have the

honor of presenting the Honorable W. Stuart Helm, a former Speaker of this House who will now preside, Mr. Helm.

Mr. HELM IN THE CHAIR

COMMITTEE APPOINTED TO ESCORT SPEAKER-ELECT TO ROSTRUM

Mr. HELM. The Chair appoints the gentleman from Greene, Mr. McCann, the gentleman from Allegheny. Mr. Agnew, to escort the Speaker-elect, Mr. Andrews, to the rostrum.

The committee will proceed in the performance of its duties.

OATH OF OFFICE ADMINISTERED TO SPEAKER-ELECT

The oath of office was administered to the Honorable Hiram G. Andrews, Speaker-elect of the House of Representatives by the Honorable David H. Weiss.

Mr. HELM. It is my pleasure to present to the Speaker of this House his gavel, and Mr. Speaker, I present you to the House of Representatives.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. It is a distinct privilege to receive the emblem of parliamentary decorum from the hands of one who has, in former Sessions, wielded it with such marked distinction.

I was a Member of this House when the gentleman from Armstrong was serving as Speaker. I observed his decisions with a critical eye and none of them was ever even remotely subject to appeal. The gentleman from Armstrong and I have worked together in promoting many projects of interest to the Members of this House. He is a valued friend and I thank him for his many evidences of endearing friendship.

To the Members of this House I can only say at this time that the best way to express my appreciation of the consideration accorded me is through faithful, diligent service which has as its objective the maintenance of House decorum—a matter concerning which the public judges us.

We rise in dignity as we rise in our observance of House decorum—the maintenance of legislative dignity, and the promotion of projects designed to minister to the effectiveness and the convenience of this body, the primary objectives of any Speaker and one of my primary objectives.

All of the Members of this House will recognize the many changes in matters of procedure and convenience that have already been made over the years. We older Members also know that many changes designed for the efficiency and convenience of the membership in general, and its Committees in particular, are, as yet, in the making.

After all these many, many years of functioning as one of the Houses of the General Assembly, we are still, in many respects, miserably housed. We must do something about that in the days to come. In view of what has been done, I would indeed be ungrateful and unmindful of the realities if I did not call your attention to the services rendered by the Members of the Special Select Planning Committee, by your Chief Clerk, and by our Parliamentarian. The unsightlyness of high stacks of bills upon the desks of the Members is gone forever. That is a consummation, I think, to be devoutly proud of. Thank the Chief Clerk and the Parliamentarian for that.

The pink bills that were always a nuisance are no longer with us. Thank the Chief Clerk and the Parliamentarian for that.

The Members of the Special Select House Planning Committee in their learned experience furnished these advances. I want them to live in your memory, and it is, of course, our design to perpetuate that Committee. The Members of that Committee were: the gentleman from Washington, Mr. Polen; the gentleman from Cambria, Mr. Lopresti; the gentleman from Allegheny, Mr. Mihm; the gentleman from Armstrong, Mr. Helm; the gentleman from Northumberland, Mr. Bower, and the gentleman from Delaware, Mr. Lippincott.

The consultant Members were: the gentleman from Greene, Mr. McCann, the Majority Leader; the gentleman from McKean, Mr. Johnson, then the Minority Leader, and the Speaker.

This Committee planned all the changes that have been made in the Hall of the House, including, of course, the installation of the electric roll call and the improvements made to the public address system and other added conveniences.

Planning, of course, is one thing, but the execution of the plan is something else. It was the Chief Clerk who supervised the execution of the plan, and I say in all sincerity, without whose services in executing the plan, the plan would have fallen flat on its face.

Moreover, the Chief Clerk and the Parliamentarian came through with a lot of ideas, good ideas, designed to further the convenience of the Members. Ideas that, incidentally, I imagine never occurred to the Members of the Planning Committee.

In any event, the Members of the Planning Committee, the Chief Clerk, and the Parliamentarian have rendered an outstanding service, a service that marks an end to an era and the beginning of a new deal as far as this House is concerned, because the best is yet to come.

The House needs more space for its Committees. The conditions under which our Committees have been compelled to work are deplorable, deplorable as compared with the service facilities that are provided for House Committees in other states. We cannot do what should be done to secure decent working facilities for House Committees right away, but we can make our plans for what we need. A two-year plan, a four-year plan, a six-eight- and even a ten-year plan. I am serious when I refer to long-range planning. If the present Members of the House will stick around long enough, they will see the day when the General Assembly, through its various activities, will utilize practically all the space in the main Capitol Building.

That is in the making. The Museum Building will be remodeled. They say there is already $2 million available for that purpose. When the building is remodeled, the Governor'e Office will go over there. I imagine the Attorney General's Office will go over there. I imagine the Budget Office will go over there, and I hope it will be soon. It cannot be right away because we cannot remodel the museum building untl the new museum building is erected. The decision has been made and $9 million appropriated, allocated by the General State Authority.

It is our hope that the Special Select House Planning Committee will be continued. What we have lacked in the past has been continuity in planning. We have had our little spasms and the plans have lasted for one Session, or for a few months, and then the planning is shelved and we have gone along in the same old rut, putting up with inconveniences that are not compatible with the dignity of this Body. The continuation of the Specal Select House Committee will give us the continuity essential to the completion of our long-range program.

As Legislators, we all realize the fact that there is much to be done. The people who elect us have a right to expect diligence in the doing. We have the electric roll call. It may develop its bugs, but they will be remedied. We have an expert who will be with us constantly if anything arises in connecton with it.

The chair knows one thing the electric roll call cannot do that a desk can do. The electric roll call cannot record votes that are not cast. It has been possible sometimes in the past. I have not seen it recently. It has been years and years, back in the days of the wicked Republicans, when it recorded Republican votes that disappeared from poor Democrats who were absent for some reason or other. Democrats were absent and they marked him up as voting for the bill. So, of course, that was years and years and years ago and nothing like that can happen now. The electric roll call this year calls the roll and if there is any delay I imagine the Speaker will be very lenient. But, if we are going to use the electric roll call as a means of encouraging absenteeism on the part of the Members, then I would sooner we would turn it down and get back to the other. There will be no reason for unreasonable delay in the affairs of this Session. We will have the executive budget at a very early date, we will have the Administration's legislative program at a very early date. Now it is my considered opinion that if we work at our job in proper fashion, there is no reason why we should not finish the pending Session before June becomes a thing of the past. That is a consummation devoutly to be wished.

If we bicker, if we play for place, if we are partisan purely for the sake of partisanship, we could be here once again until the snow flies. The people, I imagine, will judge us by our diligence in the performance of the duties for whch we were elected. The public will expect better things at our legislative hands. This legislative Session could develop a situation which would make it impossible from day to day to determine which Floor Leader is actually in command of the situation as far as Members are concerned.

Absenteeism can create many problems which only reason can solve. We cannot expect Members, whether of the Majority or the Minority, to drop their conviction. You must stand by your convictions ladies and gentlemen. But we can expect, and the people will expect, that the Party of what may frequently be a theoretical minority will base its opposition to the Administraton's plan on the basis that it has a better plan. There should be a legislative endeavor, there should be harmony based upon sound reason. But since there is so much to do, perhaps the thing to do is to get about doing it.

I thank you for your attention.

A speaker having been elected and the Members sworn, the Chair instructs the Sergeant-at-Arms to procure the Mace and place it upon the rostrum.

This Mace is the emblem of our dignity and of our State's sovereignty.

THANKS TO THE CHIEF CLERK

The SPEAKER. The Chair extends the thanks of the House to the Chief Clerk for the efficient manner in which he has conducted the organization proceedings. Incidentally if I had a driving ambition to remain as Speaker, I would not want him to be Speaker very often. He did too well, entirely to well. He made even as good a Speaker as he made Chief Clerk. I say in my memory I have never known a better Chief Clerk who has been more diligent to the service of the Members of this House. Some day there are certain employes of this House who will become career men and women. May I pass that over as a suggestion to the so-called Minority Party to bear in mind.

RESOLUTION

ELECTION OF CHIEF CLERK

Mr. HAMILTON offered a resolution which was read as follows:

In the House of Representatives
Tuesday, January 3, 1961.

Resolved, That the House do now proceed to the election of a Chief Clerk of the House, and that the Clerks act as Tellers.

Mr. FINEMAN. Mr. Speaker, I have had assigned to me today the very pleasant function of offering in nomination as a candidate for the office of Chief Clerk of the House of Representatives, the name of Mr. Joseph Ominsky.

After your glowing tribute to Mr. Ominsky in your remarks I trust that what I have to say will not pale in comparison.

The post of Chief Clerk is unquestionable among the most important of all of the offices in the Legislative branch of our state government. It is, in fact, the nerve center of the operation of this great legislative body and is indispensably vital to the orderly, efficient and proper conduct of the business of the House. It is a position of great responsibility that demands at once, and at the same time, dedicated, devoted and arduous toil, as well as scholarship, executive ability, keen judgment, decisiveness, quick comprehension, condiality and, at times, forbearance and compassion.

As a matter of fact, in my opinion, the title of Chief Clerk is a misnomer and does not carry a connotation that is in keeping with the stature and dignity of that office. It would be well for this House to undertake at some near date whatever action is appropriate to retitle this position.

It is because of the importance of this post that I am so delighted to have the opportunity to offer the name of Mr. Ominsky in nomination for election to same, since in my opinion he fills, in every regard, the exacting and demanding requirements dictated by the responsibilities and burdens of this office.

There reposes within Mr. Ominsky, that required and desired combination of basic sound judgment and scholarship and deep personal dedication. We have but to look around this Chamber today and we can quickly observe the physical evidence of his abiding interest and concern, not only in the welfare and convenience of the House members and the efficient, orderly operation of the busi-

ness of the House, but as well with the elevation of the dignity of this deliberative body.

May I as you did, point out, Mr. Speaker, the lecterns at each microphone, the redesigning of the Speaker's rostrum to a larger and more comfortable working area, the handsome lounge for the Members in the lobby of the House Chamber, the glossy brightness of this Hall, and, of course, the installation of the new electric roll call system, which received so much of Mr. Ominsky's personal attention.

To those of us who had the honor of membership in this legislature last session when Mr. Ominsky served as Chief Clerk, we know well of his talents and his abilities. To the neophytes among us, I say you will learn in due course of his affable, cooperative, understanding, and erudite manner.

He held the office of coroner in the city of Philadelphia. He is an engineer and a distinguished attorney. I have heard it said that these particular offices do indeed qualify him for the office of Chief Clerk because by reason of the fact that he was a former Coroner in the City of Phila., he has the ability to assist in the burying of legislation that should be buried. As an engineer, he can help steer to a successful conclusion legislation that should see the light of day and as an attorney he has the ability to distinguish between the two.

It is with a strong sense of pride, Mr. Speaker, that I offer in nomination for the post of Chief Clerk of the House of Representatives, the name of Mr. Joseph Ominsky.

The SPEAKER. The gentleman from Philadelphia places in nomination the name of Mr. Joseph Ominsky of Philadelphia, candidate for Chief Clerk.

Mr. AGNEW. Mr. Speaker, when the program was laid out for today, Mr. Fineman and I were charged with the pleasant responsibility of making fine comments about our Chief Clerk, not the Speaker. I think you upstaged us Hi.

As Mr. Fineman, the gentleman from Philadelphia said, it was with pride that he nominated Mr. Ominsky for reelection to the position of Chief Clerk. It is with real pleasure that I can second this nomination. When I was asked if I would represent the minority in making this second, I stated that I could do so and any remarks I made I could make with complete sincerity.

I know from personal experience the prompt, courteous, and efficient service that the Chief Clerk's office has rendered to all Members, whether in the Majority or Minority during the last two years. All requests, to my knowledge have been met with fairness and with promptness and with absolute impartiality between Members of the Majority and Members of the Minority. I think this is the way the Chief Clerk's office should be operated and I think Mr. Ominsky has shown how it should be done.

As Minority Members, about the nicest thing we can say about Mr. Ominsky's services as Chief Clerk is, that at this moment we have no suggestions to improve the efficient operation of that office and if that office is operated during the next two years as well as it has been during the last two years, the Members of the Minority will be very pleased with the Chief Clerk's office.

For that reason and because of my personal association and great liking for Mr. Ominsky, it is my honor to second his nomination, representing the Minority and to move that the nominations be closed.

On the question,

Will the House agree to the motion?

It was agreed to.

The SPEAKER. Joseph Ominsky has been unanimously re-elected Chief Clerk of this House.

NOTIFICATION SENATE IS ORGANIZED

The SERGEANT-AT-ARMS. Mr. Speaker, the Committee on the part of the Senate.

Mr. YATRON. Mr. Speaker, we have been appointed as a Committee on the part of the Senate to inform the House of Representatives that the Senate is now organized and ready to proceed with the business of the Session.

The SPEAKER. The Chair thanks the committee on the part of the Senate.

RESOLUTION

ELECTION OF SECRETARY

Mr. KORNICK offered a resolution which was read as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That the House do now proceed to the election of a Secretary of the House, and that the Clerks act as Tellers.

Mr. POLEN. Mr. Speaker, for the position of Secretary of the House, I desire to nominate a man who is well known to all the Members of this House. He is a man whose ability, his integrity, his honesty and his friendship is unquestioned. I think he has proved himself in the time that he has served here as a Member of this House to be a fine, competent gentleman.

I am not going to take up a lot of time going over his many fine qualifications now, for it would take a long time to do so. I want to say this: he is competent; he has served this House well. I know of no man who is better fitted by training and experience as an attorney, as a Member of this House, and as Caucus Chairman of the Majority Party than Phil Lopresti of Cambria County.

I, therefore, place in nomination the name of Philip Lopresti of Cambria County for Secretary of the House of Representatives.

Mr. A. W. JOHNSON. Mr. Speaker, it is a great pleasure for me to stand here today and second the nomination of Phil Lopresti.

Before I do that, as an elder statesman now of this House, I feel that I should welcome the visitors here today. Nobody has done that.

We want to say to the visitors, you are here in the Hall of one of the finest Houses of Representatives in this Nation, where we make the laws for the people of Pennsylvania and we want to welcome you here. As Charlie Weaver says, "You are our people." You are welcome here.

I also want to say to the new Members that are here, you should be welcomed to the Hall of this House. What a tremendous achievement it is for me that we have been elected to this, the House of Representatives of Pennsylvania. You can serve your constituents well. You can be an honor to your communities and to the state and you are afforded a great privilege by being here today.

We have had a wonderful working House. Wasn't it nice what they said about Mr. Ominsky. I want to join in that tribute to Joe Ominsky. He has done an outstanding job. Now he needs a good secretary to carry out the other duties of the House which fall upon the Secretary of the House. Dean Polen has pretty well set forth the quality of this gentleman.

In any legislative body we find a fellow who has balance, who has good sound judgment, that people listen to when he gets up to make a speech. Such a person is Phil Lopresti. When he was a Member of this House he was just that kind of person. He had our rapt attention. He has solved the problems of his party well, and is a credit to the Democratic Party and to this House. He is returning to us as Secretary of the House, and it is my great pleasure and privilege to second his nomination.

I move that nominations for the office of Secretary of the House of Representatives be closed.

On the question,

Will the House agree to the motion?

It was agreed to,

The Speaker, Philip Lopresti has been unanimously elected Secretary of the House.

COMMITTEE TO ESCORT CHIEF CLERK AND SECRETARY

The SPEAKER. The Chair appoints the gentleman from Philadelphia, Mr. Fineman, and the gentleman from Washington, Mr. Polen, to escort the Chief Clerk of the House and the Secretary of the House to the well of the House where the oath of office will be administered to them.

OATH OF OFFICE ADMINISTERED TO THE CHIEF CLERK AND SECRETARY

The Oath of Office was then administered to Joseph Ominsky, Chief Clerk-elect, and Philip Lopresti, Secretary-elect of the House by Honorable David H. Weiss.

REMARKS BY CHIEF CLERK

The SPEAKER. Perhaps our Chief Clerk has a word of greeting for the Members of this House and perhaps the Secretary has also a word.

The Chair recognizes the Chief Clerk.

The CHIEF CLERK. (Joseph Ominsky). Mr. Speaker, first I wish to thank the gentleman from Philadelphia, Mr. Fineman, for placing my name in nomination before the House for the position of Chief Clerk, and for the gracious manner in which he did it. He is a good friend, neighbor and representative from my district where I and my family reside. Perhaps it belies the adage that a prophet is without honor in his own community. My gratitude also goes out to the Members of the Philadelphia delegation, and its Chairman, Mr. Dougherty, the Majority Whip.

Secondly, I want to express my appreciation to the gentleman from Allegheny, Mr. Agnew, the Minority Leader, for seconding my nomination and making it a unanimous choice of the membership of this House.

But most of all, Mr. Speaker, I desire to extend my grateful thanks to all the Members for their vote of confidence given me for the services which I humbly and sincerely rendered during the past two years by reelecting me as Chief Clerk, and for the opportunity they give me now to further render such services.

If I have attained any measure of success in the operation and functioning of the Chief Clerk's office, it was because the Members of this House were understanding and cooperated fully. Especially am I thankful to you, Mr. Speaker, and to the gentleman from Greene, Mr. McCann, the Majority Leader, as well as to all the officers of the House, and members of my staff, and more particularly the Secretary of the House, Mr. Moomaw, who as you know, will carry the experience and enlightened administration to the other Chamber of this General Assembly.

Then, too, Mr. Speaker, my task was made much lighter because of the understanding and loyalty of my lovely wife and of my family from whom, of necessity, I had to be away a good part of the time during the past two years.

In closing may I state that I shall continue to serve all the Members, and this great Commonwealth diligently and impartially to the best of my God-given abilities.

To the new Members may I extend the helping hand of my staff and myself to make their term of office a most successful one.

God bless you all!

The SECRETARY (Philip Lopresti). Mr. Speaker and Members of the House, I too wish to thank the gentleman from Washington and the gentleman from McKean for my nomination and seconding, and most particularly the Members.

I want to state that I am grateful for the opportunity of remaining with you. It will be a joy to see you each day when you come into Session. I hope that you will visit and call my office as often as you can. I am most grateful for the opportunity of continuing the friendships that we have enjoyed over these last few years.

I only trust that I will be able to fulfill the duties of the office and that my staff and I will be able to efficiently and courteously concur with each and every demand that you make upon us. I want to assure you of one thing, that we will always be available and ready when you call.

Thank you very much.

The SPEAKER. The Chief Clerk recalls the fact that one of our Officers has gone to serve in another place. Now, I do not want you to become offended—this is purely confidential what I am saying, do not tell anybody, it is just between us. In a public address not so very long ago, his Excellency, the Governor, refured to Members of the House who had graduated into the Senate. We do not graduate them, we send them there as missionaries.

APPOINTMENT OF PARLIAMENTARIAN

The SPEAKER. In compliance with the Act of the General Assembly of the Commonwealth of Pennsylvania approved the 28th day of May, 1931, as amended, the Speaker has appointed S. Edward Moore, Cumberland County, Parliamentarian of the House of Representatives.

The PARLIAMENTARIAN (S. Edward Moore). Mr. Speaker, one rule is that a Parliamentarian will never vote and never make a speech. I am very grateful for the privilege of again serving in this delightful body.

RESOLUTION

THANKING JUDGE

Mr. MAXWELL offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That the Members of the House of Representatives do hereby extend their thanks to the Honorable David H. Weiss for his services in administering the oath of office to its Members and Officers.

REMARKS BY MR. JIM

Mr. JIM. Mr. Speaker and Members of the House, this is one of my greatest days as a legislator in the General Assembly.

We are honored with the presence of the Honorable David H. Weiss, Judge of Westmoreland County, who administered the oath of office to the members of this House of Representatives.

Judge Weiss is a former member of the House, having served seven terms from 1937 to 1950, representing the Third District of Wsetmoreland County.

We are delighted also to have with us today, Mrs. Ruth Schick, President of the First District Democratic Guild, and a delegation of 41 women from her fine organization.

ANNOUNCEMENT OF DEMOCRATIC FLOOR LEADERS

Mr. PETROSKY. Mr. Speaker, as Chairman of the Democratic Caucus, I have been instructed to make an announcement for the information to the Members of the House and for the record, and to announce that the gentleman from Greene, Mr. Stephen McCann, has been elected by the Democratic Caucus as the Majority Leader of the House, and that the gentleman from Philadelphia, Mr. James J. Dougherty has been elected Majority Whip of the House.

ANNOUNCEMENT OF REPUBLICAN FLOOR LEADERS

Mr. WOOD. Mr. Speaker, as Chairman of the Republican Caucus, I have been instructed to announce for the information of the House and for the record that the gentleman from Allegheny, Mr. Willard Agnew Jr. has been elected by the Republican Caucus as Minority Leader of the House, and the gentleman from Cameron, Mr. Edwin W. Tompkins as Minority Whip of the House.

STATEMENT BY SPEAKER

The SPEAKER. May the Chair say just a brief word? The Chair wonders if the Members of this House realize the expense and the worries that they impose upon their Floor Leaders, particularly in a hectic Sessions day.

They do not work eight hours a day, they work 16 hours a day. The Chair ought to know when I hear all of the gripes and all of the grumbles of all of the Members go across the desk. It has been my opportunity to observe Floor Leaders. The Chair was Minority Floor Leader in this House for five Sessions, the Chair knows.

It is never adequately recognized in matters of remuneration like the reward these men are entitled to. Somebody ought to do something about it.

The Chair wants to tell you another thing, he has worked a long time with Floor Leaders, and here is something that the Chair values more than anything else in the world so far as this House is concerned. No Floor Leader, Republican or Democrat ever told me a lie. We cannot always have insight into Party doings, and we do not expect that. But no Republican thought of it, all the time the Chair was Minority Floor Leader, and no one, since the Chair has been Speaker, has ever told him a lie. Their word was good, an ally of honor, and the Chair hopes we all appreciate that and do all we can in Committees and other ways to ease the burden.

The Chair is glad to serve, the Majority Floor Leader is glad to serve, and the Minority Floor Leader, and the Chair knows that they will continue to carry on the traditions which the Floor Leaders of this House have established. The Chair had a very happy relationship with the gentleman from McKean. The Chair did not always agree with him, he did not always agree with me, but we never deceived each other. Those are happy memories to carry away from this House today.

RESOLUTION

COMMITTEE TO NOTIFY SENATE

Mr. BRETH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That a committee of three Members be appointed by the Speaker to wait upon the Senate and inform that body that the House of Representatives is organized and ready to proceed with the business of the Session.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate and inform that body that the House is now organized and ready to proceed with business, Messrs. Musto, Filo, and Tompkins.

The Committee will now proceed in the performance of its duties.

RESOLUTION

COMMITTEE TO NOTIFY GOVERNOR

Mr. REIDENBACH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Tuesday, January 3, 1961.

Resolved, That a committee of three Members be appointed by the Speaker to wait up His Excellency, the Governor of the Commonwealth, and inform him that the House of Representatives is organized and ready to receive any communications he may be pleased to make.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to wait upon the Governor and notify him that the House is organized and ready to receive any communications he may be pleased to make, Messrs. McCann, Parlante, and Agnew.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.
January 3, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Tuesday, January 3, 1961, at 2:00 p.m.

DAVID L. LAWRENCE.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. BONNER. Mr. Speaker, I move that His Excellency, the Governor of the Commonwealth, be invited to address the Joint Assembly at a time to be fixed by a concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 3, 1961.

Resolved, (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Tuesday, January 3, 1961, at two o'clock P. M., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania; also witnessing the opening, counting and computing of the official returns of the election for Auditor General and State Treasurer, held Tuesday, November 8, 1960, in the several counties of this Commonwealth; and to elect the Director of the Legislative Reference Bureau.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR TO HALL OF HOUSE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee on the part of the House to escort the Governor to the Hall of the House, Mrs. Munley, Mrs. Anderson, Mrs. Henzel.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. RENWICK offered a resolution which was read, considered and adopted as follows:

In the House of Representatives
Tuesday, January 3, 1961.

Resolved, That the Speaker appoint a committee of two to escort the Members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee to escort the Senate Messrs. Eilberg and Ewing.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR

The SERGEANT-AT-ARMS. Mr. Speaker, a Committee on the part of the House.

Mr. McCANN. Mr. Speaker, the committee appointed to inform the Governor that the House is organized has performed its duty.

The SPEAKER. The Chair thanks the Committee and the Committee is discharged.

RESOLUTION

ELECTION OF TELLER

Mr. RUDISILL offered a resolution which was read, considered and adopted as follows:

Resolved, That the gentleman from Allegheny County, Mr. Boies, be appointed teller on the part of the House of Representatives to open and compute the vote for Auditor General and State Treasurer at a Joint Session of the Senate and House.

SENATE MESSAGE

APPOINTMENT OF TELLER

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 3, 1961.

The Clerk of the Senate being introduced, informed the House of Representatives that the Honorable Thomas P. McCreesh, of the County of Philadelphia, has been elected Teller on the part of the Senate to compute the vote cast on November 8, 1960, for Auditor General and State Treasurer in Joint Session of the General Assembly Tuesday, January 3, 1961.

Ordered, That the Clerk present the same to the House of Representatives.

REPORT OF COMMITTEE TO NOTIFY SENATE

SERGEANT-AT-ARMS. Mr. Speaker, the Committee on the part of the House.

Mr. MUSTO. Mr. Speaker, the Committee on the part of the House to inform the Senate that the House is organized and ready to proceed with business has performed its duties.

The SPEAKER. The Chair thanks the Committee and the Committee is discharged.

SENATE MESSAGE

INAUGURAL COMMITTEE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 3, 1961.

Whereas, on January 20, 1961, the Honorable John F. Kennedy will be inaugrated as the President of the United States of America, and

Whereas, it is fitting and proper that a delegation represent the General Assembly of the Commonwealth of Pennsylvania at the inaugural ceremonies to be held in Washington, D.C. at that time, now therefore be it

Resolved, (if the House of Representatives concur), That the President Pro Tempore of the Senate is hereby authorized to appoint the twenty-five Democratic Members of the Senate, and the Speaker of the House is hereby authorized to appoint one hundred and nine Democratic Members of the House of Representatives, who together shall constitute a Joint Committee to represent the General Assembly of the Commonwealth of Pennsylvania in the inaugural ceremonies of the Honorable John F. Kennedy.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 3, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, January 16, 1961 at three o'clock p.m. EST., unless sooner recalled by the President Pro Tempore; and when the House of Representatives adjourns this week, it reconvene Monday, January 16, 1961 at three-thirty o'clock p.m. EST., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE ESCORTING SENATE

Mr. EILBERG. Mr. Speaker, your Committee appointed to wait upon the Senate and escort them to the Hall of the House for the Joint Session has performed that duty and the Senate is in attendance.

The SPEAKER. The Chair extends the thanks of the House to the Committee and the Committee is discharged.

The Lieutenant Governor, the Honorable John Morgan Davis, is invited to preside over the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable Anthony J. DiSilvestro, is invited to be seated on the rostrum.

The Members of the Senate will please be seated.

The Chair has the honor of presenting the Lieutenant Governor of the Commonwealth of Pennsylvania, John Morgan Davis, who will preside over the deliberations of the Joint Session.

JOINT SESSION OF THE GENERAL ASSEMBLY LIEUTENANT-GOVERNOR JOHN MORGAN DAVIS PRESIDING

COMMITTEE ESCORTING THE GOVERNOR

The SERGEANT-AT-ARMS. Mr. President, the Committee appointed to escort the Governor to the Hall of the House.

Mr. McMENAMIN. Mr. President, I have the honor to present His Excellency, the Governor of the Commonwealth of Pennsylvania, the Honorable David L. Lawrence.

The LIEUTENANT-GOVERNOR. Members of the General Assembly, the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania.

ADDRESS OF GOVERNOR DAVID L. LAWRENCE

GOVERNOR LAWRENCE. Mr. Lieutenant Governor, Mr. Speaker, Ladies and Gentlemen of the General Assembly:

It is good to see so many of you—so many old friends and so many old opponents, who are likewise my old friends—returned to these legislative chambers.

I would not be frank if I did not tell you that it is also good to see some new faces, especially when those new members add to the strength of the party in power in the Executive Branch.

And I know you will sympathize with me when I say that we could use another Democrat or two in the Upper House. It would make us all breathe more easily.

But, as I have said before, it is the people who select their instruments of government.

You and I—210 members of the House, the 50 members of the Senate, the Lieutenant Governor, the Governor of the Commonwealth—we are those instruments; we are the legislative process embodied in 262 human beings, no more and no less fallible than the 11,000,000 people whom we represent and serve.

We have a common responsibility to do our best.

As we meet today, it is plain that only our very best will do.

For this Session will not be—it cannot be—anything like the legislative travesty which died, unmourned, on November 14th last. This must be a working Session, a Session which will move with all deliberate speed to adopt an operating Budget, to adopt a Highways Budget, to enact a capital program, to consider and enact legislation in a wide range of vital matters, to propose desirable constitutional Amendments, and to reapportion the Congressional and Legislative Districts in the State.

We will be working with the clock running, and there can be very few time outs.

I must remind you that for the first time in our modern history, we must make our appropriations and levy our taxes on an annual basis. The more leisurely days of the Biennial Budget are gone; we cannot let months and months go by in indecision or in bickering. It will do no good—indeed, it will do much harm—to stall, or to wait for something to turn up, or to provide the paralysis of deadlock.

I will submit the budget for the General Fund and the budget for the special funds, including the Motor License Fund, on January 16th, which is thirteen days away. You will, I am sure, give these basic documents of government your prompt consideration, and adopt them—with such modifications as your own judgment may direct—well in advance of the next fiscal year, which begins on June 1st.

We will submit to the Legislature, in February, a capital budget substantial in size, but by no means disproportionate to the necessities of our life together. It will emphasize the needs of higher education, of such welfare services as mental health; and of resources development, including the reservation of land now for our future parks and reservoirs.

This session of the Legislature may expect to receive also the report of the Governor's Committee on Education. The Lieutenant Governor, who ably presides over the Committee, informs me that its report will, hopefully, be rendered to us in March.

In the executive departments, we are now preparing the bills which will be the principal Administration measures to be placed before you at this session. Our time table calls for their submission by the second week of February.

These proposals will apply in many critical areas of public action. Within the State's own operations, we will ask for statutory Civil Service protection for technical and professional employes—the career personnel whom we must attract, train, and continue in the State's service. We will press for effective legislation dealing with the registration of lobbyists and with conflicts of interest.

In the field of welfare legislation, we will submit a program to deal with and prevent juvenile delinquency. As we all know, medical care for the aging is a matter of great concern and sharp dispute. In this case, we will not propose legislation until we have a clear signal from the Federal Government. I have joined the majority of the Nation's governors, including Governor Rockefeller in our adjoining State of New York, in not acting to implement the present Federal program. It would be my hope that Congress will speedily enact a sounder and more effective program, based upon social security, as advocated by the President-elect. But before we are through with our work here, we will know what we must do to bring the benefits of a medical care program to our older people.

In the field of human relations, we will again ask for legislation to prevent discrimination in housing. To such fair housing legislation, our program will add a desirable broadening of our Fair Employment Practices Law and will eliminate the final vestiges of discrimination in education.

We will ask for an increase in the State minimum wage level, now as low as 39 cents an hour, and ask for stronger legislation to control abuses of migratory labor.

Once more, we will ask the Legislature to provide us with as strong a highway safety program as we may reasonably impose. And once more, we will ask for effective control of the billboards which deface all too many of our highways.

We will suggest a program of State aid to extend public library services throughout the Commonwealth.

We will propose that the State take positive action to protect the consumer.

We will seek to improve the administration of justice by the appointment of court administrators.

We will ask you to help us further protect our countryside against the ravages of strip mining.

We will recommend a more effective public program to develop our tourist and resort industries, with State cooperation and assistance to local community agencies.

In agriculture, we will suggest more vigorous action—public and private—to promote the sale of Pennsylvania's farm products.

Now, none of these things bears a label of "must" legislation, in the sense that it is "must" for me as Governor or "must" for the Democratic Party. But I believe it can be fairly argued that each of these legislative proposals will be good for the people of this State. Each of them will contribute to a better life among us. Each of them derives its necessity, each finds its purpose, each may properly be labelled "must" in the needs of the great majority of Pennsylvania voters, regardless of their party.

I hope that they will be so considered in this Legislature.

In addition to this program of bills to be submitted for your action, there are a variety of other legislative matters to which I earnestly direct your attention and support.

It has become increasingly apparent that the traditional responsibilities of the Department of Forests and Waters are being broadened by the emphasis we now must give to State parks and outdoor recreation. I will propose a reorganization plan which will change the name of the Department to the Department of Conservation and Recreation, and group within it various State agencies concerned in these fields. The Game and Fish Commissions would, of course, continue the separate existence justified by the hunting and fishing license fees which support them.

In this field of conservation, one of our most important efforts must be in water resources.

And one of our most important water resources is the Delaware River and its tributaries. I expect that in this Session I will have the opportunity of recommending to you an Interstate-Federal Compact for the Development of the Delaware, in which we would join with our sister states of The Valley and the National Government. I also hope to report to you the beginning of similar planning and development for the Susquehanna Valley, and the valleys of the Allegheny, Monongahela and Upper Ohio.

In another field of conservation—the conservation of human resources—I will again urge you to join in an interstate compact in regard to mental health.

This Session will also have before it a proposed amendment to the Federal Constitution and several proposed amendments to our State Constitution which were approved in the first go-around in the 1959 Session. I hope that you approve the proposed Twenty-third Amendment

to the National Constitution which will permit our fellow-citizens in the District of Columbia to vote for President and Vice President.

In our own State, I hope you will let the people vote on whether or not their Governor, their Auditor General, and State Treasurer may succeed themselves, if re-elected, for one term. I hasten to add that the Amendment does not apply to the present occupant of the Governor's Office.

To this point, I have talked principally about our own direct concerns—the responsibilities which we will share in this 1961 Session. Those responsibilities must be exercised against a background which must give us serious concern.

I cannot say to you that all is well with the State.

We are making measurable progress in every phase of the State's own operations. We are increasingly the good associate—the partner—of our communities and of our citizens, as they seek to improve our opportunities and raise our community and individual standard of living. I think we are a responsive and an alert State Government, working to achieve progress with our business interests, our labor organizations, our civic groups, and our local governments, without regard to political association.

But what we can do in State Government—the very best we can do—can only supplement the strength, or in some small way, compensate the weakness of the national economy.

We know that as of this day and this month, the national economy is not so operating as to make things bright and rosy for us in Pennsylvania. When steel is operating at less than forty-five per cent of capacity, when more than eight of every hundred men and women in the Pennsylvania labor force are unable to find work, we are in trouble.

We then learn that debates about our national rate of economic growth are not an idle numbers game, as some people have said, but a matter of a livelihood to hundreds of thousands of our people. We then realize that a national income that has flattened out is not a statistic—but a tangible witness to deepening unemployment. We then know that Pennsylvania, with its many areas of chronic labor surplus—the polite word for permanent unemployment—needs national, as well as State, solutions.

I earnestly hope—I am sure you share that hope—that the directions of our national policies will be guided with some understanding of our special needs, and our right in Pennsylvania to share again the Nation's goal of full employment for every person able and willing to work.

That hope is given confidence by the report of the President-elect's task force, headed by Senator Douglas, which was made public over the weekend. Pennsylvania, whose State Planning Board Chairman and Secretaries of Commerce, and Labor and Industry served on that task force, would be aided materially by implementation of the recommendations by executive and Congressional action. I have appointed a group of department heads from the State Government to work with Federal officials to help convert the recommendations into positive program.

It would be fatal, of course, to relax any effort of our own. We should be ready to do more; we should be ready to use every assistance we may get, every tool that is given us, every power that is within us to do more—much more.

It is said—we have all heard it—that the business of an opposition is to oppose. We expect that in our politics. It is normal and healthy—in normal, and healthy, and robust times.

I would suggest to you—to all of you on both sides of the aisle—that we need something more than that in Pennsylvania today. We need accommodation. We need common effort. We need acceptance of common goals and a common march to their achievement.

May I hope—may I ask—may I beseech you to make this 1961 session memorable in Pennsylvania because we had the moral courage to put aside extremes of partisonship, to put aside obstruction and reprisal, and do what's right for our State and its people.

The LIEUTENANT-GOVERNOR. Thank you very much, Governor Lawrence. On behalf of the Members of the General Assembly I take this method of thanking you.

The Committee on the part of the Senate and the House will now escort His Excellency, the Governor, to his chambers.

The General Assembly will be at ease.

ELECTION RETURNS

The LIEUTENANT-GOVERNOR. This being the day and the time agreed upon by a concurrent resolution of the Senate and House of Representatives, and in accordance with the provisions of the Constitution and the laws of this Commonwealth for the opening and computing of the official returns of the election of Auditor General and State Treasurer, held on Tuesday, November 8, 1960, in the several counties of the Commonwealth, the returns will now be opened and read.

The Teller on the part of the Senate is the Senator from Philadelphia, Mr. McCreesh. The Teller on the part of the House is the gentleman from Allegheny, Mr. Boies. The Tellers will please come to the desk assigned to them and proceed in the performance of their duty.

The returns for Auditor General and State Treasurer were opened and read by the Clerk.

VOTES CAST FOR AUDITOR GENERAL ON NOVEMBER 8, 1960

COUNTIES	Thomas Z. Minehart Democratic	Robert F. Kent Republican	George S. Taylor Socialist Labor	Arthur J. Felberbaum Workers	Scattering
Adams	8,403	12,195	55	20	
Allegheny	414,836	322,070	2,069	1,484	5
Armstrong	15,085	18,999	200	73	
Beaver	46,537	36,031	269	189	
Bedford	6,661	11,584	54	37	
Berks	53,805	55,239	341	71	3
Blair	19,200	34,534	127	100	
Bradford	6,906	15,944	44	26	
Bucks	56,391	66,958	248	84	1
Butler	18,039	26,217	172	66	4
Cambria	48,154	38,511	553	473	
Cameron	1,263	2,149	12	1	
Carbon	12,307	11,875	50	21	1
Centre	9,083	17,262	52	35	
Chester	29,753	52,701	106	62	
Clarion	6,153	9,462	..	..	
Clearfield	14,842	17,436	111	73	
Clinton	6,294	8,579	44	29	
Columbia	10,904	13,882	29	23	
Crawford	11,103	19,179	92	20	
Cumberland	17,184	33,675	121	25	
Dauphin	34,552	59,819	305	67	
Delaware	120,078	136,550	366	82	
Elk	8,053	7,254	25	60	
Erie	51,523	51,353	261	76	
Fayette	41,277	25,260	168	44	
Forest	836	1,417	6	4	
Franklin	14,077	19,673	46	30	
Fulton	1,943	2,237	6	5	
Greene	10,438	6,099	37	34	

Huntingdon	4,848	10,588	51	38	
Indiana	12,813	18,283	164	46	
Jefferson	8,074	13,244	61	31	
Juniata	3,005	4,420	10	5	
Lackawanna	77,226	50,452	43	24	
Lancaster	33,474	77,276	130	146	
Lawrence	23,537	22,876	130	98	
Lebanon	11,822	24,648	56	18	
Lehigh	40,022	51,429	230	58	
Luzerne	97,467	70,184	420	198	
Lycoming	19,166	28,650	..	..	
McKean	7,300	13,678	72	9	
Mercer	24,114	28,114	107	36	2
Mifflin	5,263	9,509	41	12	
Monroe	7,344	9,561	74	11	
Montgomery	99,318	141,496	223	74	
Montour	2,726	3,921	3	7	
Northampton	41,783	37,212	113	67	1
Northumberland	22,195	26,986	73	50	
Perry	3,801	7,584	36	13	
Philadelphia	608,089	290,094	1,286	445	
Pike	1,717	3,908	6	3	
Potter	2,675	4,999	21	15	
Schuylkill	42,018	45,012	148	120	
Snyder	2,308	7,645	30	11	
Somerset	14,884	19,775	86	57	
Sullivan	1,415	1,756	11	2	
Susquehanna	5,477	10,181	24	16	
Tioga	4,050	10,928	12	15	
Union	2,234	7,201	11	7	
Venango	7,961	16,957	44	40	
Warren	6,456	11,344	55	21	
Washington	54,226	35,995	267	151	
Wayne	4,206	9,287	37	14	
Westmoreland	85,576	65,745	570	337	
Wyoming	2,738	6,001	18	10	
York	41,732	52,095	204	71	
Total	2,528,740	2,383,178	10,836	5,595	17

The LIEUTENANT-GOVERNOR. The Chair recognizes the Senator from Philadelphia, Mr. McCreesh, the Teller on the part of the Senate.

Mr. McCREESH. Mr. President, the Tellers agree in their count and submit the following report for the Auditor General.

Thomas Z. Minehart, Democrat, received 2,528,740 votes.
Robert F. Kent, Republican, received 2,383,178 votes.
George S. Taylor, Socialist Labor, received 10,836 votes.
Arthur J. Felberbaum, Workers, received 5,595 votes.

The LIEUTENANT-GOVERNOR. Mr. Thomas Z. Minehart, having received the highest number of votes, was duly elected Auditor General of the Commonwealth of Pennsylvania for the term of four years from the first Tuesday of May, 1961.

VOTES CAST FOR STATE TREASURER ON NOVEMBER 8, 1960

COUNTIES	Grace M. Sloan Democratic	Charles C. Smith Republican	Morris Chertov Workers	Herman A. Johansen Socialist Labor	Scattering
Adams	8,371	12,313	17	18	
Allegheny	409,266	328,551	1,198	1,692	11
Armstrong	15,255	19,008	46	72	1
Beaver	45,741	37,041	170	229	
Bedford	6,748	11,543	26	36	
Berks	53,102	55,672	77	280	3
Blair	18,879	35,245	62	94	
Bradford	7,179	15,819	18	29	
Bucks	56,165	67,137	93	233	
Butler	17,606	26,989	43	112	3
Cambria	47,683	39,567	309	261	1
Cameron	1,272	2,159	2	4	
Carbon	12,177	11,947	29	50	1
Centre	8,991	17,718	22	45	
Chester	29,741	52,777	44	69	
Clarion	7,012	8,805	14	20	
Clearfield	14,647	17,758	61	83	
Clinton	6,363	8,591	15	24	
Columbia	10,539	13,935	10	19	
Crawford	11,954	18,098	24	81	
Cumberland	17,238	33,691	31	103	
Dauphin	34,657	59,777	68	275	
Delaware	119,650	136,715	80	403	
Elk	8,216	7,131	42	26	
Erie	52,149	50,672	69	255	
Fayette	41,168	25,422	46	128	
Forest	940	1,345	1	4	1
Franklin	12,917	20,566	21	39	
Fulton	1,951	2,252	3	2	
Greene	10,302	6,323	22	29	
Huntingdon	5,019	10,564	20	27	
Indiana	13,097	18,200	29	66	
Jefferson	8,233	13,217	..	..	
Juniata	2,990	4,453	7	6	
Lackawanna	77,062	50,599	32	44	
Lancaster	33,475	77,347	144	114	
Lawrence	23,811	22,813	82	104	1
Lebanon	11,788	24,692	21	42	
Lehigh	39,960	51,379	56	234	
Luzerne	97,170	70,491	227	414	
Lycoming	19,475	28,525	..	..	
McKean	7,488	13,541	10	68	
Mercer	24,287	27,826	30	109	
Mifflin	5,238	9,557	6	35	
Monroe	7,359	9,546	9	67	
Montgomery	88,527	142,432	64	234	
Montour	2,751	3,911	2	15	
Northampton	41,728	37,218	70	101	
Northumberland	22,169	26,958	48	57	
Perry	3,778	7,632	9	16	
Philadelphia	606,997	292,507	476	1,273	
Pike	1,803	3,822	1	8	
Potter	2,787	4,902	13	17	
Schuylkill	41,974	44,818	109	109	
Snyder	2,297	7,688	11	20	
Somerset	15,059	19,831	35	66	1
Sullivan	1,462	1,725	2	4	
Susquehanna	5,557	10,103	21	20	
Tioga	4,154	10,837	10	14	
Union	2,142	7,159	3	10	
Venango	8,463	16,554	18	30	
Warren	6,604	11,229	12	54	
Washington	54,478	36,114	131	203	
Wayne	4,246	9,310	6	16	
Westmoreland	86,314	65,356	265	419	
Wyoming	2,890	5,888	5	9	
York	41,430	52,459	65	172	1
Total	2,511,941	2,395,770	4,712	8,912	24

The LIEUTENANT-GOVERNOR. The Clerk will now proceed with the reading of the election returns for State Treasurer.

Grace M. Sloan, Democrat, received 2,511,941 votes.
Charles M. Smith, Republican, received 2,395,770 votes.
Herman A. Johansen, Socialist Labor, received 8,912 votes
Morris Chertov, Workers, received 4,712 votes.

The LIEUTENANT-GOVERNOR. Mrs. Grace M. Sloan, having received the highest number of votes, was duly elected Treasurer of the Commonwealth of Pennsylvania for the term of four years from the first Monday of May, 1961.

CERTIFICATES OF ELECTION SIGNED

Certificates of Election for Auditor General and State Treasurer are now being signed by the officers and gentlemen on the part of the Senate and the House of Representatives in the presence of the General Assembly in full session.

The General Assembly In Joint Session, January 3 1961.

We the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennslyvania, do certify that the President of the Senate did, on the third day of January, A .D., one thousand nine hundred and sixty-one, in the Hall of the House of Representatives at the State Capitol, open the same returns of the election for Auditor General of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitntion and laws of the said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeored that Thomas Z. Minehart had the highest number of votes; whereupon the said Thomas Z. Minehart was declared to have been duly elected Auditor General of the Commonwealth.

In Testimony Whereof, we have hereunto set our hands and affixed our Seals the day and year above written.

JOHN MORGAN DAVIS,
President of the Senate

HIRAM G. ANDREWS,
Speaker of the House of Representatives
THOMAS P. McCREESH,
Teller on the part of the Senate
DAVID M. BOIES,
Teller on the part of the House of Representatives

The General Assembly In Joint Session, January 3 1961.

We, the President of the Senate and Speaker of the House of Representatives of the Commonwealth of Pennsylvania, do certify that the President of the Senate did, on the third day of January, A. D., one thousand nine hundred and sixty-one, in the Hall of the House of Representatives at the State Capitol, open the returns of the election for State Treasurer of this Commonwealth, and publish the same in the presence of both Houses of the General Assembly, conformably to the provisions of the Constitution and laws of the said Commonwealth, and upon counting the votes by a teller appointed on the part of each House, it appeared that Grace M. Sloan had the highest number of votes; whereupon the said Grace M. Sloan was declared to have been duly elected State Treasurer of the Commonwealth.

In Testimony Whereof, we have hereunto set our hands and affixed our Seals the day and year above written.

JOHN MORGAN DAVIS,
President of the Senate
HIRAM G. ANDREWS,
Speaker of the House of Representatives
THOMAS P. McCREESH,
Teller on the part of the Senate
DAVID M. BOIES,
Teller on the part of the House of Representatives

The LIEUTENANT-GOVERNOR. The General Assembly will now proceed to the election of a Director of the Legislative Reference Bureau.

Mr. McCANN. Mr. President, I have the pleasure and honor to place in nomination for Director of the Legislative Reference Bureau, Mr. Harry Hershey of Philadelphia County.

Mr. Hershey served as Assistant Director of the Legislative Reference Bureau, as Deputy Attorney General of the Department of Justice, as a legal analyst of the Joint State Government Commission, and today we nominate him, twenty-five years later, after his first entry into State service, in February 1935, as the nominee for the Director of the Legislative Reference Bureau.

Therefore, Mr. President, I nominate Mr. Harry Hershey of Philadelphia County, for Director of the Legislative Reference Bureau.

The LIEUTENANT-GOVERNOR. The gentleman from Greene County, Mr. McCann, has placed in nomination for the office of Director of the Legislative Reference Bureau, Harry Hershey, Esquire.

SENATOR WEINER. I second the nomination.

The LIEUTENANT-GOVERNOR. Thank you, Senator Weiner. Are there any further nominations?

The Chair declares the nominations closed.

Harry Hershey, Esquire, is declared the unanimously elected Director of the Legislative Reference Bureau.

The gentleman from Greene, Mr. McCann, and the Senator from Philadelphia, Senator Weiner, will please escort Mr. Hershey to the rostrum.

OATH OF OFFICE ADMINISTERED TO DIRECTOR OF LEGISLATIVE REFERENCE BUREAU

The Oath of Office was administered to Harry Hershey, Esquire, Director of the Legislative Reference Bureau-elect, by the Honorable John Morgan Davis.

The LIEUTENANT-GOVERNOR. The Chair asks that the Members of the House and the visitors remain seated for just a moment while the Members of the Senate leave the Hall of the House.

The Members of the Senate will be reassembled immediately in the Senate Chamber.

While I have this microphone, I might say that I wish all Members of the House a very, very happy New Year.

Thank you for allowing me to conduct this Session.

The business for which this Joint Session has been assembled having been transacted, the Joint Session is now adjourned.

Mr. Speaker, may I return your gravel and thank you indeed for the use of it.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. We thank the Lieutenant-Governor for presiding over the Joint Session.

PRINTING PROCEEDINGS OF JOINT SESSION

Mr. KAMYK. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House of Representatives Tuesday, January 3, 1961 be printed in full in this day's Legislative Journal.

The motion was agreed to.

RESOLUTION

SELECT COMMITTEE ON LEGISLATION

Messrs. McCANN and AGNEW offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
January 3, 1961.

Resolved, That a temporary "Select Committee on Legislation" shall be appointed by the Speaker, consisting of seven members of the Majority party, (one of whom shall be designated as Chairman by the Speaker), and three members of the Minority party.

All bills, when introduced in the House or presented to the House by the Senate for concurrence prior to the time the Standing Committees of the House are elected, shall be referred by the Speaker to the "Select Committee on Legislation" for its consideration.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Select Committee on Legislation, Messrs. Polen, as Chairman, Boies, Hamilton, Dougherty, Mrs. Munley, Messrs. Musto, Stank, Helm, Hocker, and Tompkins.

BILLS INTRODUCED AND REFERRED

By Messrs. POLEN, McCANN and PETROSKY.

HOUSE BILL No. 1.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

Referred to the Select Committee on Legislation.

By Messrs. POLEN, McCANN and PETROSKY.

HOUSE BILL No. 2.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the ficial year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscial biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

Referred to the Select Committee on Legislation.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Select Committee on Legislation to meet during the session of the House.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to take this opportunity while the Commtitee is deliberating upon these bills to announce to the Membership of the House our full plans and schedule for tomorrow, Wednesday, Thursday, Friday and Saturday, next week and the following week.

This House will convene tomorrow, Wednesday, at 4:30. The time has been changed so that the Committee may attend the funeral of Mr. Luigard at Reading, Pennsylvania.

Thursday, at 12:01 a.m., the House will officially vote on the electric roll call the first time on House Bill No. 1 and House Bill No. 2.

At that point, following Wednesday's midnight Session, the Members may leave to go home.

This House will be in Session awaiting completion of these bills on Thursday, Friday and Friday midnight. Following the midnight Session in the Senate on Friday night the bills will be signed by the Speaker sometime after midnight and placed on the Governor's desk for signature in the wee hours of Saturday morning.

There is no Session planned for any of the Members following the midnight Session. Today, when this House adjourns until tomorrow, there will be a reception in the new House Caucus Room which is given by the Officers and the Old Members for the forty-two new members of the House who today took the oath of office.

The following week, the week of January 9, there will not be any Session, which is Farm Show Week. The Committee on Committees will report and complete their work for Monday, January 16, the next day that the House and Senate will be in Session.

On Monday, January 16, the Joint Session in which the Governor will present the first annual fiscal budget will be at 5 p.m., Eastern Standard Time. The House will be in Session Monday, the 16th, and Tuesday, January 17.

The following week, the week of Monday, January 23, the House will be in Session, Monday the 23rd, Tuesday, the 24th and Wednesday, the 25th of January.

All these dates have been cleared with the respective Hotel Managers of the city of Harrisburg so that each will have hotel space in the respective hotels.

Should for any reason anything unforeseen develop on House Bills Nos. 1 and 2, if for any reason an amendment or any other item should have to be placed in the bill, which at this time is not foreseen in any way, it would require, should such an amendment be required in the bills, that Friday after midnight, at 12:01 Saturday morning, a quorum must be present in the Hall of this House to ratify such an amendment if such an amendment is needed. It is not believed in any way an amendment is required. These bills have been checked and rechecked and double checked in an effort to foresee whether such an amendment should occur, but it would be mandatory on the part of the General Assembly that we place these two bills on the Governor's desk for signature into law for we run out of Public Assistance money at midnight, Monday, January 9, and from that point there would be no Public Assistance money for anyone in the Commonwealth of Pennsylvania. Therefore, I hope that when we leave here following 12:01 Wednesday night that the Members will be excused and will not have to return until Monday, January 16, to the Halls of this House.

The Electric Roll Call Rule changes will be acted upon tomorrow in the Hall of this House. Those changes are in the possession of the Members, mimeographed by the Chief Clerk's office and have been provided for a short meeting which worked in adopting the change in House Rules so that the Electric Roll Call Rules could be in use for the Wednesday midnight Session.

I hope that we will have an opportunity, I believe the Republican Party has a caucus scheduled for a specific time, we on the Democratic side will hold a Democratic caucus on Wednesday following the Session, since a committee of 40 Members will be designed by the Speaker and will be at the funeral of Mr. Luigard tomorrow afternoon.

Therefore, when the House convenes Wednesday at 4:30, then a Democratic caucus following the Wednesday Session, and the Wednesday midnight Session and then the following January 16, the House will convene at 3:30 Eastern Standard time. We hope that at that time we will be able to work out a specific time schedule on voting on bills, that is an hourly schedule, so that we will vote at a specific time at each day's Session.

There will be also, for the information of Democratic Members of the House, beginning tomorrow the first 100 pieces of legislation ready for distribution and introduction, for sponsorship and introduction to go to the Standing Committees on January 16.

Mr. Speaker, I thank you.

Mr. AGNEW. The Republican House Minority has no present plan for any caucus for the rest of the week. If it should develop that a caucus is necessary sometime tomorrow after the 4:30 Session, the Members will be notified. The Republican Members will receive from their Caucus Chairman plans as complete as possible sometime prior to the week of the 16th. Thank you.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REASONS FOR PARDONS

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
January 3, 1961

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons and commutations granted by me from January 6, 1960, to date.

DAVID L. LAWRENCE

(For report see appendix).

APPOINTMENT OF PRESIDENTIAL INAUGURAL COMMITTEE

The SPEAKER. Pursuant to the provisions of a Concurrent Resolution adopted by the Senate and House of Representatives January 3, 1961, the Speaker appoints the Democratic Members of the House as a committee on the part of the House to represent the General Assembly of the Commonwealth of Pennsylvania in the Presidential Inaugural Ceremonies of the Honorable John F. Kennedy for President of the United States.

REPORTS FROM COMMITTEE

Mr. POLEN from the Select Committee on Legislation, reported as committed, House Bill No. 1, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

Mr. POLEN from the Select Committee on Legislation, reported as committed, House Bill No. 2, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

BILLS ON FIRST READING

Mr. POLEN asked and obtained unanimous consent for the following bills to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1 entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2 entitled:

An Act amending the act of November 12, 1959, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WM. JOSEPH LONG. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 4, 1961 at 4:30 p. m. EST.

The motion was agreed to, and (at 3:05 p m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., WEDNESDAY, JANUARY 4, 1961. No. 2.

HOUSE OF REPRESENTATIVES

WEDNESDAY, January 4, 1961

The House met at 4:30 p. m. EST.

The SPEAKER (Hiram G Andrews) in the Chair.

PRAYER

Heavenly Father, in the light of Thy truth we come to Thee as searchers seeking the way in which Thou wouldst have us go; inspire in us such a trust toward Thee that we may rejoice not in iniquity but in Thy truth; and grant us such a measure of Thy love that we may be motivated to ever walk in the fullness of Thy truth. Forgive our sins, use our weakness for Thy honor and glory, shed Thy light to dispel the darkness of life, and give us that peace which this world can neither give nor take away: In Christ's Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 3, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. POLEN, PETROSKY, EILBERG and BRETH. HOUSE BILL No. 3.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the granting of Electors of President and Vice-President to the District of Columbia.

Referred to the Select Committee on Constitutional Changes.

By Messrs. POLEN, PETROSKY, EILBERG and BRETH. HOUSE BILL No. 4.

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

Referred to the Select Committee on Constitutional Changes.

By Messrs. POLEN, PETROSKY, EILBERG and BRETH. HOUSE BILL No. 5.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

Referred to the Select Committee on Constitutional Changes.

By Messrs. POLEN, PETROSKY, EILBERG and BRETH. HOUSE BILL No. 6.

A Joint Resolution proposing an amendment to article fourteen, section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

Referred to the Select Committee on Constitutional Changes.

RESOLUTION

CREATING A SELECT COMMITTEE ON CONSTITUTIONAL CHANGES

Messrs. McCANN and AGNEW offered a resolution which was read, considered and adopted as follows;

In the House of Representatives,
January 4, 1961.

Resolved, That a temporary "Select Committee on Constitutional Changes" shall be appointed by the Speaker, consisting of seven members of the majority party, (one of whom shall be designated as Chairman by the Speaker), and three members of the minority party.

Proposed constitutional amendments, when introduced in the House or presented to the House by the Senate for concurrence prior to the time the Standing Committees of the House are elected, shall be referred by the Speaker to the "Select Committee on Constitutional Changes" for its consideration.

APPOINTMENT OF A SELECT COMMITTEE ON CONSTITUTIONAL CHANGES

In the House of Representatives,
Wednesday, January 4, 1961.

The SPEAKER. Pursuant to the provisions of a resolution creating a Select Committee on Constitutional Changes adopted by the House on Wednesday, January 4, 1961, the Speaker appoints the following members: Messrs. Rudisill, Chairman, Fineman, Gelfand, Eilberg, Gailey, Irvis, Lamb, Lippincott, Tompkins and Heffner.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. McCann for Mr. CAPANO because of death in family.

Mr. McCANN. Mr. Speaker, the proposed Electric Roll Call Rule changes are mimeographed and ready. I am

going to ask the Chief Clerk if he will send to the respective caucus rooms immediately the mimeographed copies of the rule changes.

The Minority has asked for a 30-minute caucus, so we will also have a caucus of the Democratic Members in the new House Caucus Room. But, Mr. Speaker, we want everyone in here today to know that immediately the caucuses are over, we return because we do want to run a so-called dummy test of a motion or an amendment, so to speak, on the electric roll call prior to tonight's midnight Session. That means the Members will be in their seats voting as we go through the procedure.

Mr. AGNEW. Mr. Speaker, I would like to suggest to the Majority Leader, just so the Members of the Press do not get the wrong idea, that instead of calling it a dummy test we call it a practice test.

Mr. McCANN. Mr. Speaker, strike out the word "dummy" and put in "practice test."

Mr. AGNEW. Thank you.

Mr. Speaker, with the permission of the House, we will have a Republican House caucus for one-half hour in our Minority caucus room.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess for one-half hour for the purpose of Democrat and Republican Caucuses.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews)IN THE CHAIR.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years begining June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. AGNEW. Mr. Speaker, I am perfectly willing to have the debate and interrogation of House Bills 1 and 2 at the same time, or if the Speaker or the Majority Leader prefers that we have them separately, it is all right with me.

I desire to interrogate the Majority Leader and he can answer that question, too.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. AGNEW. On House Bill No. 1, Mr. Speaker, I would ask the Majority Leader to explain for the benefit of the Members of the House the borrowing or lapsing of the $42 million appropriation to the State Teachers' Retirement Fund and the $8 million appropriation to the State Employees' Retirement Fund.

Mr. McCANN. Mr. Speaker, the lapsing in the House bills of the retirement funds amounting to $50 million covering the total of the appropriation to the other bill which is $62 million and some odd thousand dollars and $12 million plus administrative lapses. These are necessary to allow us to, No. 1, it must be done by legislative action, No. 2, to provide $50 million to appropriate in your next bill.

Mr. AGNEW. Specifically, Mr. Speaker, I would ask the gentleman, is this money now in a bank, or are we transferring it legally from one account to another, or is this just a paper transaction?

Mr. McCANN. Mr. Speaker, this certainly will be a paper transaction in which the appropriations have been made in the previous 1959 Session of the General Assembly.

Mr. AGNEW. In other words the money is not now available, and what we are doing is merely lapsing an appropriation and authorizing the Comomnwealth to reappropriate the money for other purposes? How do they propose to get the money?

Mr. McCANN. How do we propose to get the money? What money, the $50 million or $62 million?

Mr. AGNEW. The $50 million.

Mr. McCANN. The $50 million - it says right in the bill. The General Assembly guarantees its faith in restoring this money.

Mr. AGNEW. In other words, the state is going to borrow the money, is that right?

Mr. McCANN. Mr. Speaker, the state is not going to borrow the money in any way, shape or form. There will not be any loan, any borrowing, any notes of any type to complete this transaction.

Mr. AGNEW. Did the gentleman not say that this is a paper transaction, that there is no money available to be transferred from one account to another, or did I misunderstand him?

Mr. McCANN. That is correct. It is a transfer, reducing an appropriation that was made in 1959 from the two specific retirement funds, reducing it by $50 million and then appropriating the said sums of money as indicated in the next bill.

Mr. AGNEW. Well, as a practical physical matter of transfer, does the state have money to transfer from one account to another at the present time?

Mr. McCANN. Mr. Speaker, the question is, does the state have the money. It is a bookkeeping transaction in which the money is a part of the total appropriation of the 1959 general budget, in addition to what was appropriated to each department in which we are granting additional appropriations except for one new appropriation.

Mr. AGNEW. You plan to spend the $50 million between now and May 31st, is that not correct?

Mr. McCANN. That is absolutely correct.

Mr. AGNEW. And you plan to spend it for purposes listed in House Bill No. 2?

Mr. McCANN. That is absolutely right.

Mr. AGNEW. Where are you going to get the money to pay for it?

Mr. McCANN. From the tax revenues of the Commonwealth of Pennsylvania in allocating this money from the appropriations as we have give them to the executive branch.

Mr. AGNEW. Then there is no plan on the part of the Commonwealth to borrow money on tax anticipation notes or bonds?

Mr. McCANN. No, Mr. Speaker. If I remember correctly we did put out $50 million tax anticipation notes recently in which, for the first time in the history of this Commonwealth, we received the lowest interest rate ever on such short term tax anticipation notes. There is no plan to get another tax anticipation note of any kind.

Mr. AGNEW. There has been some question about just where this money will come from. Everybody agrees that it is a bookkeeping transaction, and we in the Minority would like to know, and I think you have answered the question, if you can agree with my statement. There is no money in existence right now to be reappropriated for purposes in House Bill No. 2, but you intend to spend the money between now and May 31st, the $50 million that is lapsed here in House Bill No. 1 for purposes listed in House Bill No. 2, by using tax revenues that come in between now and May 31st. Is that correct?

Mr. McCANN. That are coming in continually and will continue to come in until the end of the fiscal year, which is May 31st.

Mr. AGNEW. So that this $50 million that is lapsed from these two funds and is reappropriated in House Bill No. 2 will not be borrowed from banks or other financial institutions by the Commonwealth on tax anticipation notes or bonds?

Mr. McCANN. The answer is, it will not be borrowed on any bonds or tax anticipation notes, as you indicated, by the commonwealth.

Mr. AGNEW. Thank you.

The same legislative Session authorized appropriations totalling $54 million plus to the State Teachers' Retirement Fund of which $42 million is now being lapsed, leaving $12 million plus in the appropriation. The same legislative Session authorized $9.7 million as an appropriation to the State Employes' Retirement Fund of which now $8 million is being lapsed, leaving a balance of $1.7 million. Have these balances, approximately $12 million in the Teachers' Fund and a little less than $2 million in the State Employes' Retirement Fund, have they been paid to the funds or are they available for lapsing between now and May 31?

Mr. McCANN. Are you questioning me, Mr. Agnew?

Mr. AGNEW. Yes.

Mr. McCANN. I thought you thanked me and you were done with me.

Mr. AGNEW. No, that was just on one part of the bill.

Mr. McCANN. Oh, I'm sorry.

I will yield to the Chairman of the Appropriations Committee who has that answer for you..the former Chairman, Mr. Polen, Chairman of the Select Committee on this legislation.

Mr. AGNEW. Would the gentleman like the question repeated briefly?

Mr. POLEN. I would appreciate your repeating the question.

Mr. AGNEW. The 1959 appropriation to State Teachers' Retirement Fund was $54 million. We are now lapsing $42 million. What happened to the other $12 plus million?

Mr. POLEN. It remains unpaid.

Mr. AGNEW. None of the appropriation was paid to the fund, is that correct?

Mr. POLEN. None of the appropriation for this biennium was paid, but the entire amount which was reappropriated in the past General Appropriation bill to replace the money which was lapsed in 1959 has been repaid.

Mr. AGNEW. In other words we are up-to-date on the State Teachers' Retirement Fund except for the $54 million appropriation in 1959 Session, is that it?

Mr. POLEN. That is correct.

Mr. AGNEW. For the current biennium?

Mr. POLEN. That is correct.

Mr. AGNEW. Now in the State Employes' Retirement Fund we had an appropriation for the biennium now ending of 9.7 million. We are lapsing $8 million. How about the other $1.7 million?

Mr. POLEN. The same situation prevails. The previous appropriation which was lapsed has been paid and there has nothing been paid of the amount contained in the present appropriation.

Mr. AGNEW. Are these total figures of $54 plus million for the one fund and $9.7 million for the other fund mandated items which we must make up during the next fiscal year?

Mr. POLEN. They are not mandated items only to the extent that this legislature has passed the appropriation bills, and, Mr. Speaker, if Mr. Agnew desires I will explain more fully the purpose of House Bill No. 1.

Mr. AGNEW. Please do, Mr. Polen.

The SPEAKER. Can the Members hear the gentleman from Washington, Mr. Polen? Is his voice carrying? The Chair was going to say that in view of the importance of the debate if the gentleman's voice is not carrying I would like to have him use this microphone in order to be heard.

Mr. AGNEW. Can I be heard, Mr. Speaker?

The SPEAKER. I can hear you. The gentleman from Washington will proceed.

Mr. POLEN. Mr. Speaker, in connection with House Bill No. 1, the laws of this Commonwealth provide that appropriations cannot be signed by the Governor, or made in excess of the amount of taxes which have been certified by the Budget Secretary and the Secretary of Revenue.

The necessity for this bill is that there is no appropriation base presently existing for the appropriations necessary in House Bill No. 2. For that purpose we are lapsing $42 million from the School Retirement Fund, $8 million from the State Employes' Retirement Fund, plus $12 million by executive lapses to cover the $62 million plus appropriations contained in House Bill No. 2.

Mr. AGNEW. Will the gentleman tell the Members of the House what plans, if any, the Administration might have for the balance remaining of the appropriation in these two funds?

Mr. POLEN. Mr. Speaker, the effect of House Bill No. 1 if enacted into law and signed by the Governor, will be that instead of owing $50 million to these two funds under the present appropriation there will be transferred $50 million to the deficit which will have to be made up in the next biennium, and we pledge ourselves in House

Bill No. 1 to reinstate and re-enact the appropriation to the two funds of $50 million.

Mr. AGNEW. If these appropriations had been made promptly to the two funds at the beginning of the present biennium would they not have been drawing interest and helping to build up the fund?

Mr. POLEN. Mr. Speaker, if the money had been available that would be true, but the money was not available due to the deficiency in tax revenues, and due to the fact that the relief expenditures greatly exceeded the estimates in the budget.

Mr. AGNEW. Is it true that under the system by which this money is being transferred there will be no additional borrowing, there will be no interest money causing an additional expense to the Commonwealth?

Mr. POLEN. It is true that by law we are required to guarantee a 4 percent interest return on the contributions of employes, but I am happy to report that the average interest returns have been so greatly raised by the new policies that have been put into effect that the deficiency will be far less than it has ever been and it is hoped that in the next fiscal year it will be entirely wiped out.

Mr. AGNEW. But to answer my question specifically, House Bills No. 1 and 2 are not costing the State any additional money in interest payments, is that correct?

Mr. POLEN. That is correct.

Mr. AGNEW. The only thing that the State is losing is indirectly through these retirement funds, they are not getting the interest on this money as they would if it were in the funds and invested, is that right?

Mr. POLEN. That is correct.

Mr. AGNEW. Yet the Commonwealth has an obligation to the recipients, teachers and state employes guaranteeing four percent interest, is that correct?

Mr. POLEN. That is correct.

Mr. AGNEW. Are either one of the funds making four percent interest?

Mr. POLEN. Neither one of the funds are making the four percent but they are approaching it.

Mr. AGNEW. Is the figure now about 3.5?

Mr. POLEN. The figure now, I believe is something like 3.8 and it is going up. I think it was about 3.5 last year.

Mr. AGNEW. I would ask the gentleman, Mr. Polen, the balance of the money in the appropriations, are they now or still available for lapsing between now and May 31?

Mr. POLEN. The balance in the two appropriations would be available for lapsing in case of emergency.

Mr. AGNEW. In case the Administration needs the money they can request between now and May 31 additional deficiency appropriation bills?

Mr. POLEN. That is correct. I might state, Mr. Speaker, that it is not anticipated that we will have to ask for additional money. However the relief load is rising so rapidly that I would not entirely preclude that.

Mr. AGNEW. But the money in the balance of the appropriations is available for additional lapses?

Mr. POLEN. That is correct.

Mr. AGNEW. Although you have no plans at present to ask for additional deficiency appropriations?

Mr. POLEN. That is correct. At the time these bills were prepared the feeling was and statistics supported that this would be sufficient.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, now if I may say a few more words of debate on House Bill No. 1.

We of the Minority recognize the fact that it is almost impossible at times to keep the Commonwealth's budget in order. It is hard to estimate how much money is coming in, and it is hard to estimate in many fields how much money is going out.

It seems to me it is getting more difficult to estimate this every biennium, or every fiscal year. We are making bigger and bigger mistakes. We are getting a wider and wider spread of moneys, appropriations that must be lapsed so that moneys can be used for some other purpose. I do not think it is fair, and the Members of the Minority do not think it is fair, that the State Teachers' Retirement Fund and the State Employes' Retirement Fund is deprived for any length of time of these funds.

Yes, it is true that the funds are healthy, the funds as far as we know are in good shape, but that is no reason why they could not be in better shape and I think the Commonwealth has an obligation in not only authorizing these appropriations every biennium, but to see they are promptly met and paid into the funds so that they can start drawing interest, and so they can further secure the retirement programs for our teachers and state employes.

There is no real reason why the state cannot get its fiscal house in order. It has not been in order and seems to be getting worse every biennium, the deficits, the deficiencies, open or hidden, seem to multiply every two years.

Yes, we have had business lapses. We estimated perhaps too high on certain tax revenues. The Department of Public Assistance is apparently about $45 million light in Public Assistance payments. The Administration has said that the prolonged steel strike in 1959 was a major cause of this deficit. We understand from Administration sources that the steel strike increased Public assistance or relief payments by $18 million. This is something that perhaps could not be anticipated by either an administration or the legislature. However, we feel there is an obligation incumbent upon us to set up a budget and bookkeeping system in this state so that we do not have to in effect raid the retirement funds of the teachers in Pennsylvania and those who work for the Commonwealth of Pennsylvania.

This is fiscal mismanagement. The primary responsibility and obligation for proper fiscal management lies with the Majority party and the administration. We of the Minority can only urge, we can only oppose, we can only advise. We are suggesting at this time that during this Session the two parties in this state, the Majority and Minority in this House make a realistic appraisal of this sorry fiscal mess and see what we can do to make certain that it never happens again.

That is all I wish to say at this time on House Bill No. 1.

Mr. DENGLER. Mr. Speaker, I wish to speak briefly on House Bill No. 1.

I was very much interested in the interrogation of the Majority Leader and I wish to speak on the moral and ethical aspects of this bill; not the financial ones.

I have been a Member of the State Employes' Retirement Fund since 1919. Since that time, I, as an individual,

have never lapsed a single payment to this fund. The school district that employs me has never lapsed a payment to this fund. But now for the third term since I am a Member of this House, the Commonwealth of Pennsylvania has lapsed its payment to this fund.

During the past 41 years there were many occasions where I could have said to the directors of the fund, I have other financial priorities and I cannot make my payment. I could have become very reckless with my money and said to the directors of the fund, please lapse my payment. My school district, I am sure, at times, was hard pressed for funds, but I do not think at any time they lapsed their payments to this fund.

I believe if we did lapse the fund, and I understand that school districts do lapse their funds and, if they do not pay their proportional share, this is subtracted from the appropriation whenever that general appropriation is due. Now, if the state can require a school district or an individual to keep their payments up to date and even ask that the payments that were not made by these districts or individuals be subtracted from the general appropriation, then I think the state is morally and ethically bound to act in the same manner.

These people who run these funds—and I am glad to say that they are well managed and I think it is probably one of the finest retirement systems in the country, are doing an excellent job in managing these funds. I am glad to hear from the Appropriations Committee Chairman that the average is 3.8. I think that is a marvelous record. But here is the one thing that disturbs me more than anything else: we have just spent 15 to 20 minutes explaining to the Members of this House some of the ramifications and implications of House Bill No. 1. Now the newspapers will, tomorrow, and one newspaper in Philadelphia has already, come out and misstated the entire situation. If the newspaper comes out and says teachers' funds tapped, or, the General Fund borrows from the teachers—well, that appeared in one of the Philadelphia papers in the last biennium on the lapsed funds, teachers' funds tapped; I had two dozen or three dozen phone calls and many letters from teachers and people who are 70 years and older, who call me or write me with great apprehension and concern. That is why I say I am not so much concerned about this financial situation which does not seem to be clearly understood by the House Members. We do not know whether we have the money or whether we do not have the money. What do these people who are recipients of this retirement fund think of this situation?

Now, if I, as an individual, have to exert a certain amount of integrity toward my obligations, if school districts throughout this Commonwealth have to bear up to those financial obligations, if they cannot lapse payments and we are the leaders in this Commonwealth are we allowed to do it? I will concede that certain circumstances sometimes alter situations and perhaps the state government or Federal government have certain prerogatives that municipalities or school districts do not have, but when this happens year after year after year and the apprehensions of the recipients of these funds become greater and greater each year, then I, as a legislator, feel that I have some responsibility toward this program, and I think we all agree that it is a problem. These people are worried, very much so, and if we cannot explain it to them or if the newspapers cannot explain it to them so that they will understand it, then I think we should look into this thing very, very thoroughly.

I am going to vote for House Bill No. 1 simply because of House Bill No. 2. It is our moral obligation to do so.

I repeat, if these payments to these funds, and they are contractual payments, owed by me and by the state and by the school districts, if I must make my payments regularly and the school district must make its payments regularly, why should not the Commonwealth make its payments regularly?

I think we should introduce legislation that will forever banish this uncertainty on the part of these people who are supposed to be the recipients, not merely of money, but of a certain degree of assurance.

Mr. McCANN. Mr. Speaker, I believe there needs to be some clarification so there will be no misunderstanding.

You will not find in House Bill No. 2 a single item of general government in which the executive branch has any control. It is sound fiscal management, not mismanagement. In fact, let us say, that it is more mismanagement of the legislative branch than it is of the executive.

If you will take the appropriation and look at it carefully, tell me exactly what you would do in this situation. I want to insert into the record here today, so the debate will show the existing and estimated case load of public assistance to the end of the biennium. It is certainly not a healthy situation in the great Commonwealth of Pennsylvania. I ask, therefore, that in the remarks this exhibit be indicated, which shows a case load from June of 1959 to the estimated case load at the end of the fiscal year, May 31st, 1961. It is not a great or a good thing to know that we have approximately 412,000 cases persons, now on public assistance. That we estimated we will have 431,000 by February. Would you, at any time have known the answer, or been able to foresee this picture a year ago, when the committee was appropriating the money and when we estimated 321,000 as the average? Or would you say that we should not provide the money? It is a moral obligation a human obligation, an obligation that we must face.

In past years, not that this makes it correct in any manner, this General Assembly has never failed to provide the money that it said it would provide for the Retirement Fund, and that it has done and that it will do again. We have not deprived the school teachers or state employes of a single thing, nor will we deprive them of a single thing, neither now nor when we reappropriate that which we say we will do in the preamble of the bill. We have not denied them anything nor will we deny them anything.

True enough, it would be well if such a law existed as the gentleman from Delaware proposed, and these payments were made in quarters now. We would now be in the quarter of the biennium that would be the 6/8ths of the biennium, moving into the 7/8th, and then we would have the last 8th, when we used to use 8ths in bienniums. We would be here today and ladies, gentlemen in a situation in which the money would have been appropriated to its proper destination, and you and I would have had to provide, either, the taxes from elsewhere, cut the services, or stop the payments. That is your choice. This we can not do and we will not do, and we have not

raided regardless of what the papers of Pennsylvania may say, or taken anything away from any Retirement Fund, nor will we do that here today.

There is one thing I would like to say, which I think in the future it would be well to consider in this field, and that would be that it is much wiser to try to appropriate within the economy that you think exists. We are going into our first annual fiscal budget. We have, without a doubt, as Mr. Agnew stated a moment ago, $43 million plus that we must provide for public assistance, but, in addition, $10 million more was provided in an act which we passed and stated that the executive branch may by administrative lapses appropriate, which they did. So the real deficiency in public assistance at the end of this biennium is not $44,800,000, but really $54,800,000. These are the facts as they exist.

May I say to you, show me one item in which the executive branch has any bona fide control in which the legislative bronch did not have control, and I say to you that it was very sound management. The retirement funds that were spoken about here a moment ago under the new investment system are bringing us a wonderful rate of return, and I am pleased and I hope they will reach the full percent mark we are seeking in the year we are in now, 1961, which will be wonderful because it will reduce the amount that we must appropriate to meet this in our budget.

I would like to say to you again, ladies and gentlemen of the House, this is a problem that you could not foresee, this caseload, which is a major item here. Would anyone at one time have stated or thought that we would be in the 400,000 mark of public assistance or, as it is, over that mark today and still climbing. You and I know that caseloads in public assistance always rise in the winter months. Always in the past it leveled off in the summer months. Did it do that in 1959? If so, how much did it level off? Yes, it dropped as winter moved into spring. How much did it drop? From 381,000 to 378,000, to 368,000, to 362,000 and then it started to climb again, to 364,, to 372, to 380, to 395, to 412,000. Climbing steadily. Would you say they should be denied public assistance? The answer would be, no. You could not deny it, neither can I. We are hoping that the economy and the things we do result in some way to reduce this figure for which we must provide the money here today. There is absolutely no fiscal mismanagement. It is a very sound management, the soundest it has been in many years.

Mr. Speaker, I ask that this be inserted in the record.

PUBLIC ASSISTANCE (EXCLUDING STATE HEADQUARTERS)

ACTUAL AND ESTIMATED NUMBER OF PERSONS RECEIVING ASSISTANCE, NET EXPENDITURES FROM STATE FUNDS, AND AVAILABLE BALANCE
1959-61 Biennium by Months
Estimated Dated December 12, 1960

	Ave. No. Persons Receiving Assistance	Net Expenditures from State Funds: Average Amount Per Recipient	Net Expenditures from State Funds: Total Amount	End-of-Month Balance State Funds
Total of 1959 Appropriation Acts				$162,809,090
Transfer of Foster Care Funds				581,750
Available from Appropriations				162,227,340
		Actual		
June 1959	338,906	$20.90	$7,082,687	155,144,653
July	336,960	23.19	7,812,432	147,332,221
August	365,078	23.02	8,402,993	138,929,228
September	397,126	24.31	9,654,693	129,274,535
October	418,000	24.16	10,100,061	119,174,474
November	423,589	25.86	10,952,199	108,222,275
December	374,268	23.00	8,608,457	99,613,818
January 1960	377,573	23.20	8,758,822	90,854,996
February	378,215	24.12	9,120,838	81,734,158
March	381,267	23.78	9,066,085	72,668,073
April	378,287	24.71	9,348,564	63,319,509
May	368,153	23.00	8,467,119	54,852,390
June	363,717	23.36	8,496,713	46,355,677
July	362,779	23.47	8,513,150	37,842,527
August	364,544	23.29	8,489,892	29,352,635
September	367,993	24.31	8,945,618	20,407,017
October	372,178	22.28	8,292,993	12,114,024
November	380,363	21.04	8,004,384	14,109,640*
	Estimate of December 12, 1960			
December 1960	395,000	22.99	9,081,640	5,028,000*
January 1961	412,000	23.50	9,682,000	–4,654,000*
February	424,000	23.40	9,922,000	–14,576,000*
March	431,000	24.60	10,603,000	–25,179,000*
April	426,000	23.50	10,011,000	–35,190,000*
May	416,000	23.10	9,610,000	–44,800,000*

*Includes $10,000,000 contingency appropriation (Act 1A, 1960 Session) made available November 3, 1960.

Mr. POLEN. Mr. Speaker, I heard the gentleman on the other side talk about fiscal responsibility, and he said he did not think we had it. I am going to take a little time of this House to talk about fiscal responsibility here tonight.

The revenues estimated are now running about $30 million up to this time, under the estimates, and we on this side maintained at the time these estimates were made that, if anything, we were high. I can recall, day after day, and the Legislative Journal will bear this out, that those on the other side wanted to increase the estimates and in one case you wanted to increase them $35 million. Now where would we have been if we listened to this? This General Assembly is going to take a little blame for some of this deficiency.

Let us take the deficiency in education. Let us take the larger amount on that, $11,836,995. Who brought about that deficiency? Well, the Senate reduced the estimates, reduced the general appropriation bill $3,166,350 for that one item. Then this General Assembly went and passed Act 569, which froze everything in connection with equalization, giving to those who had gained and assuring those who have lost that they would receive nothing else, and this went to over $8 million. We passed a bill and did not increase any appropriation. So there is one item alone.

We are talking about the schools. This bill that we are hoping to pass here today, if it is to pass, is to take care of the schools so the teachers will be paid. So the estimates in the records will show that the estimates that the Department of Public Instruction gave and as contained in the general appropriation bill is within a few thousand dollars of actual expenditures.

Is that lack of fiscal responsibility? For the first time in my memory, and I have served a good many years in this House, there is one deficiency under the Executive Department that we can control. We cannot control the relief; we cannot control the subsidies. I want to say this: that when the budget was made the average relief roll it was estimated that we would not exceed 312,500, average cases on the Public Assistance, and today it is above 400,000. Certainly this administration is not responsible for the conditions that exist in this country. I can recall at the same time that they, on the other side, talked of great prosperity, of the great big days when the money was going to roll in.

Who is responsible here? Certainly, we on this side have said from the very start that we will have fiscal responsibility. We said over on this side that we would not send to the Governor appropriation bills in excess of the real-

istic appropriation revenues, and we did not. But even though we tried to be as responsible as we could in connection with the estimates, no one could conceive the decline of business that has taken place in this country and in this Commonwealth.

I could take other itmes. I have them here. As estimated, the other deficiencies are due to action by the General Assembly and not by the Governor. The estimates that were given for these expenditures were right and when we talk about Public Assistance, remember again that there was a cut made in that, even in the face of the steel strike.

Ladies and gentlemen, I agree with the gentleman from Delaware, the distinguished gentleman, Dr. Dengler, that this money is due the Public School Fund and the State Employes Fund. But, ladies and gentlemen, we are not taking one cent away from that fund. This is nothing new. In the past this has happened many times, under other administrations. They certainly incurred the deficit. It is nothing new. We have pledged ourselves in this bill to reinstate it. There is not a dollar in money being taken away. It is only necessary to provide an appropriation base.

I say to you ladies and gentlemen, if you don't want to do this, there is an alternative, and the only alternative is to pass additional taxes, and I haven't heard much said for that. I am willing, if I am here, to debate the question of fiscal responsibility and to show the record that the Lawrence administration has made, and I think it will stand out well above any administration in my memory, because if there is anything that Governor Lawrence has tried to do, that is to give fiscal responsibility.

I want to cite this $10 million that has lapsed to take care of Public Assistance was in November. That was for the general government operations of this Commonwealth, $12 million is being lapsed. Why? Because of the program of economy that has been practiced by this administration so that today we come here in this new Session and there is not one single deficiency asked for any department under the control of the Governor.

Mr. AGNEW. Mr. Speaker, I do not wish to prolong this debate too much longer, but the comments of the gentleman from Greene and the gentleman from Washington must be answered in some manner.

It is true that much of what they say is actually what occurred. Some of it was not the fault of the administration. Even the Republicans admit that not everything that goes on in this state is the fault of the Lawrence adminisration—just most of it.

But let us go back to the Governor's budget request of 1959. It is the responsibility, it is the obligation of the Chief Executive to look two years ahead, it was at that time, to make a realistic appraisal of the revenue needs of the Commonwealth and to request tax money to meet those needs.

The gentleman from Washington stated that there was a big cut made in the appropriation to the Department of Public Welfare. The figures that I have, and they are subject to correction, but as far as I know they are accurate; in the Governor's budget request roughly $170 million, or just a few hundred thousand under $170 million, was his budget request for the Department of Public Welfare. The Legislature granted him $163 million. His budget request was cut by $7 million out of $170 million. In January 1960 one of the three bills the 1960 Session passed made up another $10 million by a lapsed appropriation. So that the Governor requested a total of $180 million, that is $170 million in the original request plus the $10 million lapsed appropriation. So lets give him credit for the $7 million he asked for and did not get. According to House Bill No. 2, the Department of Public Welfare is $45 million short.

Now if the Governor got his $7 million he would still be $38 million short. That is missing the boat by twenty-three percent. I do not see how in the world the gentlemen on the other side could call that fiscal responsibility. I do not know if it is fiscal irresponsibility, but, in my opinion, it certainly is fiscal mismanagement. I can see where a five, ten or twelve percent difference might be made because we are human and we are subject to error. These human considerations must be taken into mind; but to make a mistake in the appropriations to the Department of Public Welfare by twenty-three percent just exceeds the bounds of propriety and imagination for it to be called fiscal responsibility.

The Governor yesterday, among other things, referred to our session last year as a Legislative travesty. It need not have been that type of a session. We were here. We were prepared to work. The Administration knew in January 1960 that the steel strike had cost the Commonwealth of Pennsylvania Department of Public Assistance in payments some substantial millions of dollars. The steel strike was over a month before that. We should have handled these deficiency appropriations last fall at the latest, if not last spring. That was what the third annual special Session was for. We could have taken our time. We could have gotten additional information and we could have asked more questions. We could have been a better informed Legislative body.

Here we are in unseemly haste in the first week of a brand new Legislative Session having House Bills 1 and 2 offered to us by the Administration and the Majority Party saying we absolutely need this money now for the Department of Public Welfare for funds for Public Assistance payments because the Department of Public Welfare will be out of funds on January 10th. Is that fiscal responsibility? Not in my opinion.

There will be some Republican votes for these bills. We do not know how many. The Republican Members are on their own. They make up their own minds after soul searching and their own considerations.

I know you are pretty well regimented on the other side and we expect you all to vote for these bills. We do not know on our side how many will vote for or how many will vote against, but I want to say this that not one Republican vote for these bills is condoning this procedure. Not one Republican vote for these bills today and tonight on third reading, is saying that what the Administration has done is right and what the Administration has done is proper and what you have done by ignoring the powers of the 1960 session in cramming these bills down our Legislative throats here in the first week of the 1961 session is right and proper. Any Republican who votes for these bills is for one reason only—humane considerations involved in House Bill No. 2.

Many Members on this side of the aisle will vote against these bills on matters of principle and they are entitled

to that. I will probably be the last one to say they are wrong. The Republicans who vote for them are not condoning anything about these two bills or anything in the administration procedure because these two bills could have been given to us the first week of the session. The only reason there will be Republican votes for these bills is because all other considerations and principles aside, it will be with reservation that we will vote for the bills.

We do not want to see people with pride, people who do not like to accept charity, people who through no fault of their own are on Public Assistance. We do not want to see them denied the funds that are by right theirs, to keep their bodies and souls together. That is the only reason there will be Republican votes for these bills, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 2, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

The first, second, third and fourth sections were read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. AGNEW. I would like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AGNEW. Now we have $50 million in House Bill No. 1?

Mr. POLEN. That is correct.

Mr. AGNEW. We are appropriating $62 million plus in House Bill No. 2?

Mr. POLEN. That is correct.

Mr. AGNEW. I understand that the difference of $12 million plus is made up by executive lapse in November, 1960. Is that correct?

Mr. POLEN. That is correct.

Mr. AGNEW. We have been informed that the executive proposes to lapse another $12 million. What information can the gentleman give us? We have a note of the proposed lapses which are quite lengthy. The largest one is $6 million for school health examinations. Is that correct?

Mr. POLEN. That is correct. That is at least our plan.

Mr. AGNEW. Yes, but we have that note $12.5 million of proposed executive lapses, is that correct?

Mr. POLEN. That is correct.

Mr. AGNEW. Just what will that money be used for? We do not know that.

Mr. POLEN. That will provide the appropriation base together with the $50 million lapsed in House Bill No. 1 to take care of the appropriation of $62 million plus to make it House Bill No. 2.

Mr. AGNEW. No, you lapsed approximately $12 million plus in November 1960, to take care of the lapse passed by this Legislature, giving the Governor authority to appropriate $10 million for Public Assistance, which was done in November.

Mr. POLEN. Would that be the Act we passed last January?

Mr. AGNEW. That is correct.

Mr. POLEN. Well, you understand that $12 million plus was lapsed, the $10 million plus was the November lapse.

Mr. AGNEW. Well, then there is a total of $22.5 million that either has been or will be lapsed by executive decree, for which this Legislature gave authorization?

Mr. POLEN. That is correct.

Mr. AGNEW. As a matter of public information, and for the record, I would like to submit a copy received from Mr. Polen's office of the proposed lapse. I will show it to the gentleman so that he will know that it is a copy of what he gave me. I think it should be a part of the record and I offer it for that purpose.

Mr. POLEN. Mr. Speaker, that is the list that I furnished the Minority Leader.

Mr. AGNEW. You have no objection if that is made a part of our Journal?

Mr. POLEN. None whatever.

Lapses to Cover 1959-61
Recommended Deficiency Appropriations

Department and Appropriation	Biennium	Lapse No.	Amount
Agriculture			
Reserve for Emergency Projects	1959-61	562	$ 40,000.00
Forests and Waters			
General Government Operations	1959-61	563	120,672.00
Washington Crossing Park Commission	1959-61	564	2,600.00
Valley Forge Park Commission—Maintenance	1959-61	565	6,520.00
Penna. State Park & Harbor Commission	1959-61	566	3,000.00
Navigation Commission for the Delaware River	1959-61	567	12,400.00
Bushy Run Battlefield—Maintenance	1959-61	568	1,998.00
Capital Improvements—Forest & Park Services—Whipple Dam Project No. 35	1959-61	569	2,810.00
Health			
School Health Examinations	1959-61	570	6,000,000.00
Health Rehabilitation Services	1959-61	571	250,000.00

Department and Appropriation	Biennium	Lapse No.	Amount
County Health Departments	1959-61	572	750,000.00
Insurance			
General Government Operations	1959-61	573	100,000.00
Justice			
General Government Operations	1959-61	574	100,000.00
Penal and Correctional Institutions:			
Huntingdon	1959-61	575	50,000.00
Muncy	1959-61	576	25,000.00
Graterford	1959-61	577	175,000.00
Dallas	1959-61	578	350,000.00
Labor and Industry			
General Government Operations	1959-61	579	50,000.00
Military Affairs			
Disaster Relief	1959-61	580	75,000.00
Property and Supplies			
Salaries and Expenses	1957-59	581	172.42
Inspection of Construction Projects—General State Authorities	1957-59	582	33.00
Capitol Service	1957-59	583	137,793.05
General Government Operations	1959-61	584	70,000.00
General States Authority Rentals	1959-61	585	1,500,000.00
Public Utility Commission			
Grade Crossing	1957-59	586	342.45
Public Welfare			
General Government Operations	1959-61	587	300,000.00
State-Owned General Hospital System	1959-61	588	250,000.00
Youth Development Centers	1959-61	589	50,000.00
Institutions for the Mentally Ill or The Mentally Retarded	1959-61	590	1,000,000.00
State Tax Equalization Board			
General Government Operations	1957-59	591	215.68
House of Representatives			
Salaries of Members	1957-59	592	8,887.92
Mileage—210 Members	1957-59	593	10,718.30
Members & Speakers Extra Compensation	1959-61	594	639,000.00
Salaries—Officers and Employes	1959-61	595	100,000.00
House Salaried Employes	1959-61	596	75,000.00
Mileage—Representatives, Officers, Employes and Returning Officers	1959-61	597	250,000.00
Senate			
Contingent Expenses—President—Recess	1957-59	598	322.51
TOTAL			$12,507,485.33

Mr. AGNEW. These appropriations in House Bill No. 2, there have been many questions raised in our caucus about the $28,000 to the State Harness Racing Commission. Will you please explain why that is necessary?

Mr. POLEN. Mr. Speaker, so far as the $28,000 is concerned, this Legislature passed a bill, I do not recall the number, which became law and which provided for the formation of the Harness Racing Commission, and in the fiscal Session we provided the appropriation that the Commission requested, which I believe is $35,000. The Commission was a new Commission without any experience as to what their needs would be, and in setting the thing up they found that they were $28,000 short to end this biennium. That Commission and that amount is what is requested in both instances by the State Harness Racing Commission.

Mr. AGNEW. I have no knowledge as to the details of it. That was not what I was getting at.

There is a question I would like to ask the gentleman on the proposed executive lapses. The exhibit that we have just put in the House record, under School Health Examinations, 1959 to 1961, executive lapse number 570, $6 million. We are not clear about this lapse. We understand that the Commonwealth is one year behind right now in reimbursing the school districts for school health examinations. Will you explain for the benefit of all of the Members of the House, why this lapse was made and the general status of that account?

Mr. POLEN, Mr. Speaker, if you will refer to the budget you will find that it is a considerable increase in the amount requested for the school health program. There was a deficiency, as I recall, within the last biennium because it had been growing by leaps and bounds. The request for the 1959-1961 biennium anticipated, I believe, the continued increase in the amount of that appropriation. However, the expenditures have not been running in line with the amount that was contained and the survey by the office administration of the Budget Secretary showed that we can safely lapse $6 million from this program in this biennium.

Mr. AGNEW. Then our information that this payment is one year behind right now is not true. Is that right?

Mr. POLEN. Mr. Speaker, it is my understanding that all school payments due from the Department of Public Instruction have been made within a short reasonable time of submission to them, allowing for the proper time for audit. I have not heard of any payments of any nature being withheld, except in connection with the fire and panic laws.

Mr. AGNEW. Well then this $6 million lapse appropriation is a real saving. You do not anticipate that it will have to be made and again included in next year's budget?

Mr. POLEN. That is correct.

Mr. AGNEW. We have information which, if you were right, that is wrong, that the Commonwealth is one year behind right now on reimbursement to school health examinations. Will the gentleman please investigate this and report to us when we come back two weeks from now, if you cannot get the information before the Session tonight.

Mr. POLEN. I do not know that I can get the information tonight, but I will tell the gentleman that I will definitely have the full facts and information for him available on the 16th.

Mr. AGNEW. There is a lot of interest on that particular question and we would like to have accurate information from the gentleman.

Mr. POLEN. I will have it.

Mr. AGNEW. Two more questions on the appropriations of House Bill No. 2.

Why did we miss the appropriations for teachers' subsidies by almost $12 million?

Mr. POLEN. Mr. Speaker, that is the item that I referred to. The Senate cut that appropriation approximately $3 million, and we passed an Act which guaranteed the same payments in connection with the report of the Tax Equalization Board. We referred to that bill as a matter

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which cost over $8 million, which was not in the budget for the simple reason that all of the school subsidies were based upon present law.

The two items together are within a few thousand dollars of the amount which was originally accepted.

Mr. AGNEW. Just one major item here, the $44.8 million appropriation for purposes of Public Assistance. Will the gentleman explain for the benefit of the House Members the procedure by which a person in dire straits obtains Public Assistance in Pennsylvania? By that I mean, what does he sign by way of a financial statement, a judgment note or a bond, in order to qualify in the event that he has any property?

Mr. POLEN. In the case where there was property he would sign a judgment, and in the case where he has a car or over certain limitations, he must sell that—I do not have it here. I have it, but I do not have it here, as to what the standards are. But, in the case of real estate, I can say that he must sign the bond or note. Five hundred dollars is the amount of the cash values of insurance that he can still keep and receive assistance.

Mr. AGNEW. I know, and the gentleman knows, that any time a widow gets into financial trouble and the only thing she has left is her home, and she calls on the state and begs for Public Assistance, the money that she gets is a lien against the old lady's property.

Mr. POLEN. Correct.

Mr. Agnew. Is that a matter of law for everybody who gets Public Assistance?

Mr. POLEN. That is a matter of law.

Mr. AGNEW. Now, if they own personal property such as houses, barns, automobiles, other intangibles, that is a matter of legislation.

Mr. POLEN. I will be glad to furnish the gentleman with the standards. I do not have them here but I can furnish him with them.

Mr. AGNEW. Will the gentleman be able to get them by our Session tonight?

Mr. POLEN. I doubt if I can get them tonight.

Mr. AGNEW. We would like to have them if there is any way the gentleman can get them.

Mr. POLEN. To be frank with you, I do have them, but I took them home for a meeting last week and I did not return them here and it was the only copy I had. But, I will be glad to furnish it to you on the 16th.

Mr. AGNEW. I know about that, I have the same trouble myself.

What I am driving at, and I will say it very bluntly, there are reports that some people who are being paid Public Assistance out of some offices throughout the state have not been required to sign these notes or bonds, and that in other instances they are required. I think the gentleman will agree this law should be enforced uniformly. Are you familiar with the procedure, and if so are you satisfied with Public Assistance investigations in relation to the eligibility of the recipients.

Mr. POLEN. Did I understand the question correctly, Mr. Speaker? Am I satisfied with the investigation of the eligibility for Public Assistance?

Mr. AGNEW. Do you know first that there is any such investigation?

Mr. POLEN. Yes, Mr. Speaker. In each and every case there is a complete investigation, as well as a visit by the visitor and the evaluation of it by the supervisor and then the manager.

I might add further, Mr. Speaker, that all of these payments are audited—I did not say they were all investigated—by spot investigation by the Auditor General.

Mr. AGNEW. Has the gentleman heard the report that we of the minority have heard that there are some instances throughout the Commonwealth, particularly in the big cities, where this procedure is ignored?

Mr. POLEN. I have not heard that, but if it is true I would appreciate the information being furnished me and I will certainly see that it is stopped.

Mr. AGNEW. All right. We will try to get it for you. I have no further questions.

Mr. POLEN. I might state that the figures that the Minority Leader was giving in connection with the cuts in Public Assistance, he was using the overall cut. There was a $10 million cut made by the Senate in Public Assitance alone.

I might further state that in January of 1960 when we came back here we knew then that there was going to be a $40 or $50 million deficiency in Public Assistance and the gentlemen on the other side knew that too, but at the same time the cry was that there was going to be plenty of money rolling in. That does not hardly click right with me. We stayed here until June to find out if there was going to be more money to give to the schools.

I must say this in all fairness to the Minority Leader that he was not present in any of these conferences that we had with the opposite side, but everyone admitted that there was going to be such a deficiency in Public Assistance, and the cry made at that time was, well, you are going to have a surplus, and we are not going to leave you with a surplus.

The SPEAKER. In the opinion of the Speaker we didn't interrupt because the chair imagined that they had to get it out of their system.

On the question recurring,

Will the House agree to the title?

It was agreed to.

And said bill having been read the second time and agreed to,

Ordered, To be transcribed for third reading.

The SPEAKER. For the information of the Chair, is it proposed to debate these bills again on third reading also?

Mr. McCANN. Mr. Speaker, one of the things that we discussed in our conference was that the debate would be had on second reading. No one can be stopped from debating the bill, if he wants to, on third reading, but to try to answer all the questions that may be proposed to clarify both House bills 1 and 2 now on second reading so as to reduce the amount of debate that may occur at the midnight session.

Mr. AGNEW. Mr. Speaker, there may be some brief comments, or brief interrogations, tonight but the substantial part of the debate is out of the way.

RESOLUTION

HOUSE RULES

Mr. McCANN offered a resolution which was read as follows:

In the House of Representatives,
Wednesday, January 4, 1961.

Resolved, That the Standing Rules of the House of Representatives for the 1959 and 1960 Sessions be and the same are hereby adopted as the Rules for this House, with the following amendments:

PROPOSED

ELECTRIC ROLL CALL RULE

(a) On any question requiring the "yeas" and "nays," the electric roll call system shall be used. On all other questions to be voted upon, the Speaker may, in his discretion, order the yeas and nays taken by the electric roll call system or voice vote or, upon the demand of two members before the result of a vote has been declared, the yeas and nays shall be taken by the electric roll call system.

(b) In the event the electric roll call system is not in operating order, the Speaker shall order all yea and nay votes be taken by calling the roll, as provided in the Rules of the House.

(c) When the House is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electrical roll call system, the Speaker shall state:—"the question is on—(Designating the matter to be voted upon)." The Speaker shall then unlock the voting machine and announce: "The members shall now proceed to vote." Once the voting has begun, it shall not be interrupted.

(d) When, in the judgment of the Speaker, reasonable time has been allowed all members present in the House to vote, he shall ask the question:—"Have all members present voted?" After a pause, the Speaker shall lock the machine and instruct the Clerk to record the vote, and the Speaker shall announce the result of the vote.

(e) After the voting machine is locked, no member may change his vote and the votes of tardy members will not be recorded.

(f) The vote as electrically recorded on the roll of members shall not in any manner be altered or changed by any person.

(g) No member shall vote for another member, nor shall any person not a member vote for a member. Any member who shall vote or attempt to vote for another member or a person not a member who shall vote or attempt to vote for a member may be punished in such manner as the House determines.

(h) Any member or other person who willfully tampers with or attempts to disarrange, deface, impair or destroy in any manner whatsoever the electrical voting equipment used by the House, or who instigates aids or abets with the intent to destroy or change the record of votes thereon shall be punished in such manner as the House determines.

(i) A member who has been appointed by the Speaker to preside as Speaker Pro Tempore may designate either the Majority or Minority Whip to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

PROPOSED AMENDMENTS TO PRESENT HOUSE VOTING RULES NECESSITATED BY THE INSTALLATION OF THE ELECTRIC ROLL CALL SYSTEM

RULE 8

Amend Rule 8, Lines 2 and 3, by striking out the words, "and the roll of Members called by the clerk," and insert in lieu thereof, "the names of members present shall be recorded."

RULE 9

Amend Rule 9, Lines 4 and 5 by striking out the words, "the roll of Members shall be called by the clerk," and insert in lieu thereof, "the names of members present shall be recorded."

RULE 69

Amend Rule 69 by striking out paragraph 2, which reads: "A Member may submit the reasons for his vote in writing immediately after the roll has been called and and have them printed in the Journal;" and insert in lieu thereof the following: "A member may submit a written explanation of his vote immediately following the announcement of the result of the vote and have it printed in the Journal."

RULE 70

Amend Rule 70, Line 1, by inserting after the word "called," the words, "or electrically recorded." Amend Rule 70, Line 3, by inserting after the word, "called," the words, "or electrically recorded."

RULE 71

Amend Rule 71, paragraph 2, line 1, by inserting before the word, "vote," the words, "yea or nay or electrically recorded."

RULE 72

Rule 72, which reads as follows: "No Member may change his vote, or have his vote recorded after the vote has been announced, nor after an affirmative or negative roll has been declared verified;" is hereby amended to read: "No member may change his vote, or have his vote recorded after the *result of a roll call vote* has been announced, nor after an affirmative or negative roll has been declared verified."

RULE 74

Amend Rule 74 by striking out in paragraph 2, lines 1 and 2 the words, "rise and remain standing until counted," and insert in lieu thereof the following, "vote aye;" Amend Rule 74 by striking out in paragraph 3, lines 2 and 3, the words, "rise and remain standing until counted," and insert in lieu thereof the following, "vote aye."

On the question,

Will the House adopt the resolution?

Mr. McCANN. Mr. Speaker, I offer the following amendment:

Amend paragraph (c) of the new electric voting rule by adding thereto the following: except for the purpose of questioning the validity of a member's vote before the result is announced.

On the question,

Will the House agree to the amendment?

Mr. McCANN. Mr. Speaker, I would like to cover the proposed House rules that we want to offer on the electric roll call.

In our Caucus, following the Republican Caucus, there was one proposed amendment which I believe we should accept. It is an amendment to Paragraph (c) that we are going to offer.

Where we talked about the "roll call shall not be interrupted," the proposed amendment says, "except for the purpose of questioning the validity of a Member's vote before the result is announced."

I believe this to be a good proposed amendment because, suppose a person is not here and when we go through this test in a minute or two his light is lit. Why is it lit? He is not here. By right, under these rules, we would not interrupt the roll call. This would guarantee the right at this point to check the desk whose light is lit.

Therefore, this is one change I will offer now to the resolution dealing with the electric roll calls and offer this amendment to Paragraph (c) to be incorporated in the original.

The SPEAKER. The Chair desires to remind that rule or no rule the Chair will always recognize the right of

any Member of this House to challenge the validity of a roll call.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House adopt the resolution as amended?

It was adopted.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I would like at this time that we go through the procedure of a practice roll call at this point.

The SPEAKER. The Chair invites the gentleman from Washington, Mr. Polen, to come to the rostrum with reference to the roll call.

He was the chairman of the Committee that invented it. So we will let him demonstrate it.

(The House had a practice test of the electric roll call system, which was off the record).

ANNOUNCEMENT

The CHIEF CLERK. Mr. Speaker, for the information of the Members of the House with reference to the daily calendar books. Will you leave them on your desks so they can be filled with a new calendar? That will be done every day. Do not lock them in your desks. That will give us a chance for the page boys and Sergeants-at-Arms to fill your books every day we have a Session.

ADJOURNMENT

Mr. BACKENSTOE. Mr. Speaker, I move that this House do now adjourn until Thursday, January 5, 1961 at 12:01 a.m. E.S.T.

The motion was agreed to, and (at 7:38 p.m. E.S.T.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

THURSDAY, JANUARY 5, 1961.

The Senate met at 8:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. ELVIN B. SHARP, Pastor of the First Presbyterian Church, Ford City, offered the following prayer:

O Eternal Lord God, Who hast created the universe and Who hast placed Thy Divine Spirit in the hearts of men, and Who has given unto Thy servants diversities of gifts, by the same Spirit be with this Assembly in all Thy divine power and grace. Guide those who have come to discharge their duties as representatives of this Commonwealth, giving them a sense of Thy presence and endowing them with an obligation to do justly and to walk humbly with their God. Enable them to fulfill their duties with fidelity so that goodness, truth and justice may find their way even beyond the borders of designated responsibility, even to the ends of the earth.

Grant, O Lord, that peace and good will might come to all men everywhere; that representatives of governments might be guided by the love shown by Thee in sending Thy Son as a Savior and Redeemer to all mankind. Bless all who have authority committed to them; teach them Thy will; sustain them by Thy grace, all who legislate and all who sit in judgment, that they may be aware of Thy presence and be guided by Thy Spirit.

Now we ask that Thou shall be with everyone assembled here this evening, comprising the Senate of Pennsylvania. May they love and serve their fellowmen with pure hearts, remembering their people and their responsibilities in their daily prayers and meditations.

These things we ask in the Name of Jesus Christ, our only Savior. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SEYLER, further reading was dispended with, and the Journal was approved.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented **HB 1** and **2** which were referred to the Select Committee on Legislation.

RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Select Committee on Legislation.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. WEINER, from the Select Committee on Legislation, reported, as committed, HB 1 and 2.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: HB 1 and 2.

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, may I inquire of the Majority Leader, concerning the bills just reported from committee and read for the first time, whether or not these bills, providing for appropriations and lapses from the Retirement Funds, which go to make up deficiencies, contain a commitment on the part of the Legislature? Is there a commitment on the part of the Administration to restore those funds to the various Retirement Funds?

Mr. WEINER. Mr. President, if I may just have these

bills for one moment, I would like to answer the gentleman's question. In order for there not to be any mistake, concerning my answer, I would like to read what the bills state.

The PRESIDENT. Those bills are on their way over to you.

Mr. WEINER. Mr. President, I would like to read from House Bill No. 1, Printer's No. 1, Section 2, which appears on page 4, as follows:

> The General Assembly hereby declares its intention to restore to the Department of Public Instruction and the Department of State by subsequent legislation the funds withheld from it by this act.

I would assume, and I am sure that the Minority Leader will agree with me, that this is the intent of the General Assembly. I would also assume that all of us, being Members of the General Assembly and acting in this manner, would carry out this intention. Therefore, Mr. President, I believe that this should answer the gentleman's question.

Mr. BERGER. Mr. President, I thank the gentleman and would also say that I am equally confident that Administration bills for that purpose will be presented.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Friday, January 6, 1961 at 12:00 M.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 8:22 p. m.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 5, 1961

The House met at 12:01 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

In this early morning hour before the dawn of a new day, we look to Thee, O God, praying for Thy blessing upon this assembly. In the work which they undertake at this session, we ask for Thy counsel and direction. And in the days which lie ahead, we humbly pray for Thy continued presence in the life of each one of us. This we ask in the Name and for the sake of Jesus Christ, our precious Lord and Saviour. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, January 4, 1961, will be postponed until printed.

The Chair hears none.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows: Mr. Tompkins for Mr. GUTHRIE because of illness.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, I know the Members want to get out of here tonight and I have no desire to keep you here any longer than Steve McCann does. I would like to speak now just briefly, and I mean very briefly, in summation. My remarks will apply also to House Bill No. 2.

Before I start I should like to interrogate the gentleman from Washington, Mr. Polen—one question only.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AGNEW. The gentleman has informed me that he has the information for us on the $6 million school health examination reimbursements, and I would like him to give it to us now, if he will.

Mr. POLEN. Mr. Speaker, the question was whether or not the amounts due the school districts were being paid currently, and it had been stated that perhaps we were as much as a year behind. The requisitions rendered for the school year 1959-60, that is the past school year, have been paid in full.

The requisitions for the school year 1960-61, which is the current school year, are not due until April and May. The process is that they are submitted to the Department of Public Instruction, who, after checking and audit, certify them to the Department of Health. The Department of Health makes the payments. The payments are normally due in June. So, for the school year 1960-61, the current school year, the payments will be due in June, the reports due in April and May.

Mr. AGNEW. I thank the gentleman.

Mr. POLEN. Mr. Speaker, I would like to give one other bit of information that was raised in connection with the amount of earnings, the interest rate which is now being raised by the retirement funds.

I am very happy to state that I was a little bit in error because I stated that it was approximately 3.8, and as of January 1 of this year the average earnings for the school fund were 3.86, and for the state fund 3.83.

Mr. AGNEW. I thank the gentleman.

I would like to point out to the Members of the House that this is all the more reason why we should get these appropriations into the funds as soon as possible so they start drawing this 3.86 interest for the benefit of our teachers and state employes.

During the interim between our adjournment and the evening Session, Mr. Speaker, one of the Members of the Majority who has been here for a while said to me in a very friendly manner that he just did not understand it, he said he never remembered an opening week that was anything but sweetness and light and we were all friends, and he could not understand why I made such bitter political remarks. I had to remind him that this was probably the first time in his recollection and certainly in my experience that we have had emergency fiscal legislation to consider during the first week.

I am a little disappointed that he thought my remarks were bitter or political because under the circumstances, and because this is the first week and we had all these flowers here yesterday we thought they were just a few light left jabs and no left hooks or right crosses or any heavy artillery.

I think we will get along all right. For his benefit and for the benefit of everybody else in this House, we are here to contend; we are here to oppose. When we think opposition is necessary, we are here to cooperate when we think the proposals are in the best interests of the people of the Commonwealth.

Now, we think it is too bad, Mr. Speaker, that we could not take advantage, and the front office did not take advantage, of the fact that constitutionally, by the people's mandate we were in Session all last year or any part of it we wanted to be to handle fiscal legislation. The administration knew a year ago this month that there was going to be a deficit in the Department of Public Welfare. There was no reason, to my mind, other than political, why these deficiency bills were not passed last August or

September. Of course, we were in a presidential election year, and I don't suppose the Governor wanted anyone to get the idea that there was anything wrong with the state's finances because it might have political implications.

I believe that the executive gambled that we would have enough money to take us somewhat farther along than we are now. I think he lost the gamble and now we only have money in the Department of Welfare until January 10, and here the first week in the Session we must consider and act upon these emergency fiscal bills. I do not think that is the fault of the Minority. I think the responsibility for this hasty action is directly the responsibility of the Governor's office.

As I said before, there will be Republican votes for these bills, but there will be no Republican votes for these bills in condonation of either the practice or the manner in which these bills have been brought before us. There will be Republican votes for these bills because of the alternative if they do not pass.

The SPEAKER. The Chair did not misunderstand the Minority Leader; we thought he was remarkably, sweet and commendable.

On the question recurring,

Shall the bill pass finally?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Agnew,	Gelfand,	Manbeck,	Rovansek,
Anderson, S. A.,	Gibb,	Markley,	Royer,
Arlene,	Gibbons,	Marsh,	Rubin,
Ashton,	Goldstein, J. H.,	Maxwell,	Rudisill,
Bachman,	Goldstein, M. H.,	May,	Rutherford,
Backenstoe,	Gramlich,	McCandless,	Sakulsky,
Blair,	Gray,	McCann,	Scarcelli,
Boles,	Gremminger,	McDevitt,	Schaaf,
Bonner,	Guesman,	McDonald,	Schuster,
Bossert,	Hamilton,	McKeever,	Seltzer,
Bower,	Hankins,	McLaughlin,	Shelton,
Branca,	Hartley,	McNally,	Sherman,
Breth,	Haudenshield,	Meholchick,	Shupnik,
Capitolo,	Heavey,	Merry,	Simmons,
Cauley,	Heffner,	Miller,	Slack,
Cianfrani,	Helm,	Mills,	Snare,
Cioffi,	Henzel,	Monroe,	Steckel,
Clarke,	Hocker,	Morley,	Stimmel,
Cooley,	Holliday,	Muldowney,	Stone,
Curwood,	Irvis,	Mullen,	Sullivan, J. A.,
Davis,	Isaacs,	Munley,	Sullivan, T. F.,
Dengler,	Jenkins,	Murphy,	Taylor,
Donaldson,	Jim,	Murray,	Thompson,
Doughten,	Johnson, A. W.,	Musto,	Tomascik,
Down,	Johnson, R. P.,	Needham,	Tompkins,
Edwards,	Jones,	O'Dell,	Trusio,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Ujobai,
Elvey,	Kelly,	O'Donnell, J. P.,	Varner,
Eshback,	Kernaghan,	Odorisio,	Verona,
Eshleman,	Klein,	Parlante,	Wall,
Ewing,	Knecht,	Pashley,	Walsh,
Farabaugh,	Kooker,	Perry,	Wargo,
Fetterolf,	Kornick,	Petrosky,	Welsh,
Filo,	Kramer,	Piper,	Willard,
Fineman,	Lamb,	Polaski,	Willaredt,
Flynn,	Lawson,	Polen,	Williams, E. S.,
Foerster,	Lee, A. M.,	Prendergast,	Wilt,
Foor,	Leonard,	Price,	Wood,
Fox,	Limper,	Pursley,	Worley,
Frascella,	Lippincott,	Reibman,	Wynd,
Fry,	Long, Wm. Jas.,	Reidenbach,	Yetter,
Fulmer,	Long, Wm. Jos.,	Renwick,	Andrews,
Gailey,	Lutty,	Riley,	Speaker
Gallagher,	Magee,		

NAYS—21

Adams,	Goodrich,	Kessler,	Strausser,
Anderson, J. H.,	Gross,	Kistler,	Weidner,
Bowman,	Holman,	Korns,	Wescott,
Bush,	Horst,	Ogilvie,	Whittaker,
Dennison,	Keiser,	Stiteler,	Zimmerman,
George,			

NOT VOTING—15

Auker,	Comer,	King,	Mihm,
Brenninger,	Crossin,	Lee, K. B.,	Stank,
Buchanan,	Dougherty,	McCormack,	Williams, A. D.,
Capano,	Guthrie,	McInroy,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2, entitled:

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Gailey,	Lippincott,	Reidenbach,
Agnew,	Gallagher,	Long, Wm. Jas.,	Renwick,
Anderson, J. H.,	Gelfand,	Long, Wm. Jos.,	Riley,
Anderson, S. A.,	Gibb,	Lutty,	Rovansek,
Arlene,	Gibbons,	Magee,	Royer,
Ashton,	Goldstein, J. H.,	Manbeck,	Rubin,
Bachman,	Goldstein, M. H.,	Markley,	Rudisill,
Backenstoe,	Goodrich,	Marsh,	Rutherford,
Blair,	Gramlich,	Maxwell,	Sakulsky,
Boles,	Gray,	May,	Scarcelli,
Bonner,	Gremminger,	McCandless,	Schaaf,
Bossert,	Guesman,	McCann,	Schuster,
Bower,	Hamilton,	McDevitt,	Seltzer,
Branca,	Hankins,	McDonald,	Shelton,
Breth,	Hartley,	McKeever,	Sherman,
Capitolo,	Haudenshield,	McLaughlin,	Shupnik,
Cauley,	Heavey,	McNally,	Simmons,
Cianfrani,	Heffner,	Meholchick,	Slack,
Cioffi,	Helm,	Merry,	Snare,
Clarke,	Henzel,	Miller,	Steckel,
Cooley,	Hocker,	Mills,	Stimmel,
Curwood,	Holliday,	Monroe,	Stone,
Davis,	Horst,	Morley,	Sullivan, J. A.,
Dengler,	Irvis,	Muldowney,	Sullivan, T. F.,
Dennison,	Isaacs,	Mullen,	Taylor,
Donaldson,	Jenkins,	Munley,	Thompson,
Doughten,	Jim,	Murphy,	Tomascik,

Down,	Johnson, A. W.,	Murray,	Tompkins,
Edwards,	Johnson, R. P.,	Musto,	Trusio,
Eilberg,	Jones,	Needham,	Ujobai,
Elvey,	Kamyk,	O'Dell,	Varner,
Eshback,	Keiser,	O'Donnell, J. A.,	Verona,
Eshleman,	Kelly,	O'Donnell, J. P.,	Wall,
Ewing,	Kernaghan,	Odorisio,	Walsh,
Farabaugh,	Kessler,	Parlante,	Wargo,
Fetterolf,	Klein,	Pashley,	Welsh,
Filo,	Knecht,	Perry,	Wescott,
Fineman,	Kooker,	Petrosky,	Willard,
Flynn,	Kornick,	Piper,	Willaredt,
Foerster,	Kramer,	Polaski,	Williams, E. S.,
Foor,	Lamb,	Polen,	Wilt,
Fox,	Lawson,	Prendergast,	Wood,
Frascella,	Lee, A. M.,	Price,	Worley,
Fry,	Leonard,	Pursley,	Wynd,
Fulmer,	Limper,	Reibman,	Yetter,

NAYS—13

Bowman,	Holman,	Ogilvie,	Weidner,
Bush,	Kistler,	Stiteler,	Whittaker,
George,	Korns,	Strausser,	Zimmerman,
Gross,			

NOT VOTING—16

Auker,	Comer,	King,	Mihm,
Brenninger,	Crossin,	Lee, K. B.,	Stank,
Buchanan,	Dougherty,	McCormack,	Williams, A. D.,
Capano,	Guthrie,	McInroy,	Andrews, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. RUDISILL asked and obtained permission for the Select Committee on Constitutional Changes to meet during the session of the House.

Mr. McCANN. Mr. Speaker. Before we break for tonight's meeting, the Chief Clerk asked that every Member leave the books on their desks for the bills to be placed in them. Please do not put them in your desk and lock them. The new bills coming out of Committee will not be able to be placed in your book on your desk if it is not left on top of the desk, and not locked in the desk.

REPORTS FROM COMMITTEE

Mr. RUDISILL from the Select Committee on Constitutional Changes, reported as committed, House Bill No. 3, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the granting of electors of President and Vice-President to the District of Columbia.

Mr. RUDISILL from the Select Committee on Constitutional Changes, reported as committed, House Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article four, section three of the Commonwealth of Pennsylvania, making the Governor eligible to succeed himself for one additional term.

Mr. RUDISILL from the Select Committee on Constitutional Changes, reported as committed, House Bill No. 5, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania, permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

Mr. RUDISILL from the Select Committee on Constitutional Changes, reported as committed, House Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article fourteen, section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

BILLS ON FIRST READING

Mr. RUDISILL asked and obtained unanimous consent for the following bills to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the granting of Electors of President and Vice-President to the District of Columbia.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article four section three of the Constitution of the Commonwealth of Pennsylvania making the governor eligible to succeed himself for one additional term.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 5, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article fourteen, section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, all the Members may go home according to our understanding. These bills will go

through the Senate and be signed here Saturday morning, rather Friday after midnight to be presented to the Governor's desk.

We have checked again and cannot find any amendments to be placed in the bills. There are typographical errors which do not need to be corrected.

The House will therefore convene on Monday, January 16, 1961 at 3:30 p. m.

The Governor will address the Joint Session of the General Assembly at 5:00 p. m. on Monday, January 16. The Committee on Committees will report and the report will be adopted. That day we will organize all standing Committees of this House.

On Tuesday, January 17th, is the only other Session day of that week in which bills will be continued to be introduced and reported from committees that have been organized.

ADJOURNMENT

Mr. A. W. JOHNSON. Mr. Speaker, I move that this House do now adjourn until Saturday, January 7, 1961 at 12:01 a. m. EST.

The motion was agreed to, and (at 12:30 a. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., FRIDAY, JANUARY 6, 1961. No. 4.

SENATE

FRIDAY, JANUARY 6, 1961.

The Senate met at 12:00 M., Eastern Standard Time.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

PRAYER

The Chaplain, Rev. ELVIN B. SHARP, Pastor of the First Presbyterian Church, Ford City, offered the following prayer:

Almighty God, King of kings and Lord of lords, from Whom precedes power and dominion in heaven and in earth, we pray Thee to look with favor upon Thy servants, the Members of the Senate here assembled, to discharge this portion of their duties to the people of the Commonwealth. We would pray, too, for the Governor of this Commonwealth and for all others in authority. Endow them with the spirit of wisdom, goodness and truth, and so rule their hearts and bless their endeavors that law and order, justice and peace, may everywhere prevail. Preserve us from public calamities, from pestilence and famine, from war, conspiracy and rebellion; but, especially, from State and National sins and corruption. Make our State strong and great in the fear of God and in the love of righteousness so that, being blessed of Thee, we may become a blessing to all other States of our Nation and to the Nation, itself.

In time of distress, give us freshened courage, renewed hope, a clearer vision of our duty to Thee and to our fellowmen. In time of prosperity, fill our hearts with thanksgiving and, in the day of trouble, suffer not our trust in Thee to fail.

All this we ask in Thy Name and for Thy sake. Amen.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from Centre, Senator Hays, to the rostrum to preside.

The PRESIDING OFFICER (Jo Hays) in the Chair.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED

Messrs. WEINER, LANE, MURRAY and SCOTT presented to the Chair **SB 1,** entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

Which was committed to the Select Committee on Legislation.

Messrs. WEINER, STAISEY, LANE, SCOTT and WADE presented to the Chair **SB 2,** entitled:

A Joint Resolution proposing an amendment to article three, section sixteen of the Constitution of the Commonwealth of Pennsylvania, authorizing cash refunds without appropriation in certain cases.

Which was committed to the Select Committee on Legislation.

Messrs. WEINER, LANE, HAYS, WAGNER and YATRON presented to the Chair **SB 3,** entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania, increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

Which was committed to the Select Committee on Legislation.

Messrs. WADE and McMENAMIN presented to the Chair **SB 4,** entitled:

An Act regulating outdoor advertising, providing revenues from license fees, permit fees and inspection fees, imposing powers and duties on the Department of Commerce, imposing penalties and providing for appeal.

Which was committed to the Select Committee on Legislation.

SENATE RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO THE WEST CHESTER STATE COLLEGE SOCCER TEAM

Messrs. DiSILVESTRO and WEINER offered the follownig resolution **(Serial No. 3),** which was read, considered and adopted:

In the Senate, January 6, 1961.

The soccer team of West Chester State College recently completed a most successful and enviable season. Winning ten and tying one game, the undefeated team

won the State Championship and finished third in the Intercollegiate games held in New York.

The hard play and clean sportsmanship displayed by the team were two important factors for its success, but praise must be showered on the coach of this great team. It was the fine work and guiding hand of Mr. Melvin Lorback that led this fine team to the pinnacle of success.

The team exemplified such a spirit of fair play and good sportsmanship, together with an exhibition of such zeal and determination for winning that it was the envy of every coach and the pride of West Chester; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania congratulate the West Chester State College soccer team on its successful and glorious season; and be it further

Resolved, That the coach, Melvin Lorback, be recognized for giving the additional spark to the soccer team that made it a champion; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Melvin Lorback and to Dr. T. Noel Stern, President of West Chester State College.

CONGRATULATIONS OF THE SENATE EXTENDED TO THE WEST CHESTER STATE COLLEGE FOOTBALL TEAM

Messrs. DiSILVESTRO and WEINER offered the following resolution **(Serial No. 4)**, which was read, considered and adopted:

In the Senate, January 6, 1961.

We can be justly proud of the achievements of our State College at West Chester. Its football team under the superb direction and guidance of its illustrious coach, Dr. James B. Bonder, during the 1960 season bowled over all its opponents and became the Pennsylvania State College Champion.

The victory was well deserved and the honor well placed, for the team during the season established a well earned reputation for skill and determination but even more for team work, clean playing and fine sportsmanship; therefore be it

Resolved, That the members of the Senate of the Commonwealth of Pennsylvania congratulate the West Chester State College football team on its glorious victories; and be it further

Resolved, That Dr. James B. Bonder be recognized for his tireless efforts and inspiration that led the team to the State champions; and be it further

Resolved, That copies of this resolution be transmitted to Dr. James B. Bonder and to Dr. T. Noel Stern, President of West Chester State College.

STATEMENT BY THE CHAIR

The PRESIDING OFFICER. The Chair is going to indulge himself the privilege of saying that the last resolution inspires him to present a resolution about the Penn State football team winning the Liberty Bowl game. The Chair invites co-sponsorship for such a resolution.

It is now my privilege to turn the gavel over to the President of the Senate, John Morgan Davis.

The PRESIDENT (Lieutenant-Governor John Morgan Davis) in the Chair.

CALENDAR

BILLS ON SECOND READING

HB 1 and 2—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I would just like to make an observation in regard to the two bills which we passed here today.

I think all of us are mindful of the amounts of money involved in these bills. The amount involved in both measures is $62,000,000. This money comes from money which was originally put into the Retirement Fund. We are borrowing from that Fund and we are also lapsing other sums of money. If anyone cares to have the rundown or list, I shall be glad to see that they receive it. However, I am sure that every Member of the Senate has received such a copy.

The list comes from various departments; namely, the Department of Labor and Industry, the Department of Justice, the Department of Insurance, the Department of Health, the Department of Forests and Waters and the Department of Agriculture. All of these departments have been given money which they have not used to carry out the mandated duties and obligations of the government. These duties and obligations came about by the Act of the last Session of the Legislature which allocated so much money to each department.

The reason for taking this action and the reason for our being here today and, perhaps, early tomorrow morning is to provide the funds to carry out these duties and mandates because the time is running short. Monday will be the last day on which this matter can be handled, due to the fact that the legislative procedure, as set up in our Constitution—and very wisely thought out by our forefathers and the persons who wrote the Constitution—provides that these measures must be read on three full days. In a sense, this procedure allows for a public hearing to be held on these measures. That is the reason we are doing it in this fashion.

Mr. President, House Bill No. 1, which just passed second reading, covers appropriations for public assistance grants and State-aid for the mentally retarded and the mentally ill. Public assistance, as all of us know, is a variable factor. We can merely estimate how many people will be on the rolls when we begin the year. When we used to work on a biennial basis, we had to allocate so many numbers of dollars for the two-year period. The annual Sessions began last year, but we had already received our biennial budget. Therefore, we will begin now by doing it on an annual basis and we will try to have a better or more educated guess, based on experience.

However, we, who are Members of the Senate, make up the branch of government which, speaking in a corporate sense, can be considered the board of directors of this corporation. The Governor and his staff, and the people who are a part of the Executive Branch, are the president and other officers of the corporation.

We must augment what has taken place. The steel strike has been a very important factor. One of the other important factors is that we have been living in a recession. The year of 1960 did not live up to the expectations as forecast, not only by the Commonwealth of Pennsylvania, but by the Federal Government, as well. As you probably realize, the Commonwealth of Pennsylvania is probably one of the largest steel producing States in the Country. These plants have been operating, up until the

present moment, on about forty-five per cent of their capacity. Automation has also become a factor. This is something which we also will have to think about during this Session of the Legislature.

With these two factors, which we find are certainly not by far the least of the factors, we have found that there are many, many people who became eligible for relief. These people were not eligible for relief and were not even contemplated as being eligible when we enacted our program. The Legislature, in its infinite wisdom, tried, with the help of the Executive Branch and the Department of Welfare, to take care of the situation. We cannot do less than to take care of people who are mentally retarded or mentally ill. These people are the unfortunates, who make up our society. Many, many, many years ago, society did not care about these people and, as a matter of fact, shunned them. They were regarded as seriously ill and were evaded. Sometimes these people were even put to death. However, I am very thankful that I can say to the people who are sitting here today and to the people of the Commonwealth that we have advanced from that point of view. We now find that these people are not merely ill, but we have found that they can be made better. Many numbers of them have been returned to society and occupy useful places.

The prolonged steel strike, along with the persistence of the general business decline, has made this action here necessary. Of course, coupled with this general problem is the problem of the corporate taxes which have fallen far below, due to the recession in which we have been living. This is not only true of the Commonwealth of Pennsylvania, but this is symptomatic of the entire economy which is facing the whole Country. We are hopeful that the new programs which are going to be enacted by Congress, and which were promised during the last election, might give this economy a shot in the arm, as it were, to more or less bolster it up. Perhaps by some of the appropriations we are making, and some of the steps we are taking here today, we might be able to retrench or regroup, or maybe not take as lasting an action as we are doing here.

Also, Mr. President, the cost of living has risen. It is the highest today that it has ever been. The people who are subject to living on dole, as it were—and that is a harsh word—are also subject to the same problems to which we are subject. However, we are able to work and take care of ourselves. This factor has caused a great deal of trouble which we also must take care of.

House Bill No. 2, Mr. President, provides for deficiencies to allow for the operation of the agencies responsible for such things as mandated school subsidies, the electoral college, the Department of Property and Supplies and the Department of Public Instruction. This amounts to appromixately $16,000,000. This is also one of the areas which we cannot overlook. If we do not take some action now, these problems will become very serious.

I think, rather than going out and making loans from someone else, or going out and trying, on the open market, to obtain funds, we should borrow it from other areas where we mayhave allocated either too much money or where the money they received may have been given too late so that they could not use it, or maybe some of the programs which were contemplated never had the time to get started, either in the way of personnel or in the way of facilities. Therefore, that money was not being used.

I think everyone will agree that the logical conclusion to be arrived at is that the money, which has not been used in certain other areas where the Legislature has given these funds, must now be taken and used in those areas where it is needed immediately. This need is pressing today. That is why we are here now and why we hope to be here early tomorrow morning. In this manner, we shall conclude this matter in order to lay these two measures before the Governor for his signature and final enactment. By doing this, the orderly process can continue to be carried out.

INTERROGATION

Mr. SCOTT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. SCOTT, Mr. President, I am interested in the amount of money being lapsed by the various departments. Senator Weiner, can you give me a total of that amount?

Mr. WEINER. Would you just allow me a moment to do the addition?

Mr. President, the answer to the gentleman's question is approximately twelve and one-half million dollars. It may be a little bit more or it may be a little bit less, due to my faulty addition, but I think approximately twelve and one-half million is pretty accurate.

Mr. SCOTT. Senator Weiner, are you prepared to state for the record that in the lapsing of these funds by the various departments, they are not being shortchanged in any way?

Mr. WEINER. I can answer that question, Mr. President, in this fashion. The Department heads and the persons responsible for these funds, I am sure, would not give up this amount of money if they felt in any way it would hamper the operation of their departments at this time. Therefore, each of them has sent in what they feel they can do without or not need in their operation, in the sense that some of the projects they intended never got under way because of lack of personnel or maybe the lack of facilities or maybe the lack of time. When we started these programs, you may remember, we were working on a two-year basis and, by the time they got the money, it might have been too late for them to use it.

Mr. SCOTT. One final question, Mr. President. Senator Weiner, you know of no major project that is being abandoned because of any of these departments lapsing this amount of money?

Mr. WEINER. Mr. President, I personally do not know of any project that is being abandoned or in any way hampered by the lapsing of these funds.

INTERROGATION

Mr. KESSLER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. KESSLER. Mr. President, I understand one of the major lapses is in the school health examinations, in the

amount of $6,000,000. From the last budget report, the total appropriation for the biennium to school health examinations was $15,217,000.

Mr. WEINER. Excuse me, Mr. President. In order for me to follow the gentleman,—I did not mean to be rude and interrupt you, Senator—would he tell me from which page he is reading so that I can follow him?

Mr. KESSLER. Page three of the November 30th report.

Mr. WEINER. page three. Thank you, sir.

Mr. KESSLER. It is about the middle of the page, Senator.

Mr. WEINER. Yes sir.

Mr. KESSLER. The expenditures, up to November 30th, were six million eight, leaving an unexpended balance of eight million, three hundred eighty. As I understand it, $6,000,000 of that eight million, three hundred eighty is to be lapsed to provide some of these funds.

The question I would like to raise with Senator Weiner is, will it be necessary for the General Assembly to reappropriate that money in June? I am not sure when these school health examination payments are made.

Do you know, Senator Weiner, whether we will have to restore that $6,000,000 in June when we make up our new budget?

Mr. WEINER. Mr. President, I can best answer this question in this manner: It might very well be necessary to reappropriate this money. I believe the Senator well knows this money is based on the number of examinations they actually make and what they intend to do, and it may be that they may need more or they may need less, based on the number of youngsters and the number of examinations and what kind of progress they are making in this area.

Mr. KESSLER. The question I raise, however, Senator Weiner, is based on the fact that these payments to the school districts are made not monthly, but at certain periods of the year.

Mr. WEINER. That is right.

Mr. KESSLER. Is it possible that this money is for examinations that were made in the school year 1960-1961, but may not become payable to the districts until late May or early June, or maybe by July 1, which is usually the beginning af a new school year? If that is the case, then are we simply taking money we had appropriated for school examinations and saying we do not need it in this biennium, but we will have to put up that six million additional to pay for work that was done in this biennium? That is the question I am raising.

Mr. WEINER. I believe the answer to your question, Senator, is that this is money which they have received and which has not been actually debited in the sense that the money has not become due and owing at this point and, as of this moment, the money is being turned back. I would assume, or I would venture to say,—and I will try to get you a better answer by contacting the department to find out—that my own impression is that this money is not now due and owing; that whatever has been done in the way of services is being paid for and money is being kept in the fund to pay for these services.

I do not believe that this money will be due in June, but I will try to get you a better answer. Perhaps I can answer that for you at tomorrow morning's Session.

Mr. KESSLER. Thank you very much, Senator.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, it occurred to me, in reading the report, that there is a possibility that although they are lapsing these funds at this particular time for health examinations, the department feels that possibly they can get by with the lapsing of these funds, Senator Kessler. Your question is quite difficult to answer because it is all problematical, as far as the Senate is concerned, in that over-all operation.

However, I feel quite confident that the department must feel they are in such a position, financially, to permit us to lapse these funds for these emergency appropriations.

PETITIONS AND REMONSTRANCES

Mr. LANE. Mr. President, I feel that possibly we should talk a little bit about unemployment here in Pennsylvania.

Mr. President, I firmly believe that the challenge of the 1961 Session will be industrial development in Pennsylvania, redevelopment of our resources and the unemployment of good citizens of Pennsylvania.

As you probably know, there is now a Joint Legislative Committee working on this particular problem. We have received the advice and counsel of Secretary Batt, of Secretary Davlin, and of Doctor Boehm. We realize that this is one of the most difficult tasks which this committee or any legislative committee has undertaken in order to work something out, so to speak.

I feel, Mr. President, that this Session is going to be confronted with a number of major financial problems concerning unemployment in Pennsylvania.

I read in last night's newspaper where the zenith of unemployment occurred some time in December,—around December 10th—and now some of our people are being re-employed. However, it was remarked here, a short time ago, that steel is working at less than forty-five per cent of capacity, and it appears to me that we are going to be confronted with this problem all through the year 1961.

At the present time, we plan on holding a meeting in Philadelphia, at which time we would like the advice and counsel of the Mayor of Philadelphia, representatives of the Chamber of Commerce, representatives of labor and representatives of the financial institutions of that area. We are hoping that we can file, with the House and Senate, a preliminary report before March 15th, so that each and every Member of this Senate can get a clear picture of the economic conditions of the State as of that particular date.

I hope also to have a complete report for the Legislature by at least April 15th, so that we can enact proper legislation to augment any Federal legislation which might be passed in Congress.

In closing I might add, Mr. President, that we have a strictly bipartisan committee. Every member of that committee is dedicated to his work. I might also add that we are working without any appropriation. We worked during the holidays in order to expedite this operation.

At the present time, we have adopted, unanimously, two resolutions; one of which requested the National Government to make a grant to the State of Pennsylvania

to permit those who have utilized all of their unemployment benefits the right to receive at least three more months of unemployment compensation and the other requested the National Congress to pass legislation setting up a Federal Reconstruction Act here in Pennsylvania. We are hoping that they will listen to our plea, because Pennsylvania certainly needs their help. Once this legislation is passed, I am quite confident, with all of the information we have received as of now, that we will be able to augment that legislation with proper legislation here in the Senate of Pennsylvania.

Doctor Boehm has recommended that we set up technical schools and trade schools in Pennsylvania, and I feel that probably that is a very good approach because, as of right now, we are lapsing moneys to take care of Public Assistance. Had we had the foresight a few years ago to spend $20,000,000 on retraining our people and re-educating our people, I do not believe that we would have the major problem that we have today in lapsing funds for Public Assistance.

Therefore, I want to publicly thank each and every Member of the Committee who is working with us on this problem. Not one of them has missed one meeting. I am very happy, indeed, that the former President pro tempore had the foresight to place these fine men, from the other side, on this committee to work with me.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Select Committee on Legislation.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. WEINER, by unanimous consent, from the Select Committee on Legislation, reported, as committed, **SB 1, 2** and **3.**

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 1, 2** and **3.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Saturday, January 7, 1961, at 12:01 a.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:11 p.m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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Vol. 38. HARRISBURG, PA., SATURDAY, JANUARY 7, 1961. No. 5.

SENATE

SATURDAY, JANUARY 7, 1961.

The Senate met at 12:01 a.m. Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. ELVIN B. SHARP, Pastor of the First Presbyterian Church, Ford City, offered the following prayer:

In the early hour of a new day, O Lord, we again assemble to discharge the duties entrusted to us. By Thy gracious mercy, pour out Thy Spirit upon us that these proceedings might have Thy divine blessing and that these, Thy servants and representatives of the people of Pennsylvania, may have the spirit of power, of love and of sound mind; that they may be wise in counsel and diligent in service, faithful stewards of the things entrusted to them. Direct and govern them, preserving them from hasty judgment and vain dispute, inspiring them with hearty love and true devotion, and guiding them both to devise and do those things which shall be for the glory of Thy Kingdom here on earth.

Keep watch over these Members of the Senate of Pennsylvania, as they are soon to travel to their respective homes and districts, by granting them protection and preserving them from all evils and dangers of the way. Bring them to their homes and friends in peace. When they are called again to these legislative halls, continue to bless their labors. Keep them strong in faith, in courage and in self-control.

We pray Thee to guide our State and our Nation in the way of Thy truth and peace, so that we may never fail in the blessings which Thou hast promised to that people whose God is the Lord.

Hear our prayer and make us aware of Thy presence. This we ask in Thy Name, Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED AND REFERRED

Messrs. PROPERT, SCOTT, WADE, KESSLER and WAGNER presented to the Chair **SB 5.** entitled:

A Supplement to the act of November 12, 1959 (Appropriation Act 38-A), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judical Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959," restoring certain funds previously withheld from the Department of Public Instruction and the Department of State.

Which was committed to the Select Committee on Legislation.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 1—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. KESSLER. Mr. President, there are two factors, in connection with this House Bill No. 1, which I think deserve mention. The first one is of a legal nature and, not being an attorney, I am not qualified to appraise it, but I think I should mention it.

In 1959, this General Assembly passed two Acts, Act No. 77 and Act No. 78, codifying the Public School Retirement Laws and the State Employees Retirement Laws. Both of those acts—for the Public School Employees, in Section 303, subparagraph 1—require that on July 1st and January 1st of each year covering the preceding six months, the Commonwealth shall pay through the Department of Revenue into the retirement fund on account of new entrants such amount as shall be certified by the retirement board as necessary, and so forth.

The language is similar in both bills.

From the November 30th Budget Report, which was referred to in yesterday's Session, on page 7, it shows an appropriation to the Retirement Fund for the Public School Employees Contingent Reserve Account of $54,220,000. To date, with three-fourth of the biennium passed, no expenditures have been made against that. Apparently, we are not following the laws which we prescribed, and I think that should be brought to the attention of the Members of this Senate.

The second point I wish to mention is a matter of cost. The State Public School Employees Retirement Fund, according to the latest figures, is earning, I believe, at the rate of 3.86 per cent interest on its investments. Since the Retirement Fund has not received this money from the Commonwealth, that interest is lost. Furthermore, as you know, the Commonwealth guarantees interest up to

four per cent on these funds. In October, of 1960, the Commonwealth did borrow, on tax anticipation notes, I believe, $50,000,000, at an average interest rate of 1.8 per cent. The result is that by not borrowing money through tax anticipation notes, we will be paying two per cent more interest on this $50,000,000 than the Commonwealth would have to pay. That amounts to about $1,000,000.

It seems to me, Mr. President, that these two facts are certainly worthy of some consideration.

Mr. WEINER. Mr. President, I would like to concern myself for the moment with the last remarks made by the gentleman.

I believe that one of the problems that he raises here is a correct problem, but I think that the gentleman ought to further note that the reason this took place or the reason that this happened was because the Legislature remained in Session as long as it did. Had the Legislature adjourned, they would have been able to go out and borrow this money at a lesser rate and would have gotten the full benefit of this borrowing, rather than having to do it in this manner. By the fact that the Legislature continued in Session—remained on—no action was taken, and finally when they did get around to taking the action, it was too late to actually get the benefit of what the gentleman has mentioned.

On the other point that he mentioned about this account, I believe the Act says "shall." I hope he will forgive me if I, as a lawyer, interpret the word "shall." It means that where there is money in the account or there is money available to do this prescribed act, it shall be done at that time. It is not in the same category where "will" and "must" are used. That is the reason for the word "shall," which is a future tense. It means that if it is available or can be done at that time, it shall be done. It does not mean that we may not get to do it, because the biennium, as the Senator well knows, will end in June of this year, so that this still may come to pass.

It might very well be, Senator, that the $62,000,000 that we are appropriating here,—and it is really not appropriating; we are just shifting the funds from where we have allocated them in the beginning and where they are not being used—by the time the biennium ends or the annual term ends, we may not need this money and that actually a lot less of it will be used than is anticipated at the moment.

I think one of the great fallacies has been and one of the great wrongs that the legislature has possibly done is not being able to anticipate what the economic situation is going to be, or that there will be a costly strike as there was in the steel industry for a lengthy period of time where more and more people become eligible for State aid.

We cannot also, as we extend our programs for the retarded and the mentally ill, anticipate how many people will participate in these programs.

All of these things add to the cost of government. All of these things, as far as we are able to make a guess,—an educated guess—must be anticipated.

However, it seems that in every Session of the Legislature since I have been here, and even before that, the history is very clear that the Legislature has always, for some reason best known to someone who has failed to explain it, been unable to anticipate completely the needs of its people. I think this is sound as well. It shows that our economy is growing. It shows that we are having growing pains and that these are maladies that must be taken care of, and so we, as the doctors, prescribe for this particular illness, and this is the only medicine which we have to take care of the economic body that happens to be ill at the moment.

I am hopeful, as many people are, that the new Administration, coming into Washington, will be able to give the economy the necessary shot in the arm, where it might prime the pump a bit. It might be that this will not be necessary. I think all of us will agree that we are in an economic recession. All of us will agree that there are many distressed areas in the Commonwealth where there is what is known as "surplus personnel." This merely means that they are people who are unable to work and earn a livelihood. Therefore, someone must do something about them. Whether you agree with our programs or not, this is what we have undertaken to do. This is the best way in which we know how to do it. To cut down on any one of these programs is to deny some citizen in Pennsylvania what would otherwise be his opportunity to live or to see that his family can get along while he is undergoing this period of crisis or change. I think this is wise and in keeping with the progress which this Country has been making and the philosophy which we have developed over the last twenty odd years.

Mr. KESSLER. Mr. President, I would just like to make myself clear that I certainly do not propose depriving the needy of any help.

The Senate was in Session, late in 1960. It was evident back in October or November that additional funds would be needed for public assistance. We were in Session and we could have passed such tax measures as might have been warranted, in order to provide these funds. The Governor, I suppose, saw no reason why he should request the General Assembly to do that, at the time. However, the fact remains that it probably could have been done by some other method.

Another factor I think, too, is that while probably this means reducing our liability to the Commonwealth for appropriations and making funds available for other appropriations, it could have been handled, perhaps, by cutting down other items of expense which, maybe, were not as desirable. However, business must trim its sails whenever it finds its revenue is dropping. It seems to me that the Commonwealth, with sound judgment, would indicate the same factor.

Mr. WEINER. Mr. President, I would agree with the gentleman that hindsight is always better than foresight. However, I would also like to point out to the gentleman —and I dislike going back over the ground which we passed before—that the stocks and bonds tax, which passed the House and which was recommended by the Governor, came over to the Senate and I think it went to the Finance Committee. I think the gentleman who just spoke is somewhat familiar with the operation of that committee and its chores. However, for some reason or other, we could not get that measure out on the floor, in order for the Members to vote upon it. We have discussed it on many occasions. I believe I may have been guilty of belaboring this Body, on a number of occasions, in regard to that measure. However, this was a part of the Governor's tax program. It did pass the House. It had the backing of the Members of the House. It came over here and the bill absolutely never saw the light of day.

Now I would like to inquire whether the gentleman,

who just more or less belabored us for the lack of good housekeeping, can explain that this measure was not the proper measure to do the job and that it would not have produced the 62,000,000 and some odd dollars, because I think it would have—as a matter which was put before the General Assembly—raised quite a considerable sum of money which would not only take care of the deficit, but might even provide a small surplus for the many programs that we had in mind. This, however, never came to pass.

I think it improper, at this late date, to belabor the people who are trying to do the housekeeping and who are charged with that responsibility. I say right here, and publicly, that we are accepting that responsibility. However, by the same token, to have denied us the opportunity to have done this and to have given us the tools with which to do the job, and then, later on, to say that we are not doing a good job, I think is a little incongruous and almost paradoxical, at this late date, in using it to discuss this measure.

Mr. LANE. Mr. President, you know occasionally we have Wednesday morning quarterbacks and, it seems to me, if I recall correctly when we had our budget hearings, I happened to be a Member of the Budget Committee and I believe the gentlemen on the other side held executive meetings and I knew nothing about them. As a matter of fact, I tried to interrogate the Chairman of the Committee, at that time; namely, Senator Kessler. He refused to give me any information whatsoever. I said yesterday on this floor that probably all of us are Wednesday morning quarterbacks, to a great extent, because, had we spent $20,000,000 retraining some of the people who are now on the unemployed list and who are now receiving public assistance, we would not have this huge deficiency.

In addition to that, Mr. President, you will notice on page 4, of House Bill No. 1, it states as follows:

> The General Assembly hereby declares its intention to restore ot the Department of Public Instruction and the Department of State by subsequent legislation the funds withheld from it by this act.

We are in need of this money, Mr. President, and I believe that the argument, coming from the other side of the Senate, does not have any merit whatsoever at this particular time. I feel that, probably, they are trying to grasp straws out of the air, which do not exist. I repeat that Wednesday morning quarterbacks should not debate a question such as this too much.

Mr. WADE. Mr. President, in this debate, which is now taking place, it seems that the gentlemen on the other side have missed the entire point which was brought out by Senator Kessler.

Senator Kessler maintains—and I agree with him—that in the Appropriation Act, of the Session of 1959, we required the Administration to meet certain obligations and the date was set. In our debate, we are talking about many collateral matters. It appears that it is not a shortage of money. This money was in hand. If it were not in hand, we would not be reappropriating it now and, thereby, changing the amount we originally appropriated to the two Retirement Funds and reappropriating it for a different purpose.

Senator Kessler was more than conservative when he mentioned that the entire funds of the School Employees Retirement Fund are now earning 3.86 per cent. As a matter of fact, the new funds, invested over recent years, are earning well in excess of four and three-quarter per cent. Therefore, as Senator Kessler pointed out, we are losing that amount of money which, by making a quick calculation, may be between two and one-half and $3,000,000 for the time which it should have been paid over into those funds. Apparently, the Administration was holding this back, thinking that something might happen. However, that was not the directive of the Legislature. The directive of the Legislature was that these funds be paid over at stipulated times. Had that been done, the moneys would have earned considerable interest, perhaps approaching $3,000,000 in the meantime.

Mr. WEINER. Mr. President, for the gentleman's information, may I observe that his position is very well taken? However, how would he have us deal with these mandated items, such as the school subsidies and the public assistance, just to name two of the mandated items? You cannot overlook that. When you equate what is involved with that, as against the losing of interest on a fund, I think the scales will balance every time in behalf of the people's interest, rather than the interest to be obtained on the principal of money.

I was hoping that we would not get into this area. However, I think that I should point out to the gentleman—I do not know whether Senator Wade was one of the reluctant Members who would not vote for the stocks and bonds tax—that the estimate on that was that it would bring about $56,000,000. I thought part of that estimate was that if they received an excellent collection at an early date, it might go as high as sixty odd millions of dollars. Therefore, you can see that we would have been very close to our goal. We would have actually covered the deficit, as we then projected it, not knowing about the coming recession or the economic conditions which, unfortunately, do not exist only in the Commonwealth of Pennsylvania, but across the entire Nation.

As I stated here yesterday, Pennsylvania is probably the leading State in the production of steel. We are only working at forty-five per cent of our capacity. This certainly does great mischief to our economy and to the persons involved in the steel production industry and all the other industries from which our economy flows. Ours is primarily a steel or hard goods economy. I think these gentlemen should consider this, in the light of where we are. I also think they should consider the fact that our deficit is not any larger than it it. Since I have been here, there have been occasions when the deficit was larger than this one. I think we are doing quite well.

I also think it is only because we did not have the additional tax program, suggested by the Governor in his Budget Message originally, and because of the reluctance not to deal with this problem, for many and varied reasons, which I will not take time to go into this evening, that we do not have the money to really do the job. Therefore, we are merely trying to meet the mandates which are important. We are doing it in the most painless way that can possibly be done under our economy.

Mr. LANE. Mr. President, I just want to make the observation that Senator Wade has a very good point. However, there is a differential in the figures, I think. Senator Kessler mentioned that we were losing $1,000,000 and Senator Wade said we were losing two and one-half million dollars.

However, Mr. President, the point is that we are very fortunate, indeed, because if we had not put this $54,000,000 into the Retirement Fund, we would not be, today, in a position to lapse $42,000,000, which is needed very badly. We had to put it in the fund and I am happy that we did. We are now in the position to lapse it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed he same without amendemnts.

HB2—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. KESSLER. Mr. President, I believe the Majority Leader said yesterday that he would try to have information for us today on the $6,000,000 lapse for school health examinations. I wonder whether the gentleman has that information.

Mr. WEINER. I do, Mr. President. I was going to mention it after the bill passed or right before, depending when the gentleman might want that information.

Unfortunately, there are two points of view, in looking at this measure.

The first point of view might be considered favorable to people who are opposed to this measure. That point of view might say that the bills have not been incurred at this moment, but the money may be due and payable before the biennium is ended.

The other point of view is that the service has been rendered, but no bill has been sent. This is not a new practice, today. In other words, it is not new for this biennium or this term. This practice has been going on ever since the Commonwealth came into existence. If the Commonwealth were to go out of business, ten, twenty or thirty years from now, we, in order to close out our books, would owe $6,000,000. Therefore, this money may or may not be due and payable in June. In any event, we have been appropriating it in each new biennium. Of course, beginning with this new Session, it will now be annually. The money will be less now. Actually, we have not received the bills and the money is not payable as of this moment.

Mr. President, these are the two points of view. You can address yourself to either one, depending on where you would like to sit in judgment on this matter. However, on the basis of good bookkeeping and good housekeeping, I think we can say, for all purposes here where we need money, that as long as these bills are not payable and are not on our desks to be paid, we can proceed to use this fund otherwise, because we are going to have to appropriate money the next time around.

I would not like to offend our good friend, Senator Propert, who deals with figures all the time and who might find, in making up a balance sheet, a shortage of $6,000,000. I think we can perhaps hold this as a reserve item, which can be paid as rent accrued, or money accrued, and carry it over to the next time around. Accountants do differ among themselves as to how you would carry that item, as well.

Therefore, Mr. President, I think both these points of view are sound and are well taken .

Mr. KESSLER. Mr. President, I suppose what the Majority Leader said is true of many of our unexpended balances. I assume, therefore, that, come June or July, this General Assembly will be expected to appropriate somewhere around $6,000,000 in additional funds for these school examinations.

I would also like to comment on two other items relative to the lapses which concern me a little bit.

One of the lapses, which is to be used to provide the funds for this appropriation bill, is from the institutions for the mentally ill and the mentally retarded. As I recall, when we went over the budget figures early in 1959, we did not touch that particular sum of money. I think it was approximately $165,000,000. They are lapsing $1,000,000 and, not too long ago, I believe the Governor indicated that we needed many more trained people in our mental institutions. He was going to try to provide another 2,000 or 2,200 beds for people needing mental care. Yet, today, we apparently find that we can operate with $1,000,000 less than we originally appropriated. I do not believe that a barb should be thrown at us who worked over that budget, indicating that we deprived the people of the mental health appropriation which the Administration requested. I believe we gave them the full amount.

One other item which I have a great deal of difficulty in understanding has to do with the appropriation to the House of Representatives.

On page 55, of the Appropriation Act of 1959, House Bill No. 2326, it sets forth the salaries of the Members of the House of Representatives and extra compensation for the Speaker of the House of Representatives in the amount of $1,278,000. On page 57, of that same bill, the expenses of the Representatives are set out at $1,260,000. The title of the bill indicates that these appropriations are for the two-year period, beginning June 1, 1959. However, when we come to the November Budget Report, on the item of salaries for House Members, they show no expenditures whatsoever.

Mr. WEINER. Excuse me, Mr. President. I do not mean to interrupt, but would the gentleman please tell me what page he is reading from?

Mr. KESSLER. Page 14 of the Budget Report.

The appropriation, as shown on this Budget Report, is $1,278,000. The balance on hand, as of November 30, 1960, is $1,278,000, thereby showing there was no expenditure made against it, whatsoever.

On page 15, about the eighth item down the page, it shows that the expenses for the Representatives of the House, in this Budget Report, are $1,260,000. The actual

expenditures, to date, are $937,500, with a balance remaining of $322,000, which is just about the right amount. We have gone by three-fourths of the biennium and one-fourth remains. They have spent three-fourths of the expense money and still have one-fourth on hand. However, on salaries, they have no charge against that amount and, yet, we see fit to lapse half of that amount; namely, $639,000, which was earmarked for the salaries of the House Members.

It seems to me that somebody is likely to get shortchanged here, when it comes time to get paid. This just puzzles me a little bit. I tried to get the answer to this question this afternoon and somebody told me that the House figured two years ahead. If that is the case, then the title of our appropriation bill is wrong, because that said two years, beginning June 1, 1959. It certainly would not provide for salaries in 1962 or 1963.

Mr. WEINER. I would like to speak about the first item, Mr. President, mentioned by Senator Kessler. I hope he will forgive me if I transgress on statesmanship and probably bring up a political argument.

Some of these lapses about which we are talking are due to savings that actually have been made by the departments.

On the item mentioned by the gentleman concerning public welfare, where $1,000,000 has been lapsed—and the lapse number is 590—this amount of money was requested for the bricks for the institution, itself. The items which we actually are appropriating money for are not stone and steel, but for people who are outside of the institutions and who are being cared for. However, they are not being institutionalized. This saves the Commonwealth money because they are cared for at home or by some other facility. This money, therefore, evidences itself in that area.

I think, rather than to spend it on stone or steel, we should spend it on human beings who are able to take care of themselves, outside of institutions. This out-patient treatment is certainly not new with the Commonwealth of Pennsylvania. I believe it was first introduced by the Meninger Clinic, in Topeka, Kansas, when they began some of their forward and pioneer work in the field of mental health. We belatedly got into that area under Secretary Shapiro and we have been moving ahead with these programs. I think that this has augured well, so far as taking care of people and also keeping them out of institutions.

Concerning the other money mentioned by Senator Kessler, I have found, from material which I have received and from people to whom I have spoken about it, that this runs on a two-year basis. This money for the House of Representatives does not mean that any of the Members will get shortchanged. I think that the House Members are smarter than that. However, this fund is on a two-year basis and will run over and, actually, the money will not come out. I think this is more or less a bookkeeping entry.

After we go over this bill, we can discuss it with Doctor Kurtzman, who is here, unless the gentleman would prefer discussing it in detail on the floor of the Senate.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILL ON SECOND READING

SB 1—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, in order that there be no confusion, there are two bills which appear to deal with the same subject. There is one in the House and one in the Senate. As I just explained a moment ago, the House Members are wise men and really know what they are doing, despite the fact that at times it does not appear that way.

There is another bill which deals with the same subject and the section which, in a sense, seems to be confusing is Section 21 of this bill. The bill, which is over in the House, allows the State Treasurer and the Auditor General to succeed themselves. This bill, which just passed second reading here in the Senate, has the same section in it. It appears to say that these men shall not succeed themselves. Actually, what we are doing in this Section 21 is changing the date when they shall take office. It changes it from the third Tuesday in May to the third Tuesday in January. The other bill will be read in conjunction with this. Therefore, the final matter which will be presented to the people on the ballot will be that the State Treasurer and the Auditor General shall succeed themselves and, also, that they shall take office at an earlier date.

BILLS ON SECOND READING

SB 2 and 3—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS SIGNED

The President (Lieutenant-Governor John Morgan Davis) in the presence of the Senate signed the following bills: HB 1 and 2.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, January 16, 1961, at 3:00 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:42 a.m.

HOUSE OF REPRESENTATIVES

SATURDAY, January 7, 1961

The House met at 12:01 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. If there are no objections, and the Chair hears none, we will dispense with the usual order of business.

The House will be at ease awaiting communications from the Senate.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

HOUSE BILL No. 2.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an appropriation to the Departmet of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes.

HOUSE BILL No. 2.

An Act amending the act of November 12, 1959 (Appropriation Act 38-A) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and for public schools for two years beginning June 1, 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31, 1959" as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred sixty-one, and making certain changes in an apppropriation to the Department of Property and Supplies for certain printing and expenses and making a appropriation to the Department of State for the expenses of Electoral College.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. OGILVIE. Mr. Speaker, I move that this House do now adjourn until Monday, January 16, 1961 at 3:30 p. m. EST.

The motion was agreed to, and (at 12:45 a.m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, JANUARY 16, 1961. No. 6.

SENATE

MONDAY, JANUARY 16, 1961.

The Senate met at 3:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, DOCTOR JOHN D. TATE, Pastor of Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

Gracious Heavenly Father, we thank Thee for all of Thy marvelous works and for the privileges Thou hast extended unto us. For freedom and justice, for vision and wisdom, we give Thee thanks.

Watch over these, Thy servants, whom Thou hast ordained to rule over us. Grant them guidance and understanding as they exercise the rights of government.

During this week, as we prepare on a National level to induct new leadership, create in the minds of those who shall rule over us a keen purpose to seek that which will honor both our Nation and our God. Save us from presumptuous selfishness and cocksure foolishness. Grant that this Body may, with a sensitivity to the rights of all men, work out the affairs of State with honor.

Through Jesus Christ, our Lord, we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SILVERT, further reading was dispensed with, and the Journal was approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Monday, January 16, 1961, at 5:00 p. m.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and laid on the table:

JUSTICE OF THE PEACE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William E. Baker, Box 142-D, R. D. 1, Honey Brook, Chester County, for appointment as Justice of the Peace in and for the Township of Wallace, Chester County, to serve until the first Monday of January 1962, vice Allan W. Keusch, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roland F. F. Roehner (Democrat), 2757 Clear Springs Boulevard, York, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. C. M. Ankerbrand, York, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda Werner (Democrat), 110 West Eighth Street, Watsontown, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Grace Best, Milton, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Hammer Preston (Democrat), 920 High Street, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Helen McGowan, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Roberta Levitz (Democrat), 1628 Robin Road, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Wayne L. Sholly, Lebanon, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lee Andring (Democrat), Marienville, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Pearly Kifer, Marienville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE CAMERON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Moran (Democrat), R. D. 2, West Creek, Emporium, Cameron County, for appointment as a member of the Cameron County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Ellen Shafer, Sinnemahoning, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Nancy H. Lee (Democrat), 7449 Hermitage Street, Pittsburgh 8, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Jessie M. Vann, Oakmont, whose term expired.

DAVID L. LAWRANCE.

MEMBER OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Mable E. Moran (Democrat), Dushore, Sullivan County, for appointment as a member of the Sullivan County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Stephen Chervak, Mildred, whose term expired.

DAVID L. LAWRANCE.

MEMBER OF THE STATE FARM PRODUCTS SHOW COMMISSION

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry A. Peters, Scotland, Franklin County, for appointment as a member of the State Farm Products Show Commission, for the term of four years, and until his successor is qualified, vice Fred H. Cook, Sr., Beaver, deceased.

DAVID L. LAWRANCE.

MEMBERS OF THE STATE ATHLETIC COMMISSION

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the State Athletic Commission for the term of two years, and until their successors shall have been appointed and qualified:

James H. Crowley, 1902 Green Ridge Street, Dunmore, Lackawanna County.

Alfred M. Klein, 410 Shoemaker Road, Elkins Park, Montgomery County.

Paul G. Sullivan, 4748 Wallingford Street, Pittsburgh, Allegheny County.

DAVID L. LAWRANCE.

MEMBERS OF THE STATE CIVIL SERVICE COMMISSION

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the State Civil Service Commission:

John A. M. McCarthy (Democrat), 6344 Woodbine Avenue, Philadelphia 31, Philadelphia County, until April 9, 1962, and until his successor is appointed and qualified.

Dr. Elmer D. Graper (Democrat), 215 Elm Street, Edge-

wood, Allegheny County, until April 9, 1966, and until his successor is appointed and qualified.

Miss Susan H. Baker (Republican), 445 North Duke Street, Lancaster, Lancaster County, until April 9, 1964, and until her successor is appointed and qualified.

DAVID L. LAWRANCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Danville State Hospital:

Andrew P. Maloney, 533 North Main Street, Pittston, Luzerne County, until the third Tuesday of January 1063, and until his successor is appointed and qualified.

Clark E. Blecher, 1 Maple Street, Danville, Montour County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

David J. Litchard, Anthony Townsend, Montour County. P. O., R. D. 1, Turbotville, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Robert Moore, 110 West Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Benjamin Schneider, 123 East Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF FUNERAL DIRECTORS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominte for the advice and consent of the Senate Norman P. Casher, 233 Keystone Avenue, Cresson, Cambria County, for reappointment as a member of the State Board of Funeral Directors, until August 31, 1964, or until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE INDUSTRIAL BOARD

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Sabel, 108 Spring Grove Road, Pittsburgh, Allegheny County, for appointment as a member of the Industrial Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice John B. Backhus, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick H. Fierro, Esq., 810 Rural Avenue, Williamsport, Lycoming County, for appointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Clarence B. Sholder, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy D. Wengert, 207 South Twenty-fourth Street, Camp Hill, Cumberland County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD FOR THE EXAMINATION OF PUBLIC ACCOUNTANTS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Vincent E. Williams, Esq., 116 North Main Street, Greensburg, Westmoreland County, for reappointment as a member of the State Board for the Examination of Public Accountants, for the term of four years, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William Lippman, 419 West Third Street, Mount Carmel, Northumberland County, vice Edward B. Freck, Island Park, whose term expired.

William Zurick, R.D.1, Trevorton Road, Shamokin, Northumberland County. (Reappointment)

Robert J. Webb, 24 Helen Street, Shamokin Dam, Snyder County, vice Ira Swope, Hummels Wharf, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Bevec, 173 Alexander Avenue, Strabane, Washington County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE VETERANS' COMMISSION

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. Freeland, 201 Market Street, Halifax, Dauphin County, for reappointment as a member of the State Veterans' Commission, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

1959-1961 BIENNIAL REPORT OF THE JOINT STATE GOVERNMENT COMMISSION

Mr. WEINER submitted the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

GENERAL ASSEMBLY OF THE
COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
P. O. BOX 61
ROOM 450—CAPITOL BUILDING
HARRISBURG

January 16, 1961

To the Honorable, the Senate of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the Biennial Report of the Joint State Government Commission, 1959-1961.

Copies of this report for members of the Senate have been delivered to Paul C. Moomaw, Secretary of the Senate.

Respectfully submitted,
/s/ BAKER ROYER.
Chairman

The PRESIDENT. This report will be noted in the Legislative Journal and printed in the Appendix. A copy of this report has been placed on the desk of each Senator.

BILLS INTRODUCED AND REFERRED

Messrs. KESSLER and HALUSKA presented to the Chair **SB 6**, entitled:

An Act providing for a referendum to determine the will of the electorate of any city, borough, town or township with respect to the fluoridation of their water supply and prescribing the effect of such election.

Which was committed to the Select Committee on Legislation.

Messrs. KESSLER and PROPERT presented to the Chair **SB 7**, entitled:

An Act amending the act of May 5, 1933 (P. L. 289), entitled "Nonprofit Corporation Law," changing time, prior to application for charter, for filing articles of incorporation and certificate relating to registration of corporate name and for advertisement.

Which was committed to the Select Committee on Legislation.

Messrs. KESSLER, BELL and McCREESH presented to the Chair **SB 8**, entitled:

An Act selecting, designating and adopting the Great Dane as the official dog of the Commonwealth of Pennsylvania.

Which was committed to the Select Committee on Legislation.

Messrs. KESSLER, PROPERT and WADE presented to the Chair **SB 9**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," requiring automobiles assigned to the Pennsylvania State Police to be marked in a certain manner.

Which was committed to the Select Committee on Legislation.

Messrs. WADE and CONFAIR presented to the Chair **SB 10**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," increasing the amount of property damages involved in accidents for which reports must be filed.

Which was committed to the Select Committee on Legislation.

Messrs. WADE, PROPERT, KESSLER and SCOTT presented to the Chair **SB 11**, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," limiting the power of the Authority, requiring prior approval of projects by the General Assembly and providing for the reduction of the Authority's borrowing capacity.

Which was committed to the Select Committee on Legislation.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, in the past, Members of the Legislature, in both the Senate and House, have been asked to vote rather blindly for gasoline and other motor users' taxes, not knowing definitely how the funds were to be used. Under the contitutional amendment of 1945, these funds—

The PRESIDENT. Would the gentleman from Cumberland please speak just a little closer to the microphone? The Chair is having difficulty hearing him.

Mr. WADE. Under the constitutional amendment of 1945, these funds are isolated and placed in a separate fund,—namely, the Motor License Fund—and used for highway purposes only. However, how much would be used for maintenance, for new construction, for Federal matching, for engineering or for for personnel? In fact, how much would be used for construction in rural areas or urban areas? These, indeed, are mute questions.

Any administration in power can channel the available funds into urban areas or vice versa. Both areas would hold out empty and urgent hands for much needed maintenance and new construction funds.

The enactment of this bill, which I am presenting on behalf of Senator Berger and myself, should bring closer contact and cooperation between the Department of Highways and our Legislature. It should bring a more forward look and better future planning. Just a few years ago, we had three different Secretaries appointed to the Department of Highways in five years. How can we look ahead

and plan ahead by changing our top management so frequently? The Highway Planning and Financial Commission, which this bill would create, should go a long way toward easing us over these major changes.

In the 1959 Session, a very revolutionary piece of legislation, House Bill No. 500, was introduced. The enactment of that bill, prepared by one of our universities, would have turned over to the Department of Highways many of our few remaining legislative prerogatives. In addition, as I see it, it would have opened the door for misdeeds which reputedly have been committed in other States. For these and other reasons, the Legislature did not and should not surrender their powers, as was outlined in this suggested measure. For that reason, they did not pass it.

I repeat, Mr. President, what is needed is closer contact, cooperation and liaison between the Legislature and the Department of Highways. The enactment of this measure, which I now read in place and present to the Chair, I believe would bring about that result.

BILLS INTRODUCED AND REFERRED

Messrs. WADE and BERGER presented to the Chair **SB 12,** entitled:

An Act creating a joint legislative commission to be known as the State Highway Planning and Financial Commission; providing for the appointment of its members; defining its powers and duties and making an appropriation.

Which was committed to the Select Committee on Legislation.

Mr. MULLIN presented to the Chair **SB 13,** entitled:

An Act amending the act of May 7, 1937 (P. L. 589), entitled, as amended, "An act providing the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the first class as State highways, and for the improvement, construction, reconstruction, resurfacing, and maintenance by the Commonwealth of said streets;.....," adding a new route.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 14,** entitled:

An Act providing that husbands who have been deserted by their wives may, upon approval of the court, freely dispose of their property, and that joinder of their wives shall not be required.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 15,** entitled:

An Act amending the act of July 12, 1913 (P. L. 711), entitled "An act establishing a court for the county of Philadelphia;..... ,"increasing the number of judges of the Municipal Court of Philadelphia.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 16,** entitled:

An Act increasing the number of courts of common pleas in the County of Philadelphia; establishing therein two distinct and separate courts of common pleas designated courts of common pleas number eight and number nine; and providing for the appointment and election of judges for the courts.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 17,** entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, the President Judge and judges of the Superior Court, the judges of the courts of common pleas, the judges of the orphans' courts, the judges of the Municipal Court of Philadelphia and the judges of the County Court and Juvenile Court of Allegheny County, certain associate judges not learned in the law, certain state officers, and the salary and expenses of the members of the General Assembly, and repealing certain inconsistent acts." increasing the salary of the President Judge and the judges of the Municipal Court of Philadelphia.

Which was committed to the Select Committee on Legislation.

Messrs. MULLIN and SEYLER presented to the Chair **SB 18,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code." prescribing life imprisonment in lieu of death as the penalty for certain crimes.

Which was committed to the Select Committee on Legislation.

Messrs. FLEMING and SHAFER presented to the Chair **SB 19,** entitled:

An Act amending the act of December 27, 1951 (P. L. 1742). entitled, as amended, "The Realty Transfer Tax Act." redefining documents to exclude certain conveyance by joint tenants.

Which was committed to the Select Committee on Legislation.

Mr. KELLER presented to the Chair **SB 20,** entitled:

An Act establishing a separate orphans' court in and for the County of Bucks.

Which was committed to the Select Committee on Legislation.

Mr. McCREESH presented to the Chair **SB 21,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing licensed establishments to sell until one o'clock antemeridian on Sundays.

Which was committed to the Select Committee on Legislation.

Messrs. WARE, PROPERT, BELL and KELLER pre sented to the Chair **SB 22,** entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the leving, assessment and collection of, certain additional taxes for general revenue purposes;....., " prohibiting the imposition of wage, income, or occupation taxes on nonresidents and abolishing such taxes heretofore imposed.

Which was committed to the Select Committee on Legislation.

Mr. STIEFEL presented to the Chair **SB 23,** entitled:

An Act providing for the calling of a convention to propose a revision or amendment of the Constitution of Pennsylvania with certain limitations, the nomination and election of delegates thereto and the submission of the work of the convention to the votes for approval or rejection at a special election to be held for this sole porpose.

Which was committed to the Select Committee on Legislation.

Mesrs. KROMER and KELLER presented to the Chair **SB 24,** entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt persons over the age of sixty-five years who are receiving pension, or retirement payments or social security payments, or who are unemployed, from the payment of personal taxes.

Which was committed to the Select Committee on Legislation.

Messrs. McGINNIS and BERGER presented to the Chair **SB 25,** entitled:

An Act amending the act of June 1, 1933 (P. L. 1172) entitled "Borough Rural State Highway Law," adding a new route in Potter County.

Which was committed to the Select Committee on Legislation.

Messrs. PECHAN and WOLFE presented to the Chair **SB 26,** entitled:

An Act authorizing the recovery of damages from parents of children destroying property.

Which was committed to the Select Committee on Legislation.

Messrs. PECHAN and FLEMING presented to the Chair **SB 27,** entitled:

A Joint Resolution proposing an amendment to article five section eleven of the Constitution of the Commonwealth of Pennsylvania changing the justice of the peace and alderman system.

Which was committed to the Select Committee on Legislation.

Messrs. SCOTT, VAN SANT, MULLIN and SARRAF presented to the Chair **SB 28,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the number of electors required on petition for referendum.

Which was committed to the Select Committee on Legislation.

Messrs. BERGER, CONFAIR, STEVENSON and SEYLER presented to the Chair **SB 29,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing room rentals at State Teachers' Colleges, and providing for the disposition of the increased rentals.

Which was committed to the Select Committee on Legislation.

Messrs. BERGER and LANE presented to the Chair **SB 30,** entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law," further regulating collection of taxes and imposition of penalties.

Which was committed to the Select Committee on Legislation.

Messrs. WEINER and DEVLIN presented to the Chair **SB 31,** entitled:

An Act authorizing the licensing of public weighmasters; defining their powers and duties; providing for the collection and disposition of license fees and imposing penalties for violations.

Which was committed to the Select Committee on Legislation.

Mr. HALUSKA presented to the Chair **SB 32,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code," providing for the establishment of "Low Gear Zones", requiring certain vehicles to travel in low gear in such zones, providing for penalties and suspensions for violations and providing for the disposition of fines.

Which was committed to the Select Committee on Legislation.

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Mr. HAYS offered the following resolution, which was read,considered and adopted:

In the Senate, January 16, 1961.

RESOLVED (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session Monday, January 16, 1961, at five o'clock, in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in the following resolution from the Senate, entitled:

Joint Session.

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. SILVERT offered the following resolution, which was read, considered and adopted:

In the Senate, January 16, 1961.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in the following resolution from the Senate, entitled:

Committee to Escort the Governor to the Hall of the House.

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT, LANE and HALUSKA presented to the Chair **SB 33,** entitled:

A Joint Resolution proposing an amendment to article fourteen of the Constitution of the Commonwealth of Pennsylvania, repealing section three thereof which prescribes residence requirements for appointive county office.

Which was committed to the Select Committee on Legislation.

Messrs. SILVERT, LANE, HALUSKA and McCREESH presented to the Chair **SB 34,** entitled:

A Joint Resolution proposing an amendment to article four, of the Constitution of the Commonwealth of Pennsylvania, repealing section eighteen thereof which prescribes certain duties of the Secretary of the Commonwealth.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 35,** entitled:

A Joint Resolution proposing an amendment to article sixteen of the Constitution of the Commonwealth of Pennsylvania, repealing section seven thereof which regulates the issuance of stock and the increase of indebtedness and stock by corporations.

Which was committed to the Select Committee on Legislation.

Messrs. SILVERT, LANE and HALUSKA presented to the Chair **SB 36,** entitled:

A Joint Resolution proposing an amendment to article three, of the Constitution of the Commonwealth of Pennsylvania, by repealing section twenty-four thereof which provides that all obligations and liabilities of railroads and corporations held by the Commonwealth be released by payment only.

Which was committed to the Select Committee on Legislation.

Messrs. SILVERT, LANE, McCREESH and HALUSKA presented to the Chair **SB 37,** entitled:

A Joint Resolution proposing an amendment to article sixteen of the Constitution of the Commonwealth of Pennsylvania, repealing section six thereof which regulates the holding of real estate by corporations and prohibits them from engaging in any business not expressly authorized.

Which was committed to the Select Committee on Legislation.

Messrs. SILVERT, LANE and HALUSKA presented to the Chair **SB 38,** entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section two thereof, which requires railroad and canal corporations to maintain offices in the Commonwealth where stock transfers can be made and its books inspected.

Which was committed to the Select Committee on Legislation.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committe from the House.

The PRESIDENT. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable Joshua Eilberg.

The PRESIDENT. The Chair is pleased to recognize the Chairman of the Committee from the House.

Mr. EILBERG. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in Joint Session and to escort the Senate to the Hall of the House.

The PRESIDENT. The Chair thanks the Committee from the House.

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. Pursuant to the resolution previously adopted, the Chair wishes to announce the appointment of the following Committee of the Senate to escort His Excellency, the Governor, to the Hall of the House: the gentleman from Centre, Mr. Hays, Chairman; the gentleman from York, Mr. Seyler; and the gentleman from Chester, Mr. Ware.

The committee will leave immediately to discharge its duties.

RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms, and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT, HALUSKA and LANE presented to the Chair **SB 39,** entitled:

A Joint Resolution proposing an amendment to article twelve, of the Constitution of the Commonwealth of Pennsylvania, repealing section three thereof which disqualifies persons from public office for dueling.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 40,** entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Penn-

sylvania, repealing section seventeen thereof, which authorized the borrowing of money to defray State Government expenses for the biennium beginning June 1, 1933.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 41**, entitled:

A Joint Resolution proposing an amendment to article seventeen, of the Constitution of the Commonwealth of Pennsylvania, repealing section one thereof which provides that railroads and canals on public highways and the companies shall be common carriers.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 42**, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania, repealing section seventeen thereof which requires a two-thirds vote to make appropriations to certain charitable and educational institutions.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 43**, entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section eight thereof which limits the granting of passes by railroad, railway and transportation companies.

Which was committed to the Select Committee on Legislation.

They also presented to the Chair **SB 44**, entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section six thereof which prohibits personnel of railroad and canal companies to have interest in certain contracts.

Which was committed to the Select Committee on Legislation.

Messrs. WADE, BERGER, CAMIEL and McGINNIS presented to the Chair **SB 45**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the number of copies of the State Manual to which members and officers of the General Assembly shall be entitled.

Which was committed to the Select Committee on Legislation.

Mr. MULLIN presented to the Chair **SB 46**, entitled:

A Joint Resolution proposing an amendment to article sixteen of the Constitution of the Commonwealth of Pennsylvania, repealing section five which requires foreign corporations to have a place of business and an authorized agent in the Senate.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 47**, entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section five thereof, which limits the power of common carriers to engage in certain businesses.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 48**, entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section ten thereof which provides certain disabilities of transportation companies which do not accept the provisions of article seventeen.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 49**, entitled:

A Joint Resolution proposing an amendment to article seventeen of the Constitution of the Commonwealth of Pennsylvania, repealing section four thereof, which imposes restrictions on consolidation of certain railroad and canal companies.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 50**, entitled:

A Joint Resolution proposing an amendment to article seventeen, of the Constitution of the Commonwealth of Pennsylvania, repealing section eleven thereof which confers powers on the Secretary of Internal Affairs in regard to transportation companies.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 51**, entitled:

A Joint Resolution proposing an amendment to article nine, of the Constitution of the Commonwealth of Pennsylvania, repealing section sixteen thereof, which authorized the borowing of money to pay compensation to war veterans.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 52**, entitled:

A Joint Resolution proposing an amendment to article nine, of the Constitution of the Commonwealth of Pennsylvania. repealing section sixteen thereof, which authorized the borrowing of funds for the acquisition of toll bridges.

Which was committed to the Select Committee on Legislation.

Messrs. WEINER, SEYLER, SCOTT, EHRGOOD, DONOLOW, MURRAY, STIEFEL, SILVERT, MULLIN, SESLER, LANE, HALUSKA, CAMIEL, FLACK, ROONEY and MILLER presented to the Chair **SB 53**, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled "Pennsylvania Fair Employment Practice Act," prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of public accommodation, resort or amusement because of race, color, religious creed, ancestry or national origin; changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission; and qualifying the scope of the act.

Which was committed to the Select Committee on Legislation.

RECEIPT OF BUDGET MESSAGE TO THE GENERAL ASSEMBLY OF PENNSYLVANIA BY DAVID L. LAWRENCE, GOVERNOR, TOGETHER WITH 1961-1962 GENERAL FUND AND SPECIAL FUNDS BUDGETS

The PRESIDENT. The Chair wishes to state that the Budget Message to the General Assembly by the Governor, together with the 1961-1962 General Fund and Special Funds Budgets, for the fiscal period June 1, 1961 to June 30, 1962, have been received and will be noted in the Legislative Journal.

PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, in the State of Georgia today there is an integration controversy at the University of Georgia. I had the privilege of receiving my degree from that school. I was graduated from the University of Georgia in 1950. I firmly believe that the integration problem existing there at the present time is being created by the Ku Klux Klan, which is very active in the State of Florida and the State of Georgia.

We, in Pennsylvania, last year in this great Senate Body, also failed to pass a bill that would have given fair housing to the Negro families of Pennsylvania. We, too, were guilty of segregation.

Therefore, at this time, Mr. President, I would like to read in place, present to the Chair, and ask for the immediate adoption of a resolution that I am going to ask be forwarded to the President of that great University.

SENATE RESOLUTIONS

URGING THE UNIVERSITY OF GEORGIA TO COMPLY WITH THE UNITED STATES DISTRICT COURT'S DECISION

Mr. ROONEY offered the following resolution (**Serial No. 5**), which read as follows:

In the Senate, January 16, 1961.

The University of Georgia, Athens, Georgia, has recently been the subject of news and editorials occasioned by the admission of Hamilton Holmes and Charlayne Hunter, two students of the Negro race.

By a decision and order of Judge W. A. Booth, speaking for the United States District Court, the University of Georgia was ordered to accept these students and to provide them with an education.

The citizens of Pennsylvania have long admired the University of Georgia, and many of them are proud to refer to it as their "Alma Mater."

We, in Pennsylvania, know that the University will abide by the law of the land which dictates that our Country is founded on the principles of freedom and equality for all regardless of race, color or creed and further that the order and decree of the court will be complied with; therefore be it

Resolved, That the Chancellor of the University of Georgia is hereby urged by the Senate of the Commonwealth of Pennsylvania to open the doors of the University again to Hamilton Holmes and Charlayne Hunter and comply with the United States District Court's decision; and be it further

Resolved, That a copy of this resolution be transmitted to O. C. Aderhold, President of the University of Georgia, Athens, Georgia.

Mr. BERGER. Mr. President, I suggest that this resolution be referred to the appropriate committee.

The PRESIDENT. The resolution is referred to the Select Committee on Legislation.

CONGRATULATIONS OF THE SENATE EXTENDED TO THE DELAWARE VALLEY COLLEGE OF SCIENCE AND AGRICULTURE

Messrs. KELLER and STIEFEL offered the following resolution (**Serial No. 6**), which was read, considered and adopted:

In the Senate, January 16, 1961.

In 1896 Joseph Krauskopf, D. D. purchased a farm of one hundred acres, arranged for the construction of a small class room building, established a faculty of two, enrolled a student body of six and so founded the National Farm School at Doylestown, Bucks County.

It is a wonderful tribute to the founder and to those who have followed him that his philosophy, which was the development of character, tolerance, and the ability to think, the acceptance of students and faculty members without regard to race or creed, the teaching of both theory and techniques and the turning away of no qualified student due to his economic position, has been followed and broadened for sixty-four years.

As the science of agriculture became more complex and as educational processes become more complicated the school met these challenges and in 1946 was accredited by the Commonwealth of Pennsylvania as the National Agricultural College, authorized to grant Bachelor of Science Degrees in the various fields of agriculture.

By 1960 the original buildings had grown to over sixty buildings, the one hundred acres to a thousand acres, the student body to over four hundred, the faculty to forty-eight members and the college had enlarged its field to include degree granting majors in biology and chemistry.

Reflecting the broadening program of studies, the name of the college has now been changed to Delaware Valley College of Science and Agriculture. The college has kept abreast of the time, has made significant contributions not only to agriculture, but to the sciences and is now engaged in a devolopment program which will result in far greater facilities for service to its students and the entire community; therefore be it

RESOLVED, That the Senate of Pennsylvania extends its commendations and congratulates the Delaware Valley College of Science and Agriculture, their members of its Board of Trustees, and to James Work, its President, a man of vision and dynamic enterprise.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. DONOLOW, offered the following resolution, which was read, considered and adopted:

In the Senate, January 16, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 23, 1961, at THREE o'clock p. m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, January 23, 1961, at THREE-THIRTY o'clock p. m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in the following resolution from the Senate, entitled:

Weekly Adjournment.

HOUSE CONCURRENT RESOLUTION, SERIAL No. 9

He also presented an extract from the Journal of the House, which was read as follows:

EXTENDING AN INVITATION TO THE NATIONAL LEGISLATIVE CONFERENCE TO HOLD ITS FOURTEENTH ANNUAL MEETING IN PHILADELPHIA, PENNSYLVANIA

In the House of Representatives, January 16, 1961.

WHEREAS, the National Legislative Conference has functioned effectively for more than a decade; and

WHEREAS, the membership is comprised of legislators of the States and Territories of the United States and the Commonwealth of Puerto Rico, the legislative officials and staff members of legislative services agencies; and

WHEREAS, the purpose of the Conference is to cooperate for more effective service to the legislatures and to aid in improving legislative processes and procedures; and

WHEREAS, the annual meetings have afforded an invaluable and unequalled opportunity for members and staffs of American legislatures to become more intimately acquainted with legislative organization, procedures, and services of the several States; and

WHEREAS, these meetings have materially increased the effectiveness of the legislative process over the years; and

WHEREAS, the significance of the National Legislative Conference has grown over the years to the extent that some 49 States and Territories participated in the 1960 Conference, and

WHEREAS, the States of Illinois, Washington, D. C., Wisconsin, New Mexico, Louisiana, California, Florida, Washington, Oklahoma, Massachusetts, and Colorado have served as host States for the annual meetings of the Conference; and

WHEREAS, the Fourteenth Annual Legislative Conference is to be held on September 6, 7, and 8, 1961; Now Therefore Be It

RESOLVED (the Senate concurring). That an invitation be extended to the National Legislative Conference to hold its Fourteenth Annual Meeting in Philadelphia, the cradle of American liberty and the birthplace of our American representative government; and Be It Further

RESOLVED, That the President pro tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House to comprise the Pennsylvania Host Committee to cooperate with the Secretariat in making the necessary arrangements to assure that the 1961 meeting in Pennsylvania will be profitable and memorable for the participants.

Mr. WEINER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION, SERIAL NO. 9

Mr. WEINER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered. That the Clerk inform the House of Representatives accordingly.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Select Committee on Legislation, to be held in the office of the President pro tempore.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

At this time, the Chair invites the gentleman from Washington, Senator Lane, to the rostrum to preside.

The PRESIDING OFFICER (William J. Lane) in the Chair.

REPORTS FROM COMMITTEE

Mr. WEINER, by unanimous consent, from the Select Committee on Legislation, reported, as committed, **SB 39, 40, 41, 43** and **53.**

INTERROGATION

Mr. FLEMING. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. FLEMING. Mr. President, when we were in control of the Senate, we had a rule—I am not sure if it was a written rule, but an unofficial rule—by which we attempted to adjourn the Senate each day at 6:00 p.m.

I would like to now inquire of the Majority Leader if it is his intention to continue that policy in as far as possible?

Mr. WEINER. Mr. President, I have not taken this matter up with our Caucus, but I am sure their feeling would be the same as mine. I intend to follow that as far as it is possible, because the good health of the Members of the Senate is important to all of us.

We ran a little bit late today because of the Governor's speech and going back and forth. We are trying to finish up our business today so that we do not have to come back this evening.

Mr. FLEMING. Mr. President, I thank the gentleman.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

SB 1—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Lane,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 2—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	**Hays,**	Murray,	Stevenson,
Berger,	Kalman,	Pechan,	Stiefel,
Camiel,	Keller,	Propert,	Stroup,
Chapman,	Kessler,	Ripp,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Wolfe,
Fleming,	McMenamin,	Silvert,	Yatron,
Haluska,	Miller,	Staisey,	Lane,
Hawbaker,	Mullin,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 3—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 39, 40, 41, 43** and **53.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, January 17, 1961, at 11:00 a.m.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:37 p.m.

HOUSE OF REPRESENTATIVES

Monday, January 16, 1961

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father, Thou in whom we live and move and have our being, we come to Thee in this hour realizing Thy hand in creation and in all of the creative things of life. We recognize that Thou dost also have a plan and purpose for the life of each one of us. So, we humbly pray that Thou wilt not only bless this assembly with Thy presence, but we pray that Thou wilt give to them Thy guidance and direction so that they may discover and follow the purpose which Thou hast for each one. Bring to its fullest fruition Thy Will and Thy Way in the life of each of us, we humbly pray in the name and for the sake of Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, January 3; Wednesday, January 4; Thursday, January 5, and Saturday, January 7, 1961? If not, and without objection, the Journals are approved.

RESOLUTION—KENTUCKY

CONCURRENT RESOLUTION No. 15

The SPEAKER laid before the House Concurrent Resolution No. 15 from the Commonwealth of Kentucky which was filed with the Clerk.

REPORT OF SAVING FUND SOCIETY OF GERMANTOWN

The Speaker laid before the House the One Hundred and Sixth Annual Report of the Saving Fund Society of Germantown.

(For report, see appendix.)

BILLS INTRODUCED AND REFERRED

By Messrs. ROVANSEK, FARABAUGH and PRICE. HOUSE BILL No. 7.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), limiting the type of warning or emergency lights in certain cases and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. ROVANSEK, FARABAUGH and PRICE. HOUSE BILL No. 8.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

Referred to the Committee on Motor Vehicles.

By Messrs. McCORMACK and WORLEY. HOUSE BILL No. 9.

An Act providing for a referendum to determine the will of the electorate with respect to calling a constitutional convention and requiring action by the General Assembly of 1963 in the event of approval.

Referred to the Committee on Judiciary.

By Messrs. SHERMAN, GELFAND and EILBERG. HOUSE BILL No. 10.

An Act amending the act of July 11, 1917 (P. L. 758) entitled "An act for the protection of the public health by regulating the possession, control, dealing in, and use of certain drugs and keeping records thereof; * * *" clarifying the definition of "drug" to include heroin in any quantity.

Referred to the Committee on Public Health and Sanitation.

By Messrs. SHERMAN, GELFAND, M. H. GOLDSTEIN and GIBB. HOUSE BILL No. 11.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228) exempting school books and school supplies from the tax.

Referred to the Committee on Ways and Means.

By Mr. STECKEL. HOUSE BILL No. 12.

An Act amending the "Korean Conflict Veterans' Compensation Act," approved July 8, 1957 (P. L. 569) defining "veteran" so as to include career servicemen.

Referred to the Committee on Rules.

By Messrs. HAMILTON, STONE and KLEIN. HOUSE BILL No. 13.

An Act amending the act of May 1, 1933 (P. L. 102), entitled "A supplement to the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled 'An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; * * *'" providing that an audit shall be made of the State Workmen's Insurance Fund by the Insurance Department at least once every three years.

Referred to the Committee on Rules.

By Messrs. HAMILTON, STONE and KLEIN. HOUSE BILL No. 14.

An Act amending the act of June 2, 1915 (P. L. 762), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; * * *," extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

Referred to the Committee on Rules.

By Messrs. SHERMAN, GELFAND, M. H. GOLDSTEIN and DONALDSON. HOUSE BILL No. 15.

An Act providing that husbands who have been deserted by their wives may upon approval of the court freely dispose of their property and that joinder of their wives shall not be required.

Referred to the Committee on Judiciary.

By Messrs. FILO and BOIES. HOUSE BILL No. 16.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing school directors to establish junior colleges.

Referred to the Committee on Education.

By Messrs. SHERMAN, GELFAND and GIBB.
HOUSE BILL No. 17.

An Act amending the act of April 27, 1927 (P. L. 414) entitled, as amended "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; * * *" requiring the destruction of photographs and fingerprints in certain cases.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, STONE and KLEIN.
HOUSE BILL No. 18.

An Act amending the act of June 2, 1915 (P. L. 762), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; * * *," extending the period for which insurance may be issued.

Referred to the Committee on Rules.

By Messrs. MURPHY and FLYNN.
HOUSE BILL No. 19.

Law," approved December 5, 1936 (1937 P. L. 2897), providing for additional weeks of unemployment compensation benefits by proclamation of the Governor.

Referred to the Committee on Rules.

By Messrs. SHERMAN and GELFAND.
HOUSE BILL No. 20.

An Act providing for the determination of the date of injury, damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

Referred to the Committee on Judiciary.

By Messrs. SHERMAN and GELFAND.
HOUSE BILL No. 21.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), changing provisions relating to cancellation of registration.

Referred to the Committee on Elections.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 22.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing the age of eighteen years for the issuance of an operator's license or learner's permit.

Referred to the Committee on Motor Vehicles.

By Messrs. MURRAY, GUESMAN, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 23.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making persons over sixteen years of age subject to the penal provisions of the act.

Referred to the Committee on Motor Vehicles.

By Messrs. MURRAY, GUESMAN, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 24.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age.

Referred to the Committee on Motor Vehicles.

By Messrs. PERRY and SCARCELLI.
HOUSE BILL No. 25.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), raising the minimum age for issuance of an operator's license or learner's permit.

Referred to the Committee on Motor Vehicles.

By Messrs. SHERMAN and GELFAND and Mrs. S. A. ANDERSON. HOUSE BILL No. 26.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding self service laundry facilities from taxation.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MURPHY, FLYNN, POLEN and CAPANO.
(Concurrent) RESOLUTION No. 1.

In the House of Representatives, January 5, 1961.

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact a temporary Unemployment Compensation Act which would extend unemployment compensation benefits for an additional period of three months within each unemployed's benefit year for each eligible unemployed who has exhausted, or will exhaust, all benefits to which he is entitled under the act of the Commonwealth of Pennsylvania approved December 5, 1936 (1937 P. L. 2897), known as the "Unemployment Compensation Law" during each such unemployed's current benefit year and which would grant the necessary funds to the State's Unemployment Compensation Funds to carry out said extension; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officer of each house of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. DAVIS and J. H. GOLDSTEIN.
(Concurrent) RESOLUTION No. 2.

In the House of Representatives, January 5, 1961.

State Route 666 parallels Tionesta Creek for most of its course as it winds among the wooded hills and scenic valleys of Warren and Forest Counties. It is a route of exceptional natural beauty and historically significant.

At the lower terminal, the village of East Hickory is the site of the mission established in 1769 by the great Moravian missionary David Zeisberger. This mission was erected there in the Munsee-Delaware Indian settlement of Goschgoschink.

David Zeisberger's influence upon the Munsee-Delaware tribe was profound. By the dramatic conversion to Christianity of the war chief Glickhican, "Gun Sight," who had come to Goschgoschink to get rid of him, Zeisberger paved the way for the establishment of the Moravians farther west in the heart of the Delaware country. This growth of Christian faith undoubtedly contributed to the eventful settlement of the Northwest Territory; therefore be it

Resolved (the Senate concurring), That the Secretary of Highways is hereby urged to name State Route 666, the David Zeisberger Highway, and to place appropriate markers thereon.

Referred to the Committee on Rules.

By Mr. DAVIS. (Concurrent) RESOLUTION No. 3.

In the House of Representatives, January 5, 1961.

State Route No. 899 traverses land once covered by a great virgin forest of towering pines and hemlocks.

This route also lies close to the wilderness trail blazed by Cyrus Blood, the founder of Forest County, who established his original settlement in Marienville, which today marks the western end of Route No. 899.

Moreover, this route effects a saving of fourteen miles for travellers from the east bound for northern destinations over State Route No. 68. It is a strategic short-cut of value to the region; therefore be it

Resolved, In view of its historic background and travel advantage that State Route No. 899 be known as "The Forest Short-Cut"; and be it further

Resolved, That the Secretary of Highways be authorized and requested to have erected suitable markers at the terminal ends and at the several villages on the route, which shall set forth the name "The Forest Short-Cut."

Referred to the Committee on Rules.

By Messrs. MULDOWNEY and FRASCELLA.

RESOLUTION (Not printed).

In the House of Representatives, January 4, 1961.

On December 26, 1960, The Philadelphia Eagles defeated The Green Bay Packers thereby becoming the champion of The National Football League. This victory brings to the State of Pennsylvania and the City of Philadelphia a signal honor. This outstanding achievement was the result of exceptional team effort on the part of every man participating in the victory. Outstanding in this victory were the efforts of:

(1) Buck Shaw, coach of the Eagles since 1958.

(2) Norman Van Brocklin, all pro quarterback of the Eagles, and voted the outstanding player of the game.

(3) Chuck Bednarik, whose home is in Bethlehem, Pennsylvania, all pro and outstanding lineman of the game; therefore be it

Resolved, That all members of this House of Represenatives hereby express their pride in the achievement of this victory and extend heartiest congratulations to Coach Shaw and all members of the team; and be it further

Resolved, That copies of this resolution be sent to President Frank McNomee of The Philadelphia Eagles and Buck Shaw.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 1 AND 2

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, January 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1, Printer's No. 1, entitled "An Act amending the act of November 12 1959 (Appropriation Act 38-A) entitled 'General Appropriation Act of 1959' changing certain amounts appropriated to the Department of Public Instruction and the Department of State and declaring the Legislature's intention to restore said changes."

DAVID L. LAWRENCE.

January 7, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 2, Printer's No. 2, entitled "An Act amending the act of November 12 1959 (Appropriation Act 38-A) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for two years beginning June 1 1959 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31 1959' as amended by providing for deficiencies in appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred sixty-one and making certain changes in an appropriation to the Department of Property and Supplies for certain printing and expenses and making an appropriation to the Department of State for the expenses of Electoral College."

DAVID L. LAWRENCE.

SPECIAL ELECTION

The SPEAKER laid before the House the following writ of special election:

COMMONWEALTH OF PENNSYLVANIA, SS:

To Hon. John S. Rice, Secretary of the Commonwealth, and to Paul E. Reeser, William R. Werley and Peter Yonavick, constituting the Board of Elections of the County of Berks:

GREETING: WHEREAS, A vacancy exists in the office of Representatives of the Commonwealth of Pennsylvania for the First Legislative District of the County of Berks, caused by reason of the death of Charles F. Luigard, the Representative from said District, on the thirtieth day of December, one thousand nine hundred sixty.

NOW, THEREFORE, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Legislative District of the County of Berks on the seventh day of February A. D. one thousand nine hundred sixty-one, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred sixty-two, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 5th day of January A. D. one thousand nine hundred sixty-one.

ATTEST:

s/ JOSEPH OMINSKY — Chief Clerk of the House of Representatives.

s/ HIRAM C. ANDREWS — Speaker of the House of Representatives.

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF DAUPHIN)

Vincent J. Bingham, being duly sworn according to law, says that he resides at 160 North Wycombe Ave., Lansdowne, Delaware County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 5th day of Jan., 1961, at 3:47 o'clock P.M., at his office in the Capitol

Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the first Legislative District of the County of Berks, by command of the Honorable Hiram C. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

s/ VINCENT J. BINGHAM
Sergeant-at-Arms

Sworn and subscribed to before me this 9th day of January, 1961.
(SEAL) s/ DOROTHY M. IONNI

NOTARY PUBLIC
My Commission Expires Feb. 3, 1963
Harrisburg, Pa. Dauphin County

COMMONWEALTH OF PENNSYLVANIA)
) SS:
COUNTY OF DAUPHIN)

Vincent J. Bingham, being duly sworn according to law, says that he resides at 160 North Wycombe Ave., Lansdowne, Delaware County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of the County of Berks, on the 6th day of January, 1961, at 12:10 o'clock, P.M., at its office in Reading, a writ for a special election for the office of Representative in the General Assembly for the first Legislative District of the County of Berks, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

s/ VINCENT J. BINGHAM
Sergeant-at-Arms

Sworn and subscribed to before me this 9th day of January, 1961.
(SEAL) s/ DOROTHY M. IONNI

NOTARY PUBLIC
My Commission Expires Feb. 3, 1963
Harrisburg, Pa. Dauphin County

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 16, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 23, 1961, at three o'clock p.m., E. S. T., and when the House of Representatives adjourns this week, it reconvene on Monday, January 23, 1961, at three-thirty o'clock p.m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordererd, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 16, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Monday, January 16, 1961, at 5:00 p. m.

DAVID L. LAWRENCE.

GOVERNOR INVITED TO ADDRESS JOINT ASSEMBLY

Mr. BONNER. Mr. Speaker, I move that His Excellency the Governor be invited to the Hall of the House of Representatives to address the General Assembly at a time fixed by Concurrent Resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 16, 1961.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in joint session Monday, January 16, 1961, at five o'clock p.m., in the hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEES TO ESCORT GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 16, 1961.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the hall of the House of Representatives to address the members of the General Assembly in joint session, pursuant to a resolution already adopted by the Senate and the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House, the lady from Lackawanna, Mrs. Munley,

the lady from Philadelphia, Mrs. Anderson, the lady from Montgomery, Mrs. Henzel.

The Committee will proceed in the performance of its duty.

OATH OF OFFICE ADMINISTERED

The SPEAKER. The Oath of Office required by Article VII of the Constitution to be taken by Members of the General Assembly will now be administered by the Honorable R. Dixon Herman, a Judge of the Court of Common Pleas of Dauphin County, to Alan D. Williams, Jr., representing the First District, County of Bucks, and William G. Buchanan, representing the County of Indiana.

COMMITTEE APPOINTED TO ESCORT MEMBERS-ELECT

The SPEAKER. The Chair appoints the lady from Berks, Mrs. Kooker, and the gentleman from Armstrong, Mr. Helm, to escort the Members-elect to the bar of the House to take the oath of office.

The oath will now be administered.

The oath of office was then administered to the two Members-elect by the Honorable R. Dixon Herman, of Dauphin County, as follows:

Do you solemnly swear, or affirm, that you will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly any money or other valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law, so help you God?

The SPEAKER. The Chair thanks His Honor, the Judge, and the Committee is discharged with the thanks of the House.

It happens that His Honor, the Judge, who has just administered the oath of office to those two Members, is a former Member of this House. Perhaps he will grace this occasion with a few remarks.

REMARKS BY JUDGE HERMAN

Honorable R. DIXON HERMAN. Thank you very much. It looks a lot different from the time I was here. I told the Honorable Speaker, when I saw him downstairs a moment ago, that I recall when I sat way in the back and he was the Floor Leader down here, and I had to clear a lot of legislation with him, and he was always very kind and courteous to the Representatives from Dauphin County. I am pleased to see him again and to see all of you. Thank you.

RESOLUTION

COMMITTEE TO ESCORT THE SENATE

Mr. RENWICK, offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Monday, January 16, 1961.

Resolved, That the Speaker appoint a committee of two to escort the members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE TO WAIT UPON THE SENATE

The SPEAKER. The Chair appoints as a Committee to wait upon the Senate the gentleman from Philadelphia, Mr. Eilberg, and the gentleman from Allegheny, Mr. Ewing.

REPORT OF JOINT STATE GOVERNMENT COMMISSION

Mr. ROYER presented the following communication and report from the Joint State Government Commission.

The communication was read by the Clerk as follows:

GENERAL ASSEMBLY
OF THE COMMONWEALTH OF PENNSYLVANIA
JOINT STATE GOVERNMENT COMMISSION
P. O. BOX 61
ROOM 450—CAPITOL BUILDING
HARRISBURG

January 16, 1961.

To the Honorable, the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania:

On behalf of the Joint State Government Commission, I have the honor to transmit herewith the Biennial Report of the Joint State Government Commission, 1959-1961.

Copies of this report for members of the House of Representatives have been delivered to Joseph Ominsky, Chief Clerk of the House.

Respectfully submitted,
BAKER ROYER
Chairman

(For report, see appendix).

The SPEAKER. Copies of this report have been placed in the Post Office boxes of the various Members. The Chair is of the opinion that this report is one worthy of the attention of each Member of this House.

RESOLUTION

PROPOSING AMENDMENTS TO HOUSE RULES 22 and 24

Mr. McCANN offered a resolution which was read by the Clerk as follows:

In the House of Representatives, January 16, 1961.

Resolved, That the Rules of the House of Representatives be amended as follows:

RULE 22 STANDING COMMITTEES

(a) Rule 22 is hereby amended in paragraph 4, line 1, by striking out "Thirty-two," and inserting in lieu thereof "Thirty-five."

(b) Amend paragraph 4, item 10, by striking out: "Elections and Apportionment; to consist of 15 members" and inserting in lieu thereof the following: "Elections; to consist of 20 members."

(c) Amend paragraph 4, item 14, by striking out: "Insurance; to consist of 15 members;" and inserting in lieu

thereof the following: "Insurance; to consist of 20 members."

(d) Amend paragraph 4, item 18, by striking out: "Law and Order; to consist of 15 members;" and inserting in lieu thereof the following: "Law and Order; to consist of 20 members."

(e) Amend paragraph 4 by adding the following committees: Congressional Apportionment; to consist of 20 members Legislative Apportionment; to consist of 20 members

Rules; to consist of 10 members (as provided for under Rule 24).

RULE 24 COMMITTEE ON RULES

Rule 24 is hereby amended by striking out paragraph 1, which reads: "The Committee on Rules shall consist of the Speaker and five other members appointed by the Speaker, one of whom shall be the Majority Leader who shall be Chairman;" and inserting in lieu thereof the following: "The Committee on Rules shall consist of the Speaker and nine other members, one of whom shall be the Majority Leader who shall be Chairman; five shall be members of the majority party appointed by the Speaker, and three shall be the Minority Leader, the Minority Whip and the Chairman of the House Minority Policy Committee. "When a House Minority Policy Committee has not been created, the Minority Leader shall name a member to replace the Chairman of the House Minority Policy Committee."

On the question,

Will the House adopt the resolution?

Mr. McCANN. Mr. Speaker, I ask that all the Members of the House vote in the affirmative and support the change in the Rules as mimeographed and given to you on your desks, for this is the way the Committee on Committees, both Minority and Majority, have completed their committee reports.

It does require 106 votes, and I ask that all the Members, if possible, vote in the affirmative.

Mr. AGNEW. Mr. Speaker, we wish to state that we have no objections to this resolution. It has been courteously given to the minority and studied by us and we are in agreement. I ask our Members to vote for it also.

I would suggest that anytime in the future the present majority is once again in the majority, that they give us more than a few hours notice no these committee changes. I had to make a last minute decision on the telephone this morning, taking people off one committee and putting people on two more. Even with care you can get in trouble with committee assignments, and I did not like to do this off-the-cuff over the telephone. May I repeat, if you should be in the majority again, I do recognize that there is a problem in connection with this, but we would appreciate more than a few hours notice.

Mr. McCANN. Mr. Speaker, so that the record will be clear, we gave them more than two days notice. Floor Leaders work seven days a week, not five. Your office was notified Friday, not Monday, as to the changes, and in each case we work every day of the week, including Sunday. Such notice was sent by the Speaker, Mr. Andrews, on Friday of last week and not today.

Mr. AGNEW. Mr. Speaker, just for the record, part of these changes were given to my office last Friday and part of them were given to me over the telephone this morning I am willing to work seven days a week.

On the question recurring,

Will the House adopt the resolution?

One hundred and sixty-nine Members having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

The SPEAKER. The Chair recognizes the Majority Leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, I want to stop right here for a minute. Is it not clearly understood, I want the electronics man to clear us on this, I don't want to waste any time, but am I not at this point supposed to have a total on the board?

The SPEAKER. It shows that total before the board is cleared.

Mr. McCANN. Before the keys are closed every time I want the total on the board for the membership to read. This was explained in Caucuses, that they could look at the board and see the totals.

The SPEAKER. When we close the voting the total is up there, and they clear it. When we press the buttons they are totaled, and when they lock the machine, the total vanishes.

RESOLUTION

REPORT OF COMMITTEE ON COMMITTEES

Messrs. EILBERG, BOIES, BRETH, HAMILTON, KAMYK, TAYLOR, WARGO, ROYER, WILT, ISAACS and ANDREWS offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, January 16, 1961.

Resolved, That in compliance with the provisions of Rule 22 of the House, it is recommended that the members of the House named herein be and are hereby elected members of the Standing Committees of this House of Representatives. The Chairmen and Vice-Chairmen, whose names are included in this report, are appointed by the Speaker of the House.

AGRICULTURE AND DAIRY INDUSTRIES

FARABAUGH, Chairman
PRENDERGAST, Vice Chairman

Cooley	Perry	Fox
Gray	Reibman	Korns
Hamilton	Rubin	Manbeck
Kamyk	Wargo	McCandless
McNally	Yetter	Wescott
Musto	Ashton	Worley

APPROPRIATIONS

POLEN, Chairman
STANK, Vice Chairman

	Mihm	Hocker
	Munley	Johnson, A. W.
Boies	Mullen	Seltzer
Eilberg	Musto	Willaredt
Gelfand	Reidenbach	Wood
Hamilton	Wargo	
McCormack	Bower	

BANKING AND BUILDING AND LOAN ASSOCIATIONS

PARLANTE Chairman
CLARKE, Vice Chairman

Bachman	Muldowney	Bush
Comer	Murray	Dengler
Curwood	O'Donnell	Goldstein, J. H.
Gelfand	Rubin	Gramlich
Lutty	Sherman	Keiser
Mills	Buchanan	Varner

BOROUGHS

FILO, Chairman
MURPHY, Vice Chairman

Cooley	Reibman	Kernaghan
Farabaugh	Sakulsky	Kistler
Jenkins	Sullivan, J. A.	Knecht
Klein	Sullivan, T. F.	Kooker
Lawson	Verona	Simmons
Long, Wm. James	Brenninger	Zimmerman

CITIES—COUNTIES, FIRST CLASS

MULDOWNEY, Chairman
MULLEN, Vice Chairman

Arlene	Limper	Davis
Branca	Parlante	Gross
Comer	Rubin	Holman
Doughten	Shelton	Lee, A. M.
Frascella	Sullivan, J. A.	Pursley
Kelly	Anderson	Williams, A. D.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

LUTTY, Chairman
JENKINS, Vice Chairman

Cauley	Leonard	Gibb
Clarke	McLaughlin	Goldstein, M. H.
Foerster	Needham	Haudenshield
Irvis	Schuster	Kessler
Kamyk	Walsh	King
Lamb	Donaldson	Thompson

CONGRESSIONAL APPORTIONMENT

SHERMAN, Chairman
LAMB, Vice Chairman

Comer	O'Donnell	Henzel
Frascella	Reidenbach	Holliday
Fry	Rovansek	Horst
Gremminger	Rudisill	Johnson, A. W.
Limper	Trusio	Kernaghan
Muldowney	Bower	Weidner

CITIES—THIRD CLASS

WALSH, Chairman
SAKULSKY, Vice Chairman

Boies	Polaski	Magee
Cioffi	Tomascik	Marsh
Gailey	Trusio	Miller, H. G.
Gremminger	Verona	Ogilvie
McDevitt	(vacancy)	Rutherford
McDonald	Down	Slack

COUNTIES

CIOFFI, Chairman
MEHOLCHICK, Vice Chairman

Farabaugh	Prendergast	Gibbons
Filo	Sakulsky	Holliday
Flynn	Scarcelli	McCandless
Hankins	(vacancy)	Pursley
McDonald	Down	Wynd
McNally	Eshleman	

EDUCATION

REIBMAN, Chairman
ANDERSON, Vice Chairman

Capano	Morley	Eshleman
Eilberg	Musto	Fulmer
Fineman	Polen	Goldstein, M. H.
Gailey	Reidenbach	Helm
Hamilton	Sherman	Henzel
Irvis	Dengler	Lee, A. M.

ELECTIONS

EILBERG, Chairman
MURRAY, Vice Chairman

Capano	Pashley	Edwards
Gray	Prendergast	Markley
Klein	Sullivan, J. A.	Varner
McDevitt	Sullivan, T. F.	Wall
Monroe	Walsh	Bowman
Murphy	Dennison	Dengler

FISHERIES

RENWICK, Chairman
SCHAAF, Vice Chairman

Curwood	O'Donnell, J. A.	Gramlich
Foerster	Riley	Merry
Gremminger	Schuster	O'Dell
Jim	Shelton	Stimmel
Kelly	Shupnik	Willard
Long, Wm. James	Edwards	Zimmerman

GAME AND CONSERVATION

CURWOOD, Chairman
JIM, Vice Chairman

Cooley	Meholchick	Ashton
Doughten	Renwick	Auker
Fry	Riley	Goodrich
Guesman	Shupnik	Lee, K. B.
Hartley	Yetter	Merry
Long, Wm. Joseph	Adams	Snare

HIGHWAYS

COMER, Chairman
YETTER, Vice Chairman

Cioffi	Munley	Davis
Curwood	Murray	Eshleman
Filo	Stank	Fulmer
Fry	Stone	Lee, K. B.
Heavey	Walsh	Strausser
McNally	Brenninger	Thompson

INSURANCE

HAMILTON, Chairman
HEAVEY, Vice Chairman

Crossin	Kelly	Horst
Doughten	Kornick	Odorisio
Gremminger	Prendergast	Pursley
Guesman	Sakulsky	Stimmel
Hankins	Shelton	Stiteler
Hartley	Foor	Willaredt

JUDICIARY

RUDISILL, Chairman
McCORMACK, Vice Chairman

Eilberg	Reibman	Heffner
Fineman	Shaaf	Isaacs
Gailey	Sherman	Magee
Gelfand	Stone	Steckel
Irvis	Auker	
Lamb	Bowman	
Murphy	Donaldson	

JUDICIARY—SPECIAL

LEONARD, Chairman
BRANCA, Vice Chairman

Cauley	Riley	Holman
Clarke	Tomascik	Johnson, R. P.
Gray	Welsh	Worley
Kramer	Backenstoe	
Mills	Bower	

LABOR RELATIONS

WARGO, Chairman
McKEEVER, Vice Chairman

Bonner	McLaughlin	George
Branca	Polaski	Gramlich
Flynn	Rovansek	Gross
Hartley	Sullivan, T. F.	Marsh
Lawson	Welsh	McInroy
Leonard	Down	Rutherford

LAW AND ORDER

WELSH, Chairman
GAILEY, Vice Chairman

Hankins	Monroe	Gibb
Hartley	Mullin	Knecht
Jenkins	Munley	Strausser
Kramer	Murray	Ujobai
Long, Wm. Jas.	Scarcelli	Foor
Mills	George	Kessler

LEGISLATIVE APPORTIONMENT

KORNICH, Chairman
GELFAND, Vice Chairman

Arlene	Morley	Blair
Cioffi	Needham	Goldstein, M. H.
Crossin	Parlante	Weidner
Filo	Schaaf	Willaredt
Gallagher	Stone	Williams, A. D.
McKeever	Ashton	Williams, E. S.

LIQUOR CONTROL

REIDENBACH, Chairman
SCARCELLI, Vice Chairman

Boies	Schuster	Bossert
Capitolo	Stank	Elvey
Flynn	Taylor	Eshback
Maxwell	Trusio	Manbeck
Mills	Wargo	McInroy
Rubin	Anderson, J. H.	Steckel

MILITARY AFFAIRS

NEEDHAM, Chairman
ARLENE, Vice Chairman

Anderson, S. A.	McKeever	George
Capitolo	Meholchick	May
Crossin	Mihm	Ogilvie
Kamyk	Scarcelli	Price
Limper	Shupnik	Snare
Long, Wm. Jos.	Adams	Stiteler

MINES AND MINERAL INDUSTRIES

ROVANSEK, Chairman
BONNER, Vice Chairman

Crossin	Needham	Ewing
Kornick	Stank	Knecht
McDonald	Verona	Varner
Meholchick	Buchanan	
Murphy	Dennison	

MOTOR VEHICLES

LIMPER, Chairman
McLAUGHLIN, Vice Chairman

Bachman	Kelly	Dennison
Capitolo	Lawson	Ewing
Cauley	McNally	Gibb
Cianfrani	Renwick	Guthrie
Filo	Taylor	Lippincott
Frascella	Brenninger	O'Dell

MUNICIPAL CORPORATIONS

POLASKI, Chairman
GALLAGHER, Vice Chairman

Capitolo	Klein	Bowman
Cauley	Long, Wm. Jas.	Bush
Cianfrani	McDonald	Fetterolf
Hankins	Riley	Gibbons
Jim	(vacancy)	Isaacs
Jones	Blair	May

PROFESSIONAL LICENSURE

BOIES, Chairman
PASHLEY, Vice Chairman

Clarke	O'Donnell, J. P.	King
Fineman	Parlante	Kooker
Jones	Perry	Piper
Klein	Schaaf	Simmons
Maxwell	Shupnik	Slack
McCormack	Haudenshield	Whittaker

PUBLIC HEALTH AND SANITATION

MAXWELL, Chairman
MONROE, Vice Chairman

Backman	O'Donnell, J. A.	Hensel
Gray	O'Donnell, J. P.	Kistler
Guesman	Sullivan, T. F.	Kooker
Jones	Backenstoe	
Lawson	Fox	

PUBLIC UTILITIES AND CORPORATIONS

MILLS, Chairman
CIANFRANI, Vice Chairman

Gallagher	Muldowney	Guthrie
Hamilton	O'Donnell, J. A.	Heffner
Heavey	Pashley	Magee
Kramer	Taylor	Steckel
Lutty	Tomascik	Thompson
Maxwell	Bossert	Wall

RAILROADS AND RAILWAYS

TAYLOR, Chairman
SCHUSTER, Vice Chairman

Arlene	McDevitt	Miller, H. G.
Boies	Shelton	Wall
Gallagher	(vacancy)	Worley
Guesman	Isaacs	
Long, Wm. Jas.	McInroy	

STATE GOVERNMENT

FINEMAN, Chairman
FOERSTER, Vice Chairman

Anderson, S. A.	Polaski	Price
Kramer	Polen	Royer
Lutty	Reidenbach	Stimmel
McCormack	Renwick	Strausser
Pashley	Rudisill	Williams, E. S.
Perry	Donaldson	Wood

TOWNSHIPS

FLYNN, Chairman
TRUSIO, Vice Chairman

Bachman	Kornick	Goodrich
Cooley	Morley	Horst
Farabaugh	Rudisill	Johnson, R. P.
Fry	Verona	Korns
Jim	Yetter	Odorisio
Jones	Eshback	Wescott

WAYS AND MEANS

KAMYK, Chairman
FRASCELLA, Vice Chairman

Foerster	Musto	Ewing
Heavey	O'Donnell, J. P.	Guthrie
McLaughlin	Perry	Johnson, A. W.
Mihm	Polen	Ogilvie
Morley	Wargo	Price
Munley	Davis	Royer

WELFARE

STONE, Chairman
MUNLEY, Vice Chairman

Anderson, S. A.	Leonard	Elvey
Bonner	Long, Wm. Jos.	Markley
Capano	Monroe	Miller
Doughten	Mullin	Ujobai
Kamyk	Musto	Weidner
Lamb	Auker	Whittaker

WORKMEN'S COMPENSATION

CAPANO, Chairman
IRVIS, Vice Chairman

Bonner	McKeever	Buchanan
Branca	Rovansek	Goldstein, J. H.
Cianfrani	Sullivan, J. A.	Keiser
Jenkins	Tomanscik	Piper
Limper	Welsh	Wescott
McDevitt	Blair	Willard

ANNOUNCEMENT BY THE SPEAKER

Monday, January 16, 1961.

The Speaker announces for the record the following personnel of the Committee on Rules:

Mr. McCann, Chairman, Messrs. Eilberg, Kamyk, Musto, Petrosky, Polen, Agnew, Helm, Tompkins and Andrews.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

Mr. Tompkins for Mr. GIBB for the week because of illness.

The SPEAKER. The Chair recognizes the gentleman from Greene, the Majority Leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, I would like to ask now—there is one error that has been brought to our attention—the Republican Committee on Committees, under Appropriations, there are six members and there should be seven. Was Wilt's name left off in error. Is that an error from the report that was presented by Mr. Eilberg?

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. If the question is directed to me, Mr. Speaker, the omission is an error, yes.

Mr. McCANN. Mr. Speaker, I will ask that everyone under Appropriations enter Wilt, which makes it seven and properly so.

The SPEAKER. At the request of the leadership, the name of Mr. Wilt will be added to the list of Republican Members on the Appropriations Committee.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HELM asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

CONCURRENT RESOLUTION

NATIONAL LEGISLATIVE CONFERENCE

Messrs. HELM, WOOD, BOIES, McCANN and AGNEW offered a resolution which was read by the Clerk as follows:

In the House of Representatives, January 16, 1961.

Whereas, the National Legislative Conference has functioned effectively for more than a decade; and

Whereas, the membership is comprised of legislators of the States and Territories of the United States and the Commonwealth of Puerto Rico, the legislative officials and staff members of legislative service agencies; and

Whereas, the purpose of the Conference is to cooperate for more effective service to the legislatures and to aid in improving legislative processes and procedures; and

Whereas, the annual meetings have afforded an invaluable and unequalled opportunity for members and staffs of American legislatures to become more intimately acquainted with legislative organization, procedures, and services of the several states; and

Whereas, these meetings have materially increased the effectiveness of the legislative process over the years; and

Whereas, the significance of the National Legislative Conference has grown over the years to the extent that some 49 states and Territories participated in the 1960 Conference; and

Whereas, the States of Illinois, Washington, D.C., Wisconsin, New Mexico, Louisiana, California, Florida, Washington, Oklahoma, Massachusetts, and Colorado have served as host states for the annual meetings of the Conference; and

Whereas, the Fourteenth Annual Legislative Conference is to be held on September 6, 7, and 8, 1961; Now Therefore Be It

Resolved (the Senate concurring), That an invitation be extended to the National Legislative Conference to hold its Fourteenth Annual Meeting in Philadlphia, the cradle of American liberty and the birthplace of our American representative government; and Be It Further

Resolved, That the President Pro Tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House to comprise the Pennsylvania Host Committee to cooperate with The Secretariat in making the necessary arrangements to assure that the 1961 meeting in Pennsylvania will be a profitable and memorable one for the participants.

On the question,
Will the House adopt the resolution?

Mr. HELM. Mr. Speaker, perhaps a word of explanation—I might say to the Members of the House that this National Legislative Conference is one that is of great benefit to all the legislative bodies in the fifty United States.

Pennsylvania is fortunate this year in having the opportunity of being the host state, and I believe it is a splendid opportunity for Pennsylvania and the Pennsylvania Legislature to meet and exchange ideas with all the other legislative bodies of the other forty-nine states and the Commonwealth of Puerto Rico. Since we do have the opportunity of acting as the host state, I would like to see this resolution unanimously passed so we can formally offer an invitation to come to Pennsylvania.

On the question recurring,
Will the House adopt the resolution?
It was adopted.

Ordered, That the Clerk present the same to the Senate for its concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 3.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the grant-

ing of electors of President and Vice-President to the District of Columbia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article four section three of the Commonwealth of Pennsylvania making the Governor eligible to succeed himself for one additional term.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 5, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. POLEN asked and obtained unanimous consent to add additional sponsors to three bills to be introduced by him.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, the Republican caucus that was called for immediately after adjournment today will be called tomorrow off the Floor. The reason for the change is that the Governor's Message tonight will hold us past the usual adjournment hour. The Democrats have changed their caucus until tomorrow morning. While we have nothing to do when they are caucusing, we thought we would also caucus. We convene tomorrow, I understand, at 10:00 o'clock, and at approximately 10:30 both parties will adojurn for a caucus. Our caucus will be called off the Floor then tomorrow morning.

The SPEAKER. The Committee appointed to wait upon the Senate concerning the Joint Session will proceed to perform its duties.

The Committee appointed to wait upon the Governor to inform him that the House is ready to receive him, will proceed with its duty.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, tomorrow, Tuesday, January 17, this House will convene at 10:00 a.m.

Both parties will caucus then at approximately 10:30 a.m. Tomorrow all Committees will meet for the purpose of organization. A list will be worked out tonight so each Committee will meet on schedule tomorrow and organize the Committee and report back on the Floor that the said Committee has completed its organization meeting. It is believed that it will take, according to the Parliamentarian, approximately an hour to one hour and a half to organize all the Standing Committees of the House. Tomorrow, when we do this—last Session everyone stated that the big holdup was the elevator going down to the first floor for Committee purposes. I bring to your attention when Committees will meet tomorrow in Room 131, that is the room on the first floor, that elevators can be used that are at the south end of this building, as well as both elevators, House and Senate elevators, to get to the first floor and back. I hope you will do this in an orderly manner as fast as possible, and then tomorrow, House Bills 3, 4, 5 and 6 will be on Third Reading and Final Passage in this House and will be voted on. If we can, starting at 10:00 o'clock and working straight through, there will be no break for lunch and we can get out as soon as possible so that you may travel in daylight going home.

Beginning the following week, when we go into a three day schedule, Monday, January 23; Tuesday, January 24; and Wednesday, January 25, the House will normally convene at 3:30 on Monday. On Tuesday we will go to the agreed time in the afternoon so that Committees may hold their meetings in the morning. On Wednesday, the last day of the Session, at 10:00 o'clock, or weeks in which we will be in Session four days, it would then be Thursday that we would go into Session at 10:00 a.m.

I hope that you can plan accordingly, and tomorrow we must do this for we will then be in a position for all the committees to receive the legislation that has gone across the desk today, plus the legislation that will be assigned by the Speaker tomorrow.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Muldowney, rise?

Mr. MULDOWNEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MULDOWNEY. Mr. Speaker, I would like to submit my resignation as the Chairman of the Committee on Cities and Counties, First Class.

The SPEAKER. The Chair accepts the gentleman's resignation, and will at the proper time, after the Chair has had an opportunity to confer with the leadership, name a successor.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There is a gadget on the Members' desks which they sometimes play with, but which can flash here on the Speaker's desk, showing that they desire recognition. Just a flicker of the thing will not do. A Member who wants recognition should press that recognition button until he is recognized, because if it just

flashes, the Chair will not know whether someone is just playing with the thing or wants recognition. On every Member's desk there is a button which, when flashed, will be reflected with a flash on the desk here at the rostrum so that the Speaker knows who desires recognition. After your press the button keep your finger on the little gadget until you are recognized.

The SPEAKER. The Chair recognizes the Sergeant-at-Arms of the House.

The SERGEANT-AT-ARMS. Mr. Speaker, the Committee on the part of the House escorting the Senate.

The SPEAKER. The Chair recognizes the Chairman of the Committee on the part of the House escorting the Senate.

The CHAIRMAN. Mr. Speaker, your Committee appointed to wait upon the Senate and escort them to the Hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

The Lieutenant-Governor, the Honorable John Morgan Davis, is invited to preside over the Joint Session of the General Assembly. The President Pro Tem of the Senate, the Honorable Anthony DiSilvestro, is invited to be seated on the rostrum. The Members of the Senate will please be seated.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR, JOHN MORGAN DAVIS, Presiding

The LIEUTENANT-GOVERNOR. The General Assembly may be at ease while it awaits the arrival of His Excellency, the Governor of the Commonwealth.

The LIEUTENANT-GOVERNOR. The Chair recognizes the Chairman of the Committee to escort the Governor, the Senator from Centre County, Senator Hays.

SENATOR HAYS. Mr. President, I have the honor to present His Excellency, the Governor of the Commonwealth of Pennsylvania, the Honorable David L. Lawrence.

The LIEUTENANT-GOVERNOR. Thank you, Senator Hays.

Members of the General Assembly, I present His Excellency, the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania.

BUDGET MESSAGE OF GOVERNOR DAVID L. LAWRENCE

GOVERNOR DAVID L. LAWRENCE. Mr. Lieutenant Governor, Mr. Speaker and Members of the General Assembly:

Today, it is my duty to present to you the fiscal documents which, as you may adopt or revise them, will be the basis for our public operations in this State in the coming year. I transmit, herewith, a budget for the General Fund of the Commonwealth, a budget for the Motor License Fund, a budget for the Game Fund, the Fish Fund, the Banking Department Fund, the Milk Control Fund, the State Farm Products Show Fund, the Sinking Fund and for various additional special funds to the number of nine.

We know, of course, that our principal concern will be with the General Fund and the Motor License Fund, in which the great bulk of the State's revenues and expenditures are concentrated.

We have worked hard in the Executive Branch to bring these budget documents to you at a very early date in your session. Time is now an essential factor if the budget process is to have true meaning; the adoption of the Constitutional Amendment instructing us to work on an annual basis gives all of us our marching orders to make prompt decisions as to our taxes and our expenditures.

This budget is our first submission under this new annual, rather than biennial, order.

It has been prepared on the basis of still another departure from precedent; namely, a change in the dating of our fiscal year.

This seems an appropriate time in which to bring the State's fiscal period, now running from June 1 through May 31, into accord with the fiscal year observed by the Federal Government and by the great majority of our school districts. We have a continuous interchange of financial information and transactions with the National Government and our school systems. It would be convenient and reasonable to be on an identical basis with them.

This budget, therefore, is presented on the basis of a State fiscal year which will begin on June 1, 1961 and end at midnight on June 30, 1962. It will provide both appropriations and expenditures on a thirteen-month basis. Succeeding fiscal periods will be on the standard twelve-month reckoning, running from July 1 to June 30.

The first step in the examination of our General Fund budget proposals must be a scrutiny of our experience in the current biennium and a forecast as to how our affairs will appear when this fiscal period terminates. That experience—and that forecast—are not as comforting as we would like them to be.

It had been our hope when the budget for the 1959-1961 biennium was proposed that it would provide for the total elimination of the large deficit which had accumulated in the State's operations, growing from year to year and from Administration to Administration until it reached $141,947,990 at the close of the last biennium.

We would have realized our hope for such a fiscal balance if our national economy had maintained a level of relatively full employment and normal corporate profits.

But, as you must know, our State finances are quickly affected by any decline in the national economy. Our revenues for the 1959-1961 biennium will be about $53,000,000 less than we had estimated, despite the fact that those estimates were judged conservative in relation to the business level at the time they were adopted by this Administration.

This can be wholly attributed to a decline in revenues from the two principal corporate taxes—the tax on corporate net income which is off $39,500,000 and the capital stock tax which is yielding $13,900,000 less than estimates.

Other revenue sources for the State will produce—as a group—income that is slightly in excess of the projected figures. The sales tax will return biennial receipts of $731,708,832—which is about $17,600,000 less than estimates. This deficiency, which is not great in ratio to the volume of revenue produced by the sales tax, is compensated by higher yields in the inheritance tax, cigarette tax, institutional reimbursements and escheats. The increases in institutional reimbursements and escheats are

the result of a special—and apparently successful—effort to improve our collections of monies due the State.

The effect of a recession economy, however, is not limited to declining revenue. As unemployment spreads and periods of joblessness are lengthened it also increases the money which the State must pay out in public assistance grants. We have found it necessary, as the Legislature knows from its first action of this session, to make deficiency appropropriations for public assistance which now total $54,800,000 for the biennium. I am sure that the Legislature agrees with me in a determination that no one will go hungry in this State. Your prompt action in voting additional public assistance funds so certifies.

The only other category where expenditures have significantly exceeded original appropriations has been education, where mandated subsidies cost the Commonwealth $16,345,935 more than the Legislature originally saw fit to appropriate, in spite of the Administration's arguments that the higher figure would necessarily be required by the terms of existing legislation.

The deficiency appropriations enacted during the first week of the current session of the General Assembly amounted to $62,220,330. When the $10,000,000 increase for public assistance grants, authorized by the 1960 fiscal session, are added, the total increase in appropriations and authorizations comes to more than $72,000,000.

We have been able, fortunately, to offset, in part, such increased expenditures by tight budgetary control in other phases of our operations. No department of the State government has overspent its own operating appropriations. We expect that the total appropriations to be lapsed from the 1959-1961 biennium will be $39,000,000 which becomes a sizeable credit item in calculating our final deficit. To a large extent, these lapses are testimony to the rigid austerity program which the Administration vigorously enforced.

The final deficit—I find some consolation in reporting—will be substantially reduced from its beginning total, in spite of the effects of business recession and growing unemployment.

It will be approximately $86,000,000 as estimated on our present judgment of revenues and expenditures to the end of the biennium. That is $56,000,000 less than the deficit with which the fiscal period began and consequently, represents a substantial improvement in our position.

We are confronted, however, with necessity of paying off this accumulated deficit in one fiscal year, instead of in the twenty-four months of a biennium, and of doing this over and above all the operating requirements of the General Fund.

I now suggest to the Legislature that it take what we consider appropriate measures to prevent the deficit from actually occurring. This can be substantially accomplished without the imposition of additional taxes. We recommend, instead, that a major group of present business taxes—specifically, the corporate net income tax, the tax on bank shares, the utilities gross receipts taxes and the tax on foreign life insurance companies—be accelerated to a base of 80 per cent prepayment before the new fiscal period begins on June 1.

The increased yield in revenue to the Commonwealth will be $82,000,000—an amount which approximates the remaining deficit which must otherwise be carried over and discharged in the new budget period.

No increase in rate, or in total tax burden is involved. It is simply a matter of timing, in which the anticipation of the taxes ultimately due gives the Commonwealth the opportunity to wipe out a non-recurring deficit with a non-recurring tax payment advantage.

It seems to me that it is preferable to adopt such a program, rather than enact new taxes to be levied against either business or consumers. We all know that temporary taxes—such as might be levied to liquidate the deficit—have a habit of remaining in force well after the original basis for the levy has disappeared.

I might point out that the prepayment of taxes, as now suggested, is not new in Pennsylvania. The capital stock tax has been levied on a basis of 80 per cent prepayment since 1955 under a Democratic Administration and the corporate net income tax has been collected on a 50 percent basis of prepayment since the 1951 legislative session which, as you will recall, was controlled by the party now in the minority.

Both parties—Democrats and Republicans alike—have cooperated in recent years to establish a tax climate in Pennsylvania which is favorable to economic growth. We hope to continue the tax policies which have given us a balanced program and it seems to me that the present recommendation is preferable to increasing the rate of the corporate net income tax or once again eliminating the manufacturer's exemption from the capital stock tax.

I trust that it will commend itself to you, to the taxpayers affected and to the people of Pennsylvania who have entrusted us with their public responsibilities.

The important thing is time. If this is to be done, it must be done quickly. Appropriate legislation will be promptly submitted. To be effective, it must be approved and reach the Governor's desk on or about March 1.

The liquidation of the deficit in the manner now proposed will make it possible to adopt a General Fund budget for the 1961-1962 fiscal year without encountering such major revenue problems as were met in the sessions of 1951, 1953, 1955-1956 and 1959.

The budget proposals call for expenditures of $991,126,372.

Every function of State government is continued at its present level or improved; all mandated requirements are met; some new and desirable programs are proposed and financed. The budget contains allowances for a 5 per cent across-the-board pay increase for State employes, beginning on the anniversary date of their employment by the State, exclusive of cabinet officers and similar high ranking State officials. It reflects a new and better policy in the purchase of equipment for facilities built by the General State Authority, in that movable and expendable items, previously financed from the proceeds of long-term borrowing, will be paid for from current revenues.

It is concerned with our economic and human needs.

In its concern with economic recovery and growth, it increases the rate of the State's participation in urban renewal to $8,000,000 annually and the rate of contribution to the Pennsylvania Industrial Development Authority to a similar $8,000,000 figure. We anticipate a stronger combined operation—with Federal, State, local and private support—than we have ever before mustered for rebuilding our cities and for the recovery of a sound economic base in our areas of chronic unemployment. The budget also proposes an increase of $400,000 in the amount

we will spend for the development of our tourist industry, half of it to be matched by local effort. There is an additional appropriation of $100,000 for State participation in marketing programs for Pennsylvania's farm products.

A State Housing Agency, as provided by legislation enacted at your last session, will be placed in operation this year, but no appropriation is required. Funds previously appropriated are being matched with Federal grants to provide initial operation, aimed at extending the market for privately built homes.

In its concern with human welfare, the budget provides for an approximate ten per cent increase in the funds it makes available for our mental hospitals. Various programs, in which State funds are contributed to community agencies working in the mental health field, are increased by amounts ranging from 10 to 50 per cent. The public assistance appropriation is based upon a monthly average case load of 390,000 persons, in the belief that an economic upturn in the later part of the year will somewhat reduce the present burden. An additional food allowance of $2.00 per month per adult person is provided. The budget provides for a two-fold attack on juvenile delinquency: in direct State responsibility, for the operation of additional Youth Development Centers; in State aid for local programs which provide for special police services involving juveniles and probation officers working with this age group.

The budget establishes modest new appropriations to implement legislation which the Administration will propose for consumer protection, court administration and elimination of discrimination in housing.

It contemplates increased State aid for existing libraries and would appropriate additional funds to provide library services where none now exists.

I will not, at this point in the budget message, dwell on its provisions for education but will discuss this vital area of State activity in relationship to the report of the Governor's Committee and to possible programs of Federal assistance.

You will recall that the total proposed expenditures are $991,126,372.

Our revenue estimates project income, as based on present taxes, including the proposed prepayments, and other sources of revenue, at $971,384,000. There is a gap of nearly $20,000,000 which we propose to close by adjustments in our tax laws.

I accordingly recommend to the Legislature that:

1. The present two per cent commission paid to merchants for the collection of the sales tax be eliminated. The gain to the State will be $8,000,000.

2. The commission paid for the affixing of tax stamps to cigarettes be reduced to one and one-half per cent from its present level of four percent. The gain to the State will be $2,500,000.

The estimated yield of these two items assumes that the Legislature will effect the necessary changes in the law before April 1.

3. The tax on bank shares be extended to Savings and Loan and Building and Loan Associations. The additional yield will be $4,000,000.

4. The tax on life insurance premiums, now levied at a rate of two per cent on out-of-State insurance companies, include Pennsylvania companies as well. The additional yield will be $9,200,000.

Such changes in the law will produce sufficient revenues to bring the budget into balance and to discharge whatever small deficit may remain after the prepayment of the corporate and business taxes is accomplished.

We are thus able to adopt a General Fund budget without major changes in our present tax system and without increasing the rate of existing taxes.

We are not able to achieve a similar result in financing our budget for highway maintenance and construction, unless we are willing either to accept deterioration in our highway system or to call back to State uses the money which now goes to our Pennsylvania communities from the gasoline tax.

I am submitting a Motor License Budget which refuses to accept either of these bad alternatives. It is instead a budget planned to move us forward into the greatest era of highway betterment, improvement and construction which this State has ever known.

The budget for our highways program proposes total expenditures of $475,192,419 of which the Federal contribution will be $124,800,000 and the State expenditure will be $350,392,419. Because the highway fund will begin the year with an uncommitted surplus of only $2,090,393, it will need current revenues of $348,302,026 to meet the requirements of the budget. Under our present schedule of gasoline taxes and licenses, the projected revenue would be only $275,200,000—which is $73,102,026 short of the necessary goal.

I am urging the Legislature to increase the tax on gasoline by two cents per gallon in order to provide the money necessary to bring the highways budget into balance.

This is the opportune time—the necessary time—to give Pennsylvania's economy the stimulus of a highway improvement program extending into every nook and cranny of the State. The highway betterment and major construction program that we make possible will provide substantial employment on the jobs themselves; it will also benefit the bituminous, steel and cement industries which normally provide work for so many Pennsylvanians.

Beyond these immediate economic benefits, a highway program of such magnitude, proceeding to accomplishment in the years immediately before us, will provide a base for the restoration of the economy in our depressed areas and in those parts of our State which are now threatened with chronic unemployment. Good transportation is the essential of industrial development. We must criss-cross our State with modern highways and provide adequate feeder roads connecting them with every part of Pennsylvania.

We actually have two programs to undertake—and our task is to see to it that they do not compete with each other to our common detriment.

One task is the modernization of what is called the 100 per cent state system—the 20,000 miles of rural and feeder roads for which we receive no Federal assistance. There is a constant pressure, when our funds are narrowly limited in amount, to neglect these roads and to apply all available state money to the Federally-aided highways. We are naturally anxious to take advantage of Federal funds; we are anxious to build the major highways which we know and need; we are properly concerned with our services to our large centers of population. But we cannot

afford to permit 20,000 miles of highway, for which we have assumed responsibility, to slip back so far that it will someday take an expenditure of literally billions of dollars to rebuild and replace them. We are now proposing a massive program for the deferred maintenance and improvement which these roads need, and we are proposing that this be done without cutting back—in fact, quite the contrary, as you will see—on our Federally-aided program and its great interstate system of expressways.

The Motor License Fund budget which is now transmitted to you will provide for a virtual doubling of our work on the 100 per cent state system through a program calling for expenditures of $79,900,000.

The budget also provides $46,340,000 in state funds for construction to match $106,360,000 in Federal aid for the Federally assisted highways in Pennsylvania. Every dollar of Federal highway money will be utilized in Pennsylvania if this budget is approved, and a construction program totalling $152,700,000 will come into execution in the coming fiscal year.

I earnestly suggest to the Legislature that this is good—but that it is not good enough. We are not building the interstate system fast enough to bring us maximum benefits in Pennsylvania; I propose that we equip ourselves to accelerate the major Pennsylvania projects that are on the interstate system by using our own resources to anticipate Federal reimbursements to come, as permitted by the Bureau of Public Roads.

I am personally unwilling to wait for a decade—or for fifteen years—or more for highways which can physically be designed and completed in half that time or less.

We urge this session to permit us to go forward full speed ahead on such projects as the following which are of tremendous importance to our economy:

The Anthracite Expressway from Scranton to Harrisburg;

The Cumberland Valley Freeway from Harrisburg to Hagerstown;

The Delaware Expressway from Morrisville through Philadelphia;

The Keystone Shortway from Sharon to Stroudsburg; and

The Erie-West Virginia Freeway.

In order to accomplish this speed-up, we will suggest to you that the borrowing capacity of the Highway and Bridge Authority be increased by $300,000,000. We do not anticipate any ultimate expenditure by the state in this program beyond its normal 10 per cent matching requirement, except the sums that it will pay in interest for short-term borrowings made in anticipation of Federal repayment. The process will be similar to the temporary construction loan which a builder negotiates before his final mortgage financing is paid to him.

Concurrently, I will urge the Turnpike Commission to accelerate both design and construction of the improvements to eliminate bottlenecks and speed the flow of traffic through the mountain section of the original Turnpike route, from Irwin to Carlisle.

But I must emphasize again that we cannot undertake such a program, just as we cannot undertake an effective reconstruction and betterment program for the 20,000 miles of rural and feeder roads unless the Legislature is willing to pass a tax measure that will provide the funds.

The money we receive from gasoline taxes is constitutionally directed to highway uses; it cannot be legally diverted. No other tax is so sure to directly benefit those who pay it; they are providing the functioning roads and highways which alone make useful their automobiles and trucks.

The additional two cents in gasoline taxes will provide approximately $74,000,000 in receipts to the Motor License Fund over the 13 months of the 1961-62 fiscal year, of which $7,400,000 would be rebated to the municipalities.

If we are to gain the full bentfits of an expanded highway program in Pennsylvania this year, it will be necessary for the Legislature to make—in this, as in so many other matters in this budget—a prompt decision.

The Highways Department must be able to make a quick estimate of its capabilities, or we shall lose the benefits in both construction and employment which can be gained by taking full advantage of the approaching construction season.

As we have discussed the highways budget, you undoubtedly were struck, as I have been, by the intermingling of state and Federal funds and of state and Federal action. Federal funds will finance more than one-fourth of our highways budget, even with the expanded program of state support that is herein proposed.

It is obivious that Federal policies and Federal financing are virtually inseparable from state polices and state financing in many vital areas of our life.

We are obviously concerned with the action which will be taken to repair the present faults in our economy and restore the Nation to a more rapid rate of econmic growth and more nearly full employment. We are concerned with the proposals now before Congress for assistance to areas of chronic unemployment, which is so much a Pennsylvania problem. And, in this regard, we must be prepared to take full advantage in this state of any programs which are passed by Congress or effected by executive order with the aim of relieving unemployment.

While it is not a matter for this budget message, since unemployment compensation is not within the budget here proposed, we have a vital concern in the extension of unemployment compensation payments by the Congress on a grant basis. This is important to many thousands of our people; it is also important to our fiscal affairs since such payments obviously defer the day when unemployed families must ask for public assistance.

As to public assistance itself, we will urge Congress to enact legislation making Federal payments for unemployment relief, as proposed in the recommendations of the Kennedy task force on distressed areas. It will be our policy, if such grants are made, to use the aid obtained from the Federal contribution as a protective cushion for our own public assistance appropriations until the next legislative session.

The housing and urban renewal programs, which are so important in Pennsylvania also are largely dependent upon Federal action.

The state funds for urban renewal provided in this budget are supplementary to an effort which is primarily local and Federal. Each state dollar invested can be expected to bring us a return of five additional dollars from other agencies of government and twenty-five dollars more from private investors.

We all know, of course, that the problem of medical care for the aged has been accepted by the Federal

Government as an area where it has major responsibilities. It is still not decided whether such a program will be financed as a part of our established system of social security, as advocated by the President-elect, or from general tax revenues, both state and Federal, as proposed in the legislation presently in force.

It will make a difference in our final budget. Under the present program, which was supported by the outgoing National Administration, I am advised that our costs in Pennsylvania will be an additional $10,187,500 annually, to match a $15,187,500 Federal grant-in-aid. Under a Social Security program for medical care, we would have no additional state costs, but would save instead $5,000,000 now disbursed annually through state aid to general hospitals.

As I see it, the basic argument for the Social Security plan goes beyond its obvious advantage financially to our state government. It lies in its philosophy which holds that medical care for the aged should be provided by public insurance and extended as a matter of right. Under the alternate proposal, it would always be extended as a matter of charity.

I will request the Legislature to permit us to cooperate in whatever program is finally adopted, but this budget assumes that Congress will so alter the present legislation as to eliminate the need for further state appropriations.

We cannot know at this time the form and the amount of Federal contribution we will receive in another area—the most important area—of state concern, the area of education. It seems probable that we will obtain an appreciable amount of Federal assistance, which I hope will come in augmentation of teachers' salaries as well as in aid to school construction. We expect too the report of the Governor's Committee on Education, which, I assume, will recommend major changes in our systems of administration and financial support for education in Pennsylvania from the pre-school through the university level.

This budget, however, cannot be deferred until a Federal pattern emerges or until the Committee reaches its final decisions and makes its report. As I must say to you time and again, the immediate business of the state must be to adopt its basic fiscal program for the fiscal year which begins on June 1, 1961, and we must proceed at once to meet our current responsibilities and answer our known problems. The budget accordingly proposes a program in education substantially in accord with the state's present mandates and obligations. That is not to say—as some might think—that it fails to provide for a massive degree of state support for our public schools and our colleges and state-aided universities.

The budget proposes that the Commonwealth spend $469,055,500 for education in the thirteen months of the fiscal period. This one function claims almost half of the General Fund expenditures—to be exact, 47.14 per cent. I think that demonstrates a desire on the state's part to do its share.

The capital budget, which I will submit at a later date in this session, will provide another major outlay of state support for education, with extensive building programs at our state colleges, Penn State University, and the state-aided universities.

Through the School Building Authority, we are making it possible for hundreds of school districts in Pennsylvania to build a superb physical plant for our public schools system.

And yet I am quite sure that none of us—the school districts, the state, or the Federal Government—is doing enough to meet our present needs in education or to prepare for the enormous new demands of the immediate future.

Accordingly, I believe we may accept this budget for education as a base—and enact it quickly into law. We may then consider such further action as may be indicated by Congressional decisions and by the recommendations of the Governor's Committee. It should be clear, however, that programs which are more costly than the provisions of this budget will necessarily require new taxes either at the state or at the local level, or both.

I will be sympathetic to every good proposal which will raise educational standards in Pennsylvania and broaden the opportunities of our young men and women. This is a world for the skilled and the talented; our success as a part of American society and America's success as a part of the world community will be largely determined by our ability to discover and develop the best of our human resources.

You will hear it said that in difficult times—in times of declining revenue and a sluggish economy—that we should do what a family must do when its income drops; that we should reduce our commitments, do less, cut the suit to fit the cloth. But what is right for the individual is wrong for a society. In times of gathering stress, we would add—add disastrously, I fear—to our troubles if we did not use government as a means of helping the economy to get rolling again. This is the time to intensify our attack on all our chronic problems so that they do not persist as additional handicaps, as well as a time to answer the emergencies which widespread unemployment brings.

It is a time to do more—not less.

I present this as an action budget, and I ask for it your sympathetic consideration and your staunch support.

We have a race against time.

And we are legislating, as I must remind you, not for the government of this Commonwealth alone—not for state employes, and state buildings, and state administered programs—but in the largest measure for those who look to the state for help; school districts, colleges, hospitals, our municipalities, the mentally ill, the families receiving public assistance and so many more who depend upon state aid. The state government is a channel in Pennsylvania. We receive and we distribute. More than two-thirds of the state's General Fund budget is not spent by state government itself.

To make that budget work, we must soon know its final form.

It is essential that the Legislature act by March 1 on the acceleration of the corporate and business taxes if we are to avoid a deficit.

It is essential that the commission payments be eliminated from our sales tax legislation and reduced in our cigarette tax legislation by April 1.

The highways program should be adopted by the end of March.

My conclusion today was well put for me by William Shakespeare. He wrote, and I say with him:

"The affair cries haste, and speed must answer it."

This budget, this fiscal program for the betterment of

Pennsylvania and its people, depends for its success upon your prompt and decisive action. It will be all the better done if it is done forthwith.

Thank you and God bless you.

The LIEUTENANT-GOVERNOR. On behalf of the Members of the General Assembly, Governor Lawrence, I want to thank you indeed for your message.

The Committee on the part of the Senate and the House will now escort His Excellency, the Governor to his Chambers.

The Chair asks that the Members of the House and visitors remain seated for just a moment while the Members of the Senate leave the Hall of the House.

The Members of the Senate will please re-assemble immediately in the Senate Chamber.

The business for which the Joint Session of the General Assembly having been transacted, the Session is now adjourned.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

MOTION PRINTING PROCEEDINGS OF JOINT SESSION

Mr. Kamyk, Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

COMMUNICATION FROM GOVERNOR

BUDGET MESSAGE

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor.

The SPEAKER. The communication will be noted in the Journal and printed in the appendix.

ADJOURNMENT

Mr. BACHMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 17, 1961 at 10:00 a. m. EST.

The motion was agreed to, and (at 5:50 p. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

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SENATE

TUESDAY, JANUARY 17, 1961.

The Senate met at 11:00 a. m., Eastern Standard Time.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

PRAYER

The Chaplain, DOCTOR JOHN DAVID TATE, Pastor of the Market Square Presbyterian Church, Harrisburg, offered the following prayer:

Let us pray.

At the opening of this Session of the Senate, we are mindful that Thou hast provided us plentifully with the materials of peace and prosperity, O Lord, and for this we give Thee thanks. If, by our own selfish blindness or greedy foolishness, we so ill use or poorly distribute these raw materials, over which Thou hast made us stewards so that peace and prosperity is not their end, we beg Thy forgiveness and guidance.

In our State, we are blessed with natural resources, man power, good education, business acumen and the will to distribute all of these for the best interests of each member of the Commonwealth. We are aware that distribution is one of our most serious problems, and we pray for wisdom, understanding and courage to do what we know is right against the many pressures to serve the vested interests of the few.

In this we seek Thy presence, through Jesus Christ, our Lord. Amen.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from York, Senator Seyler, to the rostrum to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. DONOLOW, further reading was dispensed with, and the Journal was approved.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Select Committee on legislation, to be held in the office of the President pro tempore.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. WEINER, from the Select Committee on Legislation, reported, as committed, **SB 28, 29, 31, 35, 38, 46, 49 and 51.**

BILLS INTRODUCED AND REFERRED

Mr. WADE presented to the Chair **SB 54,** entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Cumberland County.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 55,** entitled:

An Act making an appropriation to the Vigilance Hose Company and the Cumberland Valley Hose Company in Shippensburg for fire protection of State property.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 56,** entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959," providing credit for out-of-State service by certain employes of the Commonwealth at State colleges.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 57,** entitled:

An Act to provide temporary supplemental disability benefits for certain annuitants of the State Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the State Employes' Retirement Board, and making an appropriation.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 58,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring additional signal lamps on school buses and providing penalties.

Which was committed to the Select Committee on Legislation.

Mr. EHRGOOD presented to the Chair **SB 59,** entitled:

An Act imposing liability on charitable, religious and educational organizations and institutions for their torts.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 60,** entitled:

An Act amending the act of June 21, 1939 (P. L. 566), entitled "The Pennsylvania Occupational Disease Act," removing limitations on the amount of surgical and medical services to be furnished employes.

Which was committed to the Select Committee on Legislation.

He also presented to the Chair **SB 61,** entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "The Pennsylvania Workmen's Compensation Act," removing limitations on the amount of surgical and medical services to be furnished employes.

Which was committed to the Select Committee on Legislation.

Messrs. MULLIN and MAHADY presented to the Chair **SB 62,** entitled:

An Act establishing a limitation on the time in which a deficiency judgment can be recovered after repossession of a motor vehicle.

Which was committed to the Select Committee on Legislation.

Mr. BELL presented to the Chair **SB 63,** entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission, for the repair and restoration of the Caleb Pusey House, subject to certain conditions.

Which was committed to the Select Committee on Legislation.

PERMISSION TO ADDRESS SENATE

Mr. DONOLOW asked and obtained unanimous consent to address the Senate.

Mr. DONOLOW. Mr. President, one of the most controversial subjects of the day is one which is growing in vocal momentum, not only throughout this Commonwealth, but throughout the United States. I am speaking in regard to the subject of the abolition of capital punishment. Today, we find that many civic groups, church groups and even individual citizens, throughout this Commonwealth, are raising their support for the abolition of the death penalty.

I may say today, on this Senate floor, Mr. President, that ever since 1925, when this Body gave juries the privilege of selecting the penalty as either death or life imprisonment, capital punishment in Pennsylvania has been a complete failure. Throughout the Commonwealth, a survey was taken and we found that every category of crime has decreased, with the exception of murder. Therefore, capital punishment has not served as a deterrent.

There are nine States and forty foreign countries which have seen fit to abolish capital punishment. Statistics tell us that the ten States, with the highest number of murders, all have capital punishment and death for the crime of murder. We are told by those who have studied the subject carefully that the crime of murder is not a crime of the criminal class. However, it is the crime of those who are mentally ill and is usually perpetrated during the heat of passion.

Mr. President, I believe a great, humane President of the United States, Thomas Jefferson, summed it up very beautifully when he said: "I shall continue to ask for the abolition of the punishment of death until I have been convinced of the infallibility of human judgment." I think this is one of the basic reasons for the abolition of capital punishment.

We find that where the death penalty is not the punishment, justice is swift and delays are short. Mr. President, from my experience, I have found that the swiftness and the certainty of the punishment, and not the severity, are the deterrent factors in any crime.

Mr. President, I think we can best state this subject, morally, by taking the words of one of the greatest legal minds in American jurisprudence; namely, Clarence Darrow. In 1924, in New York City, Clarence Darrow debated Judge Talley on the subject of capital punishment. He said: "Some say that when a killer takes a life, why should the State take his life?" He stated further: "I would hate to live in a State which I did not think was better than a murderer." I think this is the crux of this entire issue.

Finally, Mr. President, I would like to draw this Body's attention to our neighboring State of Delaware. I can say to you who are members of the Bar and who have ever tried cases in Delaware, that you know what a conservative State is our sister State of Delaware. Two years ago, the State of Delaware appointed a legislative committee which made a vast and thorough study of this problem. After they heard many witnesses and gave much study and much attention to it, they introduced legislation which abolished capital punishment. Mr. President, the resolution which I am offering today calls for such a legislative study.

I would like to make a comment about those Senators in this room who have signed this resolution. Some of the Members who signed this resolution are in favor of capital punishment. Some of the other Members are opposed to capital punishment. However, they all agree that we should have a study of this subject.

SENATE CONCURRENT RESOLUTION

JOINT COMMITTEE TO STUDY THE ABOLITION OF CAPITAL PUNISHMENT IN PENNSYLVANIA

Messrs. DONOLOW, CONFAIR, LANE, HAYS, CAMIEL, EHRGOOD, SCOTT, SEYLER and MAHADY

offered the following resolution (Serial No. 101), which was read as follows:

In the Senate, January 17, 1961.

The act of April 12, 1794 abolishing capital punishment in the Commonwealth of Pennsylvania except for first degree murder was, in effect, a return to the "great law of Penn" which had been promulgated for the proprietary colony of Pennsylvania in 1682. Later the act of May 14, 1925 gave the right to the jury, in first degree murder cases, upon conviction, to select the punishment of either life imprisonment or death. In recent years and especially in this past year, it has been learned that all crimes throughout the Commonwealth of Pennsylvania had decreased with the exception of murder. The death penalty seems to have failed in deterring the crime of murder. There is a rising tide, not only in Pennsylvania, but throughout the United States as well as in many foreign countries against the imposition of the death penalty.

At present, there are nine States and forty foreign countries which have abolished capital punishment. A recent survey indicates that of the ten States which have the fewest murders, four had abolished the death penalty and of the ten States which had the most murders, all of them enforced the death penalty. Recent indications in Pennsylvania seem to prove that the imposition of the death penalty in murder cases has been a complete failure in acting as a deterrent to the crime of murder. In spite of the imposition of the death penalty, murder has been on the increase. It is further said that in a number of States, where the death penalty has been removed as a possible punishment, more convictions were secured and there were fewer delays in enforcing the punishment. It is the swiftness and certainty of the punishment and not the severity that deters. We are further told that usually murder is the act of the mentally ill and those acting under the impulse of sudden passion and is not the act of the criminal class.

The opposition to the imposition of the death penalty is growing in momentum and today we find an increasing demand from many church and civic organizations, as well as citizens throughout the Commonwealth of Pennsylvania, calling for the abolition of the death penalty. This issue is now becoming one of the most important of our times: therefore be it

Resolved (the House of Representatives concurring), That the President Pro Tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House, who together shall constitute a committee to examine the entire issue of the abolition of capital punishment in the Commonwealth of Pennsylvania, and be it further

Resolved, That the committee shall elect a chairman and such additional officers as it may deem necessary, that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee: and be it further

Resolved, That the committee shall report its findings together with a recommendation for appropriate legislation as soon as possible.

Mr. BERGER, Mr. President, I am not opposing this resolution in any sense. However, it runs in my mind there was a resolution passed last year, directing the Joint State Government Commission to make a study of this same question. Am I not right?

The PRESIDING OFFICER. The gentleman is correct.

Mr. BERGER. Very well, Mr. President.

The PRESIDING OFFICER. The resolution is referred to the Select Committee on Legislation.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, I might say that this is rather a change of pace from the preceding resolution. I invite sponsorship by all other Senators who wish to join in this resolution, particularly the University of Pittsburgh fans and other fans in the western part of the State.

This resolution is a congratulatory one to the Penn State football team for winning the Second Annual Liberty Bowl Game. Nineteen sixty was a great year for Pennsylvania athletics. The Pittsburgh Pirates brought the national baseball championship to the city of Pittsburgh, the Philadelphia Eagles brought the national football championship to the city of Philadelphia and the Penn State football team brought national renown to all of Pennsylvania.

I would point out that the membership of this team comes from such hamlets, villages, towns and cities as Bradford, Williamsport, Philadelphia, Pittsburgh, New Kensington, Northampton, Dickinson City, Shillington, Williamsburg, Morrisville, Jeannette, Clairton, Scranton, Easton, Johnstown, Wilkinsburg, Greensburg, Connellsville, Dauphin, Steelton, Butler, Boyertown, Patton, Swoyersville, Latrobe, Blue Bell, Upper Darby, Pottstown and DuBois, Pennsylvania. This is truly an all-Pennsylvania team. When you consider that a great part of the Service Academy Teams and other good football teams all over the Country have Pennsylvania boys, it seems to me, if football is one measure of physical stamina, we should congratulate the coaches of Pennsylvania high school football for the products they are turning out.

Therefore, I hope that in 1961 the sponsors of the Liberty Bowl will bring to Philadelphia some good team from the Southwest or the Northwest, since Penn State has defeated a good team from the South and one from the Pacific Coast, so that Pennsylvania may truly have a National champion.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO PENNSYLVANIA STATE UNIVERSITY FOOTBAL TEAM

Mr. HAYS offered the following resolution (Serial No. 7), which was read as follows:

In the Senate, January 17, 1961.

Whereas, In the Second Annual Liberty Bowl football game, the football team of Penn State, the Nittany Lions, played and defeated, the Ducks, the football team of the University of Oregon in Philadelphia on December 17, 1960, and

Whereas, By this second consecutive victory in this post-season classic, the prestige of eastern intercollegiate athletics was further enhanced and Penn State's position as a national football power was given added luster; therefore be it

Resolved, That the Senate of Pennsylvania extend its

heartiest congratulations to Penn State's 1960 football team, its coaches, Charles A. (Rip) Engle, James J. O'Hara, Sever J. Torretti, Frank W. Patrick, Joseph V. Paterno, John T. White, Earl J. Bruce, Daniel L. Radakovich, and its captain, Henry Opperman, and all squad members; and be it further

Resolved, That copies of this resolution be sent to all the players and coaches of this team.

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 7, ADOPTED

Mr. HAYS. Mr. President, I move the immediate adoption of this resolution.

Mr. BERGER. Mr. President, I believe that here is a subject in which we can all heartily endorse the remarks made by the Senator from Centre. On behalf of the Republican Members of this Senate, at any rate, I certainly take pleasure in seconding the motion for the immediate adoption of this resolution.

The PRESIDING OFFICER. Let us hope this is the first of many such actions.

Mr. BERGER. I hope so, Mr. President.

And the question recurring,

Will the Senate adopt the resolution?

The motion was agreed to and the resolution was adopted.

NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF SHIPPENSBURG STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John B. Minehart, Route 1, Chambersburg, Franklin County, for reappointment as a member of the Board of Trustees of Shippensburg State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE PLANNING BOARD

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., Pittsburgh, Allegheny County, for reappointment as a member of the State Planning Board, until December 13, 1964, and until his successor is appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl K. Witwer, Elverson, Chester County, for reappointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. O'Toole, 905 Alcoma Street, Sharon, Mercer County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scotland School for Veterans' Children:

William S. Rahauser, 2 New Brighton Road, Ben Avon Heights, Pittsburgh 2, Allegheny County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Marlan O. Walter, 400 Market Street, Millersburg, Dauphin County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Victor C. Wise, 600 Fairview Terrace, Williamsport, Lycoming County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF PENNSYLVANIA SOLDIERS' AND SAILORS' HOME

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Pennsylvania Soldiers' and Sailors' Home:

Andrew T. Fenrich, 2014 Veronica Street, Pittsburgh, Allegheny County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Joseph F. Schierberl, 629 South Street, Clarion, Clarion County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Clarion State College:

Samuel N. Guiher, 246 Liberty Street, Clarion, Clarion County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

R. R. Whitmer, 6 North Eighth Avenue, Clarion, Clarion County, until the third Tuesday of January 1965, and

until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Richard Copenhaver, R. D. 1, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first Monday of January 1962, vice D. Merle Baughman, resigned.

DAVID L. LAWRENCE.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

Senate Bill No. 3. Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SECOND READING CALENDAR

BILLS ON SECOND READING

SB 39, 40, 41 and **43.** Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 53. Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. DONOLOW. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 28, 29, 31, 35, 38, 46, 49** and **51.**

And said bills having been read at length for the first time.

Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, I just have one short announcement to make, if I may, and then I will yield.

I want to take this occasion to recognize the work of the Select Committee. I think they are to be congratulated for working readily on the bills that have been presented, so that we can have a Calendar on which to continue to work.

I am sure that everybody understands that as of the end of this week, when we hope to have all of the committees named and in working order, this committee will go out of business and cease functioning, and all of the bills that they have will be referred to the proper committees. I thought this moment should not pass without recognizing the fine work that was done by this committee.

Mr. FLEMING. Mr. President, I certainly recognize the very splendid work that has been done by the Select Committee. I noticed that we just read for the first time several bills. Being interested in what they might be, I sent down for copies of them and found that several of them are not yet in print.

As much as I want to commend the Majority Leader on his zeal for placing a Celandar in front of us, I think he might be a little overly zealous in having on the Calendar bills that are not yet available in order for us to read the provisions contained in the bills. I would respectfully suggest that in the future, we might go just a little slower and at least get the bills in print before we report them from committee.

Mr. WEINER. Mr. President, the gentleman's point is well taken. However, except for these particular circumstances, I think the gentleman will readily agree that every bill we have worked on and passed has been in print, placed on the desk of every Senator and attached to the Calendar for that particular day.

I think the gentleman will also readily agree that we have been very liberal in the policy that any bill they wanted to go over in order was put over in order, so that nothing was pushed through or railroaded.

I do think it is inconsistent with trying to do things in a businesslike manner to come up here and have no Calendar whatsoever, and I will insist that we have a Calendar with a number of bills to be worked on. Otherwise, there is no reason to be here. It is my intention, and I think the intention of the Democratic Caucus, that if there are no bills and there is nothing to do here, we will not come into Session until such days as there are bills to handle.

It is my intention or my hope that if the House has not worked on any of these measures, we will not come in here on Monday. We will come in on Tuesday or Wednesday when there is something for us to do. I think for too long we have been criticized for coming into Session and leaving here without anything being done. It is our hope to have a businesslike Session and a short Session. It is also our hope that we have a full Calendar to work on.

In comparison to previous times,—and this is not a criticism, but merely an observation—we have a heavier Calendar, at this early date, than we have ever had in the past. It is my hope to continue this policy with some of these measures that are not so earth shaking or so important, but are measures for the consideration of the General Assembly so that every Member will have an opportunity to vote on them.

If we have offended the Senator from Allegheny County by this haste, I certainly want to apologize to him. I do not intend to do that to him or anyone else.

Some of the measures that we are leaving on the Calendar are measures that have been controversial in past Sessions. I think everybody ought to have an opportunity to at least see them and have an opportunity to read them before we do anything about them. During the interim,—the time when we are not in Session—the Members may have an opportunity to read them and discuss them, and we will have the benefit of their wisdom which they may have arrived at as a result of reading or looking into these matters.

Mr. FLEMING. Mr. President, the Majority Leader is certainly to be commended for attempting to get a Calendar in front of the Senate of Pennsylvania. How-

ever, I still would say, in the interest of good legislative procedure, he may have gone just a little far when he reported from committee, bills which are not yet in print.

Mr. PECHAN. Mr. President, during the past month or so we have been reading a great deal about the courts in Allegheny County, the great overload that they have and the fact that they want to put in an administrator. During the discussions, various judges have made some statements.

I would like to present, from The Pittsburgh Legal Journal, so that it may be spread on our Legislative Journal, some remarks that were made by Judge Samuel A. Weiss, who is a Democrat and a very, very fine judge. These are remarks he made regarding Judge Frank Graff, from my county, who happens to be a Visiting Judge in Allegheny County and hears a great many cases.

I think it is appropriate that I do this because those of you who are interested in the judiciary of the Commonwealth know that Judge Graff is the oldest judge in the Commonwealth of Pennsylvania in any of the courts. He is the oldest in the sense of service, not in age. He has been re-elected to four ten year terms. Not only Republicans, but Democrats alike, are very proud of Frank Graff and the very fine work that he has done, not only as a Visiting Judge but in our own court as well.

I want to say, too, that I am very happy that the seat which I now hold was, at one time, held by his father, Senator Graff, and his brother, Peter Graff.

I am not going to read it, but I do want included in the minutes, the report on page 7 of the Pittsburgh Legal Journal relative to "Instructions to Petit Jurors by Judge Samuel A. Weiss."

The PRESIDING OFFICER. This article will be spread upon the Legislative Journal.

INSTRUCTIONS TO PETIT JURORS

By

Hon. Samuel A. Weiss

Presiding Judge, Criminal Court

January 3, 1961

I am sure, ladies and gentlemen, that the general instructions you receive from this Court are not only informative but interesting, and jurors look with great anticipation towards active jury service wherein you play such a key role in the proper administration of law and order in this great metropolitan community. The great volume of work is unbelievable to many of you when you observe the slow progress involving due process. We are grateful to members of the Bar who encourage their clients to waive jury trial in order that a Presiding Judge can dispose of 15 to 25 non-jury cases every day that would normally take a month to try before a jury. I just completed this past year, 15 years on this bench. Ladies and Gentlemen, I must confess to you that sometimes I feel like I can hardly carry on my work from day to day, the worry and work. I expect to be relieved in a little while, but I want to assure you ladies and gentlemen that while many of you have been reading about how some Judge may not carry on his load, having his load carried by others, I assure you it isn't this Judge. Every lawyer in this County and every newspaper in this County knows that.

So do not feel discouraged because you are compelled to sit, and wait, before you are selected as jurors, because some defendants sit in jails months before they have their day in Court. Judge Lewis and I are reducing this wait to weeks and in some less.

None of this would be possible in a great County like ours without the aid of visiting jurists from neighboring communities in the Commonwealth, for Judge Lewis and I, the only two Judges assigned to Criminal Court for a year, could never dispose of approximately 3,000 backlog cases and approximately 500 to 600 new cases returned by the Grand Jury each month.

On February 1, 1958, with 3,575 cases awaiting trial, Judge Lewis and I, later aided by Judge O'Brien, and with the help of visiting Judges, reduced this list in September, 1958, to approximately 1,000 cases, the normal current case load. The same list that was on the calendar in 1930. The same list was on calendar in 1940. The same should have been listed in 1950, but it wasn't. It was around 2,500 cases then. These visiting Judges do not cost the taxpayers of Allegheny County a single penny. They are only sent here when their home County lists are current and their work complete, and they are paid per diem and expenses, far less than it would cost the taxpayers if full-time judges were appointed.

I want to say to you candidly, that two additional judges are badly needed in the Criminal Courts of this County. You just can't kill a jurist who is able and willing and wants to work. I don't enjoy giving a man 35 to 70 years or giving a man the death sentence as I was required to do just a month ago. That is a hard task in this assignment and I take inventory with the Almighty just as you do on the Sabbath. It requires solace. It requires understanding to make sure that no mistake is made, because I'd rather have 9 guilty men go free than to have one innocent man spend time in the penitentiary or institution. These two judges are vitally needed, and I say this from having had 15 years experience on this bench including 8 terms in the Criminal Court.

It would be unfair for this Court to single out any particular visiting judge, for we are grateful to all of them, from near and far; but I am compelled to necessity to single out one visiting judge who stands as a symbol for all visiting jurists. He stands out as a beacon light as the Mistress of Liberty stands out in the harbor of New York. He is the Honorable J. Frank Graff of the 33rd Judicial District representing Armstrong County. He was elected Common Pleas Court judge in that County in 1924 and for 37 years has faithfully served the people of his County and this Commonwealth with great honor and distinction. He has presided in almost 300 murder cases in this Commonwealth; over 100 in this County and he has only been reversed once, a phenomenal record. I wouldn't believe any of you if you told it to me, but you've got to believe me because that's the record.

I, as a Democrat, say this about a Republican, but above all Judge Frank Graff, when he presides, is a great American and the real proof of this fact is that during World War I, as a young Lieutenant, he was actively engaged in combat with the 28th Division during its service overseas, and was promoted to Captain and later to Major, and many Allegheny Countians who served with him and under him—and I will say one of the greater distinguished gentlemen of our own Court can tell you word for word that what I am relating here—and I refer to Fred Wertenbach and Colonel Shenkel, great Americans as you will find anywhere, both these gentlemen are prominent men, and I say to you that in Judge Frank Graff, no more gallant or greater American ever lived.

We are privileged to have Judge Frank Graff as one of the visiting jurists this week; and it will be a rich reward for any of you to serve as

a juror in his courtroom, and I hope all of you have that privilege before the expiration of your two weeks service with us.

Jury service is a sacrifice, but how could you compare it with the sacrifice of your boys and girls who are sent away to service. Uncle Sam calls them. You don't challenge Uncle Sam. If you do your're brought into Federal Court. It's one of the privileges in this day of living to serve Uncle Sam. Both are necessary to preserve our democratic way of life, and your jury service is a real display of citizenship and you will long remember this service to see that justice for all prevails in our Courts.

Mr. WEINER. Mr. President, I just want to say to the Senator from Armstrong that I am glad he is getting to the point of becoming enlightened, because he is quoting Democrats. I hope that he will become more accustomed to this. As he makes more use of this, he will find that some of them are people who can be quoted very readily and are even on the right side a good bit of the time. I hope he will not let this custom fall into disuse so that he will not have the benefit of these sage and wise remarks of these gentlemen.

Mr. PECHAN. Mr. President, during the campaign, the illustrious gentleman on the other side was in my county, and I am sure they told him of the many times that I have quoted Democrats.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, January 23, 1961, at 3:00 p.m.

Mr. DONOLOW. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:05 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, January 17, 1961

The House me at 10:00 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. Unless this House directs otherwise this House will convene at the appointed time.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Eternal God, in the midst of the press of the world about us, we thank Thee for an opportunity to pause in a moment of meditation. Enable these servants of Thine to reflect upon those things which are in keeping with Thy way of life. Fill them with the vision of that greater service which Thou wouldst have them see. And use their talents to Thy honor and glory as well as for the welfare of all the peoples of this great Commonwealth. Through His precious Name, we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, January 16, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND PREFERRED

By Mr. STRAUSSER. HOUSE BILL No. 27.

An Act authorizing the expenditure of certain moneys by volunteer fire companies for certain purposes.

Referred to the Committee on Boroughs.

By Mr. STRAUSSER. HOUSE BILL No. 28.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937, P. L. 2897), redefining the term "unemployed" to include certain situations affecting college students.

Referred to the Committee on Rules.

By Messrs. FINEMAN and LIPPINCOTT. HOUSE BILL No. 29.

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

Referred to the Committee on Judiciary.

By Mr. FINEMAN. HOUSE BILL No. 30.

An Act increasing the number of courts of common pleas in the County of Philadelphia, establishing therein three distinct and separate courts of common pleas, designated Court of Common Pleas Number Eight, Nine and Ten; and providing for the appointment and election of judges for such courts.

Referred to the Committee on Judiciary.

By Mr. FINEMAN. HOUSE BILL No. 31.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), changing provisions for proof of citizenship for certain persons previously registered.

Referred to the Committee on Elections.

By Messrs. LIPPINCOTT and FINEMAN. HOUSE BILL No. 32.

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Referred to the Committee on Judiciary.

By Messrs. GALLAGHER, GREMMINGER, TAYLOR and J. A. SULLIVAN. HOUSE BILL No. 33.

An Act regulating the time of payment of wages and earnings of railroad employes.

Referred to the Committee on Railroads and Railways.

By Mr. GALLAGHER. HOUSE BILL No. 34.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for reimbursement for pupil transportation in second class school districts.

Referred to the Committee on Education.

By Mr. GALLAGHER. HOUSE BILL No. 35.

An Act establishing a separate orphans' court in and for the County of Bucks.

Referred to the Committee on Judiciary.

By Messrs. GALLAGHER, BONNER and WILT. HOUSE BILL No. 36.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), requiring the Public Utility Commission to consider and protect the contractual rights of employes and possible adverse effect on employes before approving any transfer.

Referred to the Committee on Public Utilities and Corporations.

By Mr. GALLAGHER. HOUSE BILL No. 37.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in the borough.

Referred to the Committee on State Government.

By Messrs. TOMPKINS, KORNS and EWING. HOUSE BILL No. 38.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing that persons who conduct examinations shall be immune from liability.

Referred to the Committee on Motor Vehicles.

By Messrs. JIM, MUSTO, SAKULSKY and FINEMAN. HOUSE BILL No. 39.

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania, changing the time at which the Secretary of Internal Affairs takes office.

Referred to the Committee on Judiciary.

By Messrs. MUSTO, MEHOLCHICK, CURWOOD and McLAUGHLIN. HOUSE BILL No. 40.

A Joint Resolution proposing an amendment to article three, section twenty-eight of the Constitution of the Commonwealth of Pennsylvania, permitting the temporary change of location of the State Capital.

Referred to the Committee on Judiciary.

By Messrs. BONNER, McDONALD, JIM and WM. JOSEPH LONG. HOUSE BILL No. 41.

A Joint Resolution proposing an amendment to article eighteen, section one of the Constitution of the Commonwealth of Pennsylvania, changing the method of amending the Constitution.

Referred to the Committee on Judiciary.

By Messrs. CURWOOD, FINEMAN, ZIMMERMAN and WILLARD. HOUSE BILL No. 42.

An Act repealing the act of March 9, 1771 (Sm. L. 313) entitled "An Act to prevent the destruction of rock-fish and oysters."

Referred to the Committee on Fisheries.

By Messrs. SHUPNIK, CROSSIN, WARGO and NEEDHAM. HOUSE BILL No. 43.

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, changing the procedure on the passage of bills.

Referred to the Committee on Judiciary.

By Messrs. RENWICK, FARABAUGH, McNALLY and GOODRICH. HOUSE BILL No. 44.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

Referred to the Committee on Appropriations.

By Messrs. PARLANTE, KESSLER AND CIANFRANI. HOUSE BILL No. 45.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

Referred to the Committee on State Government.

By Messrs. McCANN, ANDREWS and HELM. HOUSE BILL No. 46.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949, authorizing the assistant secretary or the assistant treasurer to sign certain papers.

Referred to the Committee on State Government.

By Messrs. GOODRICH and HAMILTON. HOUSE BILL No. 47.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for a deduction from the payments on account of pupil transportation for non-reimbursable pupils where additional expenses are incurred.

Referred to the Committee on Education.

By Mr. FINEMAN. HOUSE BILL No. 48.

An Act amending the act of April 27, 1927 (P. L. 414), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals;***" making it unlawful to take the fingerprints or photographs of persons in custody who are charged with a violation of "The Vehicle Code," with certain exceptions.

Referred to the Committee on Motor Vehicles.

By Messrs. GREMMINGER and WORLEY. HOUSE BILL No. 49.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission, for the repair and restoration of the Caleb Pusey House, subject to certain conditions.

Referred to the Committee on Appropriations.

By Messrs. RUDISILL, VERONA, PENDERGAST and MURPHY. HOUSE BILL No. 50.

A Joint Resolution proposing an amendment to article five, section twenty-seven of the Constitution of the Commonwealth of Pennsylvania, permitting the accused in non-capital cases to dispense with trial by jury.

Referred to the Committee on Judiciary.

By Messrs. ARLENE, J. A. SULLIVAN, RUDSIILL and TAYLOR. HOUSE BILL No. 51.

An Act repealing Section 528 of "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

Referred to the Committee on State Government.

By Messrs. RUDISILL, VERONA, PRENDERGAST and MURPHY. HOUSE BILL No. 52.

A Joint Resolution proposing an amendment to article one, section six of the Constitution of the Commonwealth of Pennsylvania, removing the guaranty of trial by jury except in criminal cases.

Referred to the Committee on Judiciary.

By Messrs. POLASKI, RENWICK, SCHAAF and GAILEY. HOUSE BILL No. 53.

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, changing residence requirements.

Referred to the Committee on Judiciary.

By Messrs. BRETH, MILLS, KLEIN and BACHMAN. HOUSE BILL No. 54.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), authorizing departments, boards and commissions to purchase certain film strips, recordings and tests.

Referred to the Committee on State Government.

By Messrs. STONE, KLEIN, HAMILTON and STECKEL. HOUSE BILL No. 55.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), requiring county election boards to submit additional reports with respect to registered electors.

Referred to the Committee on Elections.

By Messrs. POLEN, McCANN, ANDREWS, BOWER and TOMPKINS. HOUSE BILL No. 56.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing departments, boards and commissions to train personnel.

Referred to the Committee on State Government.

By Mrs. MUNLEY, Mrs. REIBMAN, Mrs. KOOKER and Mrs. HENZEL. HOUSE BILL No. 57.

An Act amending the "Water Well Drillers License Act," approved May 29, 1956 (P. L. 1840), requiring the filing of certain reports to the Department of Internal Affairs and deleting the filing of reports in certain cases.

Referred to the Committee on Game & Conservation.

By Messrs. POLEN, McCANN, ANDREWS, BOWERS and TOMPKINS. HOUSE BILL No. 58.

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, ***" extending the time for receipt of benefits and including disability annuitants.

Referred to the Committee on Appropriations.

By Messrs. POLEN, TOMPKINS, McCANN, BOWERS and ANDREWS HOUSE BILL No. 59.

An Act amending the act of November 21, 1959 (P. L. 1590), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the State Employes' Retirement System, ***" extending the time for receipt of benefits and including disability annuitants.

Referred to the Committee on Appropriations.

By Messrs. PRENDERGAST, SCHAAF, A. D. WILLIAMS and K. B. LEE. HOUSE BILL No. 60.

An Act amending the act of July 2, 1937 (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein, ***," requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

Referred to the Committee on Game & Conservation.

By Messrs. BLAIR, O'DELL, POLASKI and SCHAAF. HOUSE BILL No. 61.

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Referred to the Committee on Military Affairs.

By Messrs. SCHAAF, PRENDERGAST, T. F. SULLIVAN and WILLARD HOUSE BILL No. 62.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951" (P. L. 533), changing liability for costs of care of patients who are inebriates.

Referred to the Committee on Appropriations.

By Mr. EILBERG, Mrs. REIBMAN and Mr. OGILVIE. HOUSE BILL No. 63.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind, paralegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

Referred to the Committee on Judiciary.

By Messrs. SNARE, RENWICK, SELTZER and MANBECK. HOUSE BILL No. 64.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) deleting the requirement that absentee ballots be printed on blue paper and permitting certain words to be stamped thereon.

Referred to the Committee on Elections.

By Messrs. HEAVEY and POLEN HOUSE BILL No. 65.

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

Referred to the Committee on Military Affairs.

By Messrs. EILBERG, SHERMAN, A. D. WILLIAMS and HOLMAN. HOUSE BILL No. 66.

An Act amending the act of April 27, 1927 (P. L. 414) entitled as amended, "An act providing for a system of recording the indentification of persons convicted of crime, and of fugitives from justice, and habitual criminals; * * *" changing the provisions relating to the taking of fingerprints and photographs and the furnishing of descriptions and requiring the destruction of photographs and fingerprints in certain cases.

Referred to the Committee on Judiciary.

By Mr. NEEDHAM HOUSE BILL No. 67.

An Act to protect the public safety by regulating the mining of anthracite coal; prescribing duties for certain municipal officers and imposing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Mr. McCANN, Mrs. REIBMAN, Mr. J. A. O'DONNELL and Mrs. HENZEL HOUSE BILL No. 68.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting certain acts or representations in obtaining credit for education.

Referred to the Committee on Judiciary.

By Messrs. McCANN, MURPHY, VERONA and COOLEY. HOUSE BILL No. 69.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the care and maintenance of cemeteries.

Referred to the Committee on Boroughs.

By Messrs. RUDISILL, CROSSIN, FOERSTER and SCHAAF. HOUSE BILL No. 70.

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), making obligations of the Tennessee Valley Authority authorized investments.

Referred to the Committee on State Government.

By Messrs. RUDISILL, CROSSIN, FOERSTER and SCHAAF HOUSE BILL No. 71.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921, (P. L. 682), making obligations of the Tennessee Valley Authority authorized investments.

Referred to the Committee on State Government.

By Messrs. RUDISILL, CROSSIN, FOERSTER and SCHAAF HOUSE BILL No. 72.

An Act amending the "Fiduciaries Investment Act of 1949," approved May 26, 1949 (P. L. 1828), making obliga-

tions of the Tennessee Valley Authority authorized investments.

Referred to the Committee on State Government.

By Messrs. RUDISILL, CROSSIN, FOERSTER and SCHAAF HOUSE BILL No. 73.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," making obligations of the Tennessee Valley Authority authorized investments.

Referred to the Committee on State Government.

By Messrs. RUDISILL, CROSSIN, FOERSTER and SCHAAF. HOUSE BILL No. 74.

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), making obligations of the Tenessee Valley Authority authorized investments.

Referred to the Committee on State Government.

By Messrs. FINEMAN and LIPPINCOTT.
HOUSE BILL No. 75.

An Act relating to tort claims against the Commonwealth; waiving in part the Commonwealth's immunity from liability for certain torts; providing for settlement by the Attorney General of tort claims under one thousand dollars; permitting actions against the Commonwealth on larger tort claims or on appeal from the administrative process authorizing the payment of claims; * * * *

Referred to the Committee on Judiciary.

By Mrs. REIBMAN, Mrs. ANDERSON and Messrs. GAILEY and IRVIS.
HOUSE BILL No. 76.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mrs. ANDERSON and Messrs. IRVIS and MURRAY.
HOUSE BILL No. 77.

A Joint Resolution proposing an amendment to article 4 of the Constitution of the Commonwealth of Pennsylvania, repealing section 20 thereof which prescribes certain powers and duties of the Superintendent of Public Instruction.

Referred to the Committee on Judiciary.

By Mrs. REIBMAN, Mrs. ANDERSON and Messrs. IRVIS and MURRAY.
HOUSE BILL No. 78.

A Joint Resolution proposing an amendment to article four, section one of the Constitution of the Commonwealth of Pennsylvania, removing the Superintendent of Public Instruction as a constitutional officer.

Referred to the Committee on Judiciary.

By Mrs. REIBMAN, Mrs. ANDERSON and Messrs. IRVIS and MURRAY.
HOUSE BILL No. 79.

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, removing the requirement that the appointment of the Superintendent of Public Instruction be confirmed by two-thirds of the members of the Senate.

Referred to the Committee on Judiciary.

By Mrs. REIBMAN, Mrs. ANDERSON and Messrs. IRVIS and MURRAY.
HOUSE BILL No. 80.

A Joint Resolution proposing an amendment to article six, section four of the Constitution of the Commonwealth of Pennsylvania, providing for the removal of the Superintendent of Public Instruction from office.

Referred to the Committee on Judiciary.

By Messrs. HEAVEY, COMER and A. M. LEE.
HOUSE BILL No. 81.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring commercial motor vehicles to be marked with the names and addresses of the owners.

Referred to the Committee on Motor Vehicles.

By Mr. POLEN. HOUSE BILL No. 82.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), making certain changes in the fiscal period.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 83.

An Act transferring money from the Banking Department Fund to the General Fund.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 84.

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 85.

An Act amending the act of April 22, 1949 (P. L. 711), entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges; creating a special fund in the State Treasury to be known as the Toll Bridge Fund; * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after the redemption of all bonds and certification thereof by the State Treasurer.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 86.

An Act amending the act of January 5, 1934 (1933-34 P. L. 219) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General, respectively.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 87.

An Act amending the Act of May 25, 1939 (P. L. 191), entitled "An act authorizing transfers of sums of money

from the General Fund to the State Stores Fund under certain conditions; * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds.

Referred to the Committee on Appropriations.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 88.

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), increasing the rate of the tentative and the annual tax.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 89.

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), increasing the rate of the tentative and the annual tax.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 90.

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), increasing the permanent rate of tax and eliminating the temporary tax.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 91.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 92.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; * * *," making an additional appropriation conditioned upon an increase in the rate of taxation.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 93.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), imposing the tax permanently.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN. HOUSE BILL No. 94.

An Act amending the "State Highway and Bridge Authority Act," approved April 18, 1949 (P. L. 604), increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WORLEY. (Concurrent) RESOLUTION No. 4.

In the House of Representatives, January 16, 1961.

A comparison of the final results of the popular vote with the Electoral College vote in the 1960 Presidential Election has again focused the attention of the people of the United States on the realization that a candidate for the office of the President of the United States could be elected to office although he did not have a majority of the popular vote.

To say that it cannot happen is to flaunt history in the face, for our history reveals that it is not only possible but a fact that in 1888 Grover Cleveland, a Democrat seeking reelection, got more votes than Benjamin Harrison, the Republican candidate, but lost because Harrison carried states which had a bigger electoral vote.

While the Electoral College as conceived was to serve a useful and necessary purpose in choosing the President of the United States, it has long outlived such usefulness and has become a dangerous anachronism ready and able to defeat the will of the majority of the citizens of these United States; therefore be it

Resolved (the Senate concurring), That the General Assembly of thet Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact Constitutional amendments abolishing the Electoral College and providing for the election of the President of the United States by popular vote; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Mrs. S. A. ANDERSON. RESOLUTION No. 5.

In the House of Representatives, January 16, 1961.

It is a well known fact that the Eastern State Correctional Institution is located within a very thickly populated residential section of the city of Philadelphia. This institution is bounded by Brown Street, Fairmount Avenue, Corinthean Avenue and Twenty-second Street. This institution has a history of twenty-five attempted breakouts since 1908. The most recent attempt took place on January 8, 1961 when a riot took place of sizeable proportions and another breakout was narrowly averted.

Many of these inmates are hardened criminals under life sentences. The location of this prison and its inmates presents a constant danger to the immediate area and its inhabitants; therefore be it

Resolved, That a committee of five members be appointed by the Speaker of the House of Representatives to make an immediate study into the feasibility of removing the Eastern State Correctional Institution from the city of Philadelphia to a less populated area in the State; and be it further

Resolved, That this committee shall report its findings and recommendations for appropriate legislation as soon as possible.

Referred to the Committee on Rules.

By Mrs. PASHLEY, Messrs. FRASCELLA, MULDOWNEY and McCANN. RESOLUTION No. 6.

In the House of Representatives, January 16, 1961.

No one knows exactly how many of the mentally ill could be discharged from our hospitals unless there is an opportunity to find out. The Philadelphia State Hospital (Byberry) carried out a small project in 1947 to find an answer to this most important question by taking 20 of its most disturbed patients from the worst building and gave them enough attendants to meet their needs, to teach them to take care of themselves, to take them for a walk, to talk to them, to help them back to reality.

At the end of six months five of the 20 were out of the hospital. Another five were able to take care of themselves and were allowed the freedom of the hospital. Over the next year several more were discharged. This result is highly encouraging. In fact many authorities estimate that with good treatment and care, almost 85% of all patients in the average mental hospital can be released in a year or two.

Why cannot the successful pilot project carried out by

the Philadelphia State Hospital (Byberry) be applied to all mental patients? The answer is simple—it can—provided sufficient funds are available.

The American Psychiatric Association has set standards for the number of doctors, nurses, and attendants needed to give patients good treatment. To meet these standards the Philadelphia State Hospital (Byberry), which currently operates on $3.10 a day per patient, would need to spend about $6.00 per day, per patient. Pending legislation will raise the amount to $3.45 per patient at Byberry and all of the other 16 State hospitals in Pennsylvania will receive $4.00 or more.

Byberry cannot do more for less just because of its size. Each of its 6,600 patients needs as much care as any other patient in a smaller hospital. Byberry, the largest State hospital, has long passed the point where large purchases result in reduced prices.

Insufficient funds mean improper treatment for our mentally ill with a proportionate decrease in the number of persons who can return to normal living; therefore be it

Resolved, That the Joint State Government Commission make a study of the cost of caring for the mentally ill in the Philadelphia State Hospital (Byberry) and investigate and compare the financial aid supplied to the Philadelphia State Hospital (Byberry) with the amount of assistance given other State Hospitals; and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations for supplying the Philadelphia State Hospital (Byberry) with ample funds for its proper operation and maintenance, together with drafts of such legislation as may be necessary to carry its recommendations into effect to the next regular session of the General Assembly.

Referred to the Committee on Rules.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 1 and 2.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 16, 1961.

Whereas, The National Legislative Conference has functioned effectively for more than a decade; and

Whereas, The membership is comprised of legislators of the States and Territories of the United States and the Commonwealth of Puerto Rico, the legislative officials and staff members of legislative service agencies; and

Whereas, The purpose of the Conference is to cooperate for more effective service to the legislatures and to aid in improving legislative processes and procedures; and

Whereas, The annual meetings have afforded an invaluable and unequalled opportunity for members and staffs of American legislatures to become more intimately acquainted with legislative organization, procedures, and services of the several states; and

Whereas, These meetings have materially increased the effectiveness of the legislative process over the years; and

Whereas, The significance of the National Legislative Conference has grown over the years to the extent that some 49 States and Territories participated in the 1960 Conference; and

Whereas, The States of Illinois, Washington, D. C., Wisconsin, New Mexico, Louisiana, California, Florida, Washington, Oklahoma, Massachusetts, and Colorado have served as host states for the annual meetings of the Conference; and

Whereas, the Fourteenth Annual Legislative Conference is to be held on September 6, 7, and 8, 1961; Now Therefore Be It

Resolved (the Senate concurring), That an invitation be extended to the National Legislative Conference to hold its Fourteenth Annual Meeting in Philadelphia, the cradle of American liberty and the birthplace of our American representative government; and Be It Further

Resolved, That the President Pro Tempore of the Senate appoint three members of the Senate and the Speaker of the House of Representatives appoint three members of the House to comprise the Pennsylvania Host Committee to cooperate with The Secretariat in making the necessary arrangements to assure that the 1961 meeting in Pennsylvania will be a profitable and memorable one for the participants.

COMMUNICATION

RESIGNATION

The SPEAKER laid before the House a communication which was read as follows:

January 12, 1961.

Hon. Hiram G. Andrews
Speaker of the House of Representatives
Harrisburg, Penna.

Dear Mr. Speaker:

I have made a decision not to take my seat in the House of Representatives to which I was elected in November by the voters of the Third Legislative District of Montgomery County.

You may accept this communication as my official resignation to this seat.

Sincerely,
(s) F. K. Brenninger

The SPEAKER. The Chair recognizes the gentleman from Greene, the Majority Leader.

Mr. McCANN. Mr. Speaker, in view of the official communication presented to the House today from the elected Representative to this House, I would like to place into the record a plan, since there is no precedent in the history of the Hall of this House to answer such a situation should it ever arise in the future.

It was contemplated that the Speaker of this House would send a registered communication to any elected Representative who had been elected and refused to take the oath of office. In that communication he would request a reply in writing and such communication and such reply would be spread upon the records upon receipt of that reply. If no reply was received, then upon the given date indicated in the letter, the Speaker would declare the seat vacant and under his authority he would call for an election in that legislative district.

This action, of course, in which the elected Representative has submitted his resignation in writing to the Speaker of the House of Representatives does not, therefore, clearly establish a precedent, for in the annals of the history of the House of Representatives there has been no precedent on this subject.

Therefore, I hope that the suggestions I am making here, should the occasion ever arise again, can be applied in accordance with this precedent.

Mr. Speaker, the letter of resignation from the elected Representative does not in this case permit us to proceed to establish for the record a precedent regarding a Member who fails to take his oath of office after being elected by the citizens of his legislative district.

The SPEAKER. We will now prepare to take up today's calendar. Do the respective Leaders desire that we call for leaves of absence?

Mr. McCANN. Yes, Mr. Speaker, and also at this point,

we had agreed yesterday, we would caucus and then take up the calendar.

The SPEAKER. That is contrary to the information the Chair received.

The next order is a caucus?

Mr. McCANN. Yes, Mr. Speaker, but I desire to inform the membership of the House regarding organization of committees, which will take place later in the day.

The SPEAKER. Will the gentleman yield until we take leaves of absence?

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. DOUGHERTY because of illness.

Mr. Eilberg for Mr. STANK because of illness.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, upon return from the caucus, the Standing Committees of the House will be divided into six groups. We realize quite well in trying to do this that some Members in any group will be on two committees which will be organizing at the same time. But we have tried to do it in such a manner that the least number of Members would be on committees, both Republicans and Democrat Members, which would be organizing at the same time.

When we return and are organizing committees, I will call out the committee groups. I ask that they organize as quickly as possible. Upon their return the Chairman of each committee will report to the House that the Committee on—we will take them alphabetically—Agriculture and Dairy Industries is organized and ready for the business of this House. Then we will go to the second group, third group, fourth group, fifth group and sixth group until we have organized the committees. I will ask that they do it as fast and as efficiently as possible so that they will, without any question of doubt, complete the organization today in an orderly manner.

Mr. Speaker, other than that, I will ask for a Democratic Caucus beginning at 10:30 a.m., but I believe, first, the Minority Leader desires to be recognized.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I would like to announce a Republican Caucus starting in approximately five minutes, if we are going to adjourn promptly.

The SPEAKER. For what duration should the caucus be?

Mr. McCANN. Mr. Speaker, I would like to ask the Minority Leader if he has any suggestion as to length of time. We estimated 45 minutes.

Mr. AGNEW. Forty-five minutes, Mr. Speaker, should be more than enough time for us.

Mr. McCANN. Mr. Speaker, I will ask for a Democratic Caucus in the New House Caucus Room, beginning promptly at 10:30, for 45 minutes. I ask that every Member proceed immediately to the New House Caucus Room.

RECESS

The SPEAKER. If there is no objection, the Chair will declare a recess of one hour for the purpose of holding a Democrat and a Republican Caucus.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) in the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. WALSH asked and obtained unanimous consent to address the House.

Mr. Speaker, Members of the House, I am very much disturbed and I have had a lot of inquiries from people in Allegheny County in reference to an article that appeared in Sunday's Post Gazette labeled, "Pitt Professor Compares Castro Cuba to Crucified Spain in 1930." Now this gentleman is a professor of history, teaching in our university at Pittsburgh.

I noticed in the headlines of this morning's paper that in President Eisenhower's budget he is asking for $47.392 billion for national security. This is 58 cents of every tax dollar of the American citizen for national defense. Yesterday we listened to our Governor tell us all the policies on a state level to appropriate funds for education. Education of our young people, not only is the ways and means of a livelihood, but in modern day of political activity this is an essential factor to be considered in order that we and our youth may survive. Governor Lawrence yesterday stressed education and in his message he asked that we Appropriate a sum of $469,055,-501, or 47.147 of every tax dollar of the people in the state of Pennsylvania for education. Last year, the biennium, we asked and appropriated close to $7 million to the University of Pittsburgh. This year the appropriation that they are asking for is close $6 million.

If we continue to appropriate funds for education, I feel we must be sure that these funds will be spent properly and will be so channelled as to aid and abet the American way of life and the ideals of objectives of decent Americanism. To allow supposed educational activity to undercut the objectives of our total activity, and for the Commonwealth to appropriate money to institutions harboring leftists who preach communistic doctrines, is a woeful waste of the money of the people of Pennsylvania and the United States of America. The tax money appropriated by this body for educational activities must be spent on education which is wholesome and beneficial to the community, and not for the payment of salaries of pro-communists.

Dr. Robert Colodny, a history professor at the University of Pittsburgh, fought with the Communist forces in the Spanish Civil War. He was a member of the Abraham Lincoln Brigade, which still tops the Attorney General's list of subversive organizations seeking to overthrow the United States government by force and violence. He states, "The Spanish Republic was just an agrarian reform movement." He made it plain that he considers Fidel Castro's revolution in Cuba just another case of "agrarian reform."

Last April he was one of some thirty signers of a state-

ment issued by the "Fair Play for Cuba Committee," an openly pro-Castro organization founded to tell the American people the "true facts" about Cuba. He claims that the American Press is surpressing the true facts.

Some of the other signers were Kenneth Tynan, who staged a British TV program last spring featuring, among other "distinguished American dissenters," Alger Hiss.

Now I feel that any so-called professor who confuses the dirt of the Castro regime, and incidentally I heard over a newscast that Castro has just executed his 380th person, is a butcher in my estimation. Anyone who confuses his regime with an agrarian policy is a confused person.

I am presenting this resolution, the Senate concurring, that the Speaker of the House appoint a committee to investigate these colleges and universities where our money is being appropriated to see that none of our money is spent to pay teachers who are teaching this pro-Communist doctrine.

RESOLUTION

JOINT COMMITTEE

Mr. WALSH offered a resolution which was filed with the Clerk under the Rules.

NEWLY ELECTED MAJORITY WHIP

Mr. McCANN. Mr. Speaker, I wish to announce to this House that the Democratic caucus today elected Mr. Josh Eilberg as Majority Whip, in place of James Dougherty who was announced at an earlier date. I announce this so the record would indicate clearly the election of Mr. Josh Eilberg, Philadelphia, Majority Whip of the Democratic members of the House of Representatives.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3, entitled:

A Joint Resolution ratifiying the proposed amendment to the Constitution of the United States relative to the granting of electors of President and Vice-President to the District of Columbia.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fox,	Lamb,	Riley,
Agnew,	Fry,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Ashton,	Gelfand,	Limper,	Rutherford,
Auker,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Lutty,	Schuster,
Blair,	Goldstein, M. H.,	Magee,	Seltzer,
Boles,	Goodrich,	Manbeck,	Shelton,
Bonner,	Gramlich,	Markley,	Sherman,
Bossert,	Gray,	Marsh,	Shupnik,
Bower,	Gremminger,	Maxwell,	Simmons,
Bowman,	Gross,	McCandless,	Slack,
Branca,	Guesman,	McCann,	Snare,
Breth,	Hamilton,	McCormack,	Steckel,
Buchanan,	Hankins,	McDevitt,	Stimmel,
Bush,	Hartley,	McInroy,	Stone,
Capano,	Haudenshield,	McLaughlin,	Strausser,
Cauley,	Heavey,	McNally,	Sullivan, J. A.,
Cianfrani,	Heffner,	Meholchick,	Sullivan, T. F.,
Cioffi,	Helm,	Merry,	Taylor,
Clarke,	Henzel,	Miller,	Thompson,
Comer,	Hocker,	Mills,	Tomascik,
Cooley,	Holliday,	Monroe,	Tompkins,
Crossin,	Holman,	Morley,	Trusio,
Curwood,	Horst,	Muldowney,	Ujobai,
Davis,	Irvis,	Mullen,	Verona,
Dengler,	Isaacs,	Munley,	Wall,
Dennison,	Jim,	Murray,	Walsh,
Donaldson,	Johnson, A. W.,	Musto,	Wargo,
Doughten,	Johnson, R. P.,	Needham,	Weidner,
Down,	Jones,	O'Dell,	Welsh,
Edwards,	Kamyk,	Ogilvie,	Whittaker,
Eilberg,	Keiser,	Parlante,	Willard,
Elvey,	Kelly,	Perry,	Willaredt,
Eshback,	Kernaghan,	Petrosky,	Williams, A. D.,
Eshleman,	Kessler,	Piper,	Williams, E. S.,
Ewing,	King,	Polaski,	Wilt,
Farabaugh,	Kistler,	Polen,	Wood,
Fetterolf,	Klein,	Prendergast,	Worley,
Filo,	Knecht,	Price,	Wynd,
Fineman,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reibman,	Zimmerman,
Foerster,	Korns,	Reidenbach,	Andrews,
Foor,	Kramer,	Renwick,	Speaker

NAYS—2

Stiteler,	Varner,

NOT VOTING—19

Capitolo,	Jenkins,	Mihm,	Pashley,
Dougherty,	Lippincott,	Murphy,	Scarcelli,
Frascella,	May,	O'Donnell, J. A.,	Stank,
Gibb,	McDonald,	O'Donnell, J. P.,	Wescott,
Guthrie,	McKeever,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 4, entitled:

A Joint Resolution proposing an amendment to article four section three of the Commonwealth of Pennsylvania making the Governor eligible to succeed himself for one additional term.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provision of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fry,	Lee, A. M.,	Riley,
Agnew,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gailey,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Ashton,	George,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Lutty,	Sakulsky,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schuster,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Marsh,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	McCandless,	Shupnik,
Bower,	Guesman,	McCann,	Simmons,
Bowman,	Hamilton,	McCormack,	Slack,
Branca,	Hankins,	McDevitt,	Snare,
Breth,	Hartley,	McInroy,	Steckel,
Buchanan,	Haudenshield,	McLaughlin,	Stimmel,
Bush,	Heavey,	McNally,	Stone,
Capano,	Heffner,	Meholchick,	Strausser,

Cauley,	Helm,	Merry,	Sullivan, J. A.,
Cianfrani,	Henzel,	Mihm,	Sullivan, T. F.,
Cioffi,	Hocker,	Miller,	Taylor,
Clarke,	Holliday,	Mills,	Thompson,
Comer,	Holman,	Monroe,	Tomascik,
Cooley,	Horst,	Morley,	Tompkins,
Crossin,	Irvis,	Muldowney,	Trusio,
Curwood,	Jim,	Mullen,	Ujobai,
Dengler,	Johnson, A. W.,	Munley,	Varner,
Dennison,	Johnson, R. P.,	Murray,	Verona,
Donaldson,	Jones,	Musto,	Wall,
Doughten,	Kamyk,	Needham,	Walsh,
Down,	Keiser,	O'Dell,	Wargo,
Edwards,	Kelly,	Ogilvie,	Welsh,
Eilberg,	Kernaghan,	Parlante,	Whittaker,
Elvey,	Kessler,	Perry,	Willard,
Eshback,	King,	Petrosky,	Willaredt,
Eshleman,	Kistler,	Piper,	Williams, A. D.,
Ewing,	Klein,	Polaski,	Williams, E. S.,
Farabaugh,	Knecht,	Polen,	Wilt,
Fetterolf,	Kooker,	Prendergast,	Wood,
Filo,	Kornick,	Price,	Worley,
Fineman,	Korns,	Pursley,	Wynd,
Flynn,	Kramer,	Reibman,	Yetter,
Foerster,	Lamb,	Reidenbach,	Zimmerman,
Foor,	Lawson,	Renwick,	Andrews,
Fox,			Speaker

NAYS—4

Davis,	Gross,	Isaacs,	Weidner,

NOT VOTING—19

Capitolo,	Jenkins,	Murphy,	Scarcelli,
Dougherty,	Lippincott,	O'Donnell, J. A.,	Stank,
Frascella,	May,	O'Donnell, J. P.,	Stiteler,
Gibb,	McDonald,	Odorisio,	Wescott,
Guthrie,	McKeever,	Pashley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 5, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fry,	Lee, A. M.,	Rovansek,
Agnew,	Fulmer,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gailey,	Leonard,	Rubin,
Anderson, S. A.,	Gallagher,	Limper,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Ashton,	George,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibbons,	Lutty,	Schaaf,
Bachman,	Goldstein, J. H.,	Magee,	Schuster,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Seltzer,
Blair,	Goodrich,	Markley,	Shelton,
Boies,	Gramlich,	Marsh,	Sherman,
Bonner,	Gray,	Maxwell,	Shupnik,
Bossert,	Gremminger,	McCandless,	Simmons,
Bower,	Guesman,	McCann,	Slack,
Bowman,	Hamilton,	McCormack,	Snare,
Branca,	Hankins,	McDevitt,	Steckel,
Breth,	Hartley,	McInroy,	Stimmel,
Buchanan,	Haudenshield,	McLaughlin,	Stone,
Bush,	Heavey,	McNally,	Strausser,
Capano,	Heffner,	Meholchick,	Sullivan, J. A.,
Cauley,	Helm,	Merry,	Sullivan, T. F.,
Cianfrani,	Henzel,	Miller,	Taylor,
Cioffi,	Hocker,	Mills,	Thompson,
Clarke,	Holliday,	Monroe,	Tomascik,
Comer,	Holman,	Morley,	Tompkins,
Cooley,	Horst,	Muldowney,	Trusio,
Crossin,	Irvis,	Mullen,	Ujobai,
Curwood,	Isaacs,	Munley,	Varner,
Dengler,	Jim,	Murray,	Verona,
Dennison,	Johnson, A. W.,	Musto,	Wall,
Donaldson,	Johnson, R. P.,	Needham,	Walsh,
Doughten,	Jones,	O'Dell,	Wargo,
Down,	Kamyk,	Ogilvie,	Weidner,
Edwards,	Keiser,	Parlante,	Welsh,
Eilberg,	Kelly,	Perry,	Whittaker,
Elvey,	Kernaghan,	Petrosky,	Willard,
Eshback,	Kessler,	Piper,	Willaredt,
Eshleman,	King,	Polaski,	Williams, A. D.,
Ewing,	Kistler,	Polen,	Williams, E. S.,
Farabaugh,	Klein,	Prendergast,	Wilt,
Fetterolf,	Knecht,	Price,	Wood,
Filo,	Kooker,	Pursley,	Worley,
Fineman,	Kornick,	Reibman,	Wynd,
Flynn,	Korns,	Reidenbach,	Yetter,
Foerster,	Kramer,	Renwick,	Zimmerman,
Foor,	Lamb,	Riley,	Andrews,
Fox,	Lawson,		Speaker

NAYS—3

Davis,	Gross,	Stiteler,

NOT VOTING—19

Capitolo,	Jenkins,	Mihm,	Pashley,
Dougherty,	Lippincott,	Murphy,	Scarcelli,
Frascella,	May,	O'Donnell, J. A.,	Stank,
Gibb,	McDonald,	O'Donnell, J. P.,	Wescott,
Guthrie,	McKeever,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 6, entitled:

A Joint Resolution proposing an amendment to article fourteen section one of the Constitution of the Commonwealth of Pennsylvania permitting county treasurers to succeed themselves.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fox,	Lawson,	Riley,
Agnew,	Fry,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gailey,	Leonard,	Rubin,
Arlene,	Gallagher,	Limper,	Rudisill,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Auker,	George,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Magee,	Schuster,
Blair,	Goldstein, M. H.,	Manbeck,	Seltzer,
Boies,	Goodrich,	Markley,	Shelton,
Bonner,	Gramlich,	Marsh,	Sherman,
Bossert,	Gray,	Maxwell,	Shupnik,
Bower,	Gremminger,	McCandless,	Simmons,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Hamilton,	McCormack,	Snare,
Breth,	Hankins,	McDevitt,	Steckel,
Buchanan,	Hartley,	McInroy,	Stimmel,
Bush,	Haudenshield,	McLaughlin,	Stone,
Capano,	Heavey,	McNally,	Strausser,
Cauley,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Sullivan, T. F.,
Cioffi,	Henzel,	Miller,	Taylor,

Clarke,	Hocker,	Mills,	Thompson,
Comer,	Holliday,	Monroe,	Tomascik,
Cooley,	Holman,	Morley,	Tompkins,
Crossin,	Horst,	Muldowney,	Trusio,
Curwood,	Irvis,	Mullen,	Ujobai,
Davis,	Isaacs,	Munley,	Varner,
Dengler,	Jim,	Murray,	Verona,
Dennison,	Johnson, A. W.,	Musto,	Wall,
Donaldson,	Johnson, R. P.,	Needham,	Walsh,
Doughten,	Jones,	O'Dell,	Wargo,
Down,	Kamyk,	Ogilvie,	Weidner,
Edwards,	Keiser,	Parlante,	Welsh,
Eilberg,	Kelly,	Perry,	Whittaker,
Elvey,	Kernaghan,	Petrosky,	Willard,
Eshback,	Kessler,	Piper,	Willaredt,
Eshleman,	King,	Polaski,	Williams, E. S.,
Ewing,	Kistler,	Polen,	Wilt,
Farabaugh,	Klein,	Prendergast,	Wood,
Fetterolf,	Knecht,	Price,	Worley,
Filo,	Kornick,	Pursley,	Wynd,
Fineman,	Korns,	Reibman,	Yetter,
Flynn,	Kramer,	Reidenbach,	Zimmerman,
Foerster,	Lamb,	Renwick,	Andrews,
Foor,			Speaker

NAYS—4

Gross,	Kooker,	Stiteler,	Williams, A. D.,

NOT VOTING—19

Capitolo,	Jenkins,	Mihm,	Pashley,
Dougherty,	Lippincott,	Murphy,	Scarcelli,
Frascella,	May,	O'Donnell, J. A.,	Stank,
Gibb,	McDonald,	O'Donnell, J. P.,	Wescott,
Guthrie,	McKeever,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I hope everyone has their committee list in front of them that was mimeographed yesterday. We are going to call for the first group to leave the House. There will be six groups. Please organize as quickly as possible.

Group No. 1, Agriculture and Dairy Industries, Mr. Farabaugh, Chairman, Room 131 A.

Insurance, Mr. Hamilton, Chairman, Room 522. To the new members, 522 is on E Floor.

Judiciary Special, Mr. Leonard, Chairman, Room 131 D.

Mines and Mineral Industries, Mr. Rovansek, Chairman, Room 131 E.

Railroads and Railways, Mr. Taylor, Chairman, Room 521.

Congressional Apportionment, Mr. Sherman, Chairman, in the Appropriation Committee Room 245-246.

Will all the members of those committees please go to the organizational meetings immediately and the Chairman report on the Floor when they return?

INTERROGATION

Mr. BLAIR asked and obtained unanimous consent to interrogate Mr. McCANN.

Mr. BLAIR. I am a little bit confused and I would like to have this question answered. On the pamphlet I received by mail at my home, it listed the legislative and congressional reapportionment Committees. I signed that slip of paper requesting that appointment. I returned to Harrisburg and I find they have divided that committee into two separate committees. That did not appear on the slip that I had, which I signed, requesting the various legislative appointments to which I hoped to be appointed. What was the purpose of dividing that after we were not previously informed of that move?

The SPEAKER. The Chair might answer that. In the opinion of the Chair a better job could be done due to the immensity of the task by dividing the committee, and the leadership of the House agreed that probably was the wisest course.

Mr. BLAIR. I am sorry, Mr. Speaker, but whether or not the rank and file was informed of that move I am unable to say, but I can tell you honestly that this was all news to me and I was disappointed because I would certainly have changed my request for committee assignment had this knowledge been made available to us previous to the change.

The SPEAKER. The Chair is very sorry if any Member has been either discommoded or disappointed, but there is need for haste.

REPORTS OF COMMITTEES

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Taylor.

Mr. TAYLOR. Mr. Speaker the Committee on Railroads and Railways has organized and is ready for business.

The SPEAKER. The Chair thanks the gentleman and thanks the committee.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. Mr. Speaker, the Committee on Congressional Apportionment has organized and is ready to do business.

The SPEAKER. The Chair thanks the gentleman and the Committee.

The SPEAKER. The Chair requests the gentleman form Clearfield, Mr. Breth, to preside temporarily.

Mr. BRETH IN THE CHAIR

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Leonard.

Mr. LEONARD. Mr. Speaker, the Committee on Judiciary Special is organized, present and ready to go.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cameron, Mr. Rovansek.

Mr. ROVANSEK. Mr. Speaker, the Committee on Mines and Mineral Industries has completed its order of organization and is ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, the Committee on Agriculture and Dairy Industries has organized and is ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. McCANN. Group No. 2: Cities-Counties Second Class, Mr. Lutty, Room 131-B;

Cities Third Class, Mr. Walsh, Room 131-C;

Boroughs, Mr. Filo, Room 324;

Municipal Corporations, Mr. Polaski, Room 331;

Workmen's Compensation, Mr. Capano, Room 131-G.

In this group there are five committees, balancing it out. Please organize those committees and report back on the Floor.

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver, Mr. Hamilton.

Mr. HAMILTON. The Committee on Insurance has been organized and is ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman and reminds him that he is a little late. The report was conveyed to the Chair about ten minutes ago.

The Chair recognizes the gentleman from Washington, Mr. Capano.

Mr. CAPANO. The Committee on Workmen's Compensation has met and organized and we are ready to do business if any bills are assigned to us.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Lutty.

Mr. LUTTY. Mr. Speaker, the Committee on Cities Second Class and Second Class A has organized and is ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, the distinguished Committee on Boroughs, representing 950 boroughs in the State of Pennsylvania, has organized and is ready to do business for the boroughs of Pennsylvania.

The SPEAKER pro tempore. The Chair thanks the gentleman and offers the observation that he will have plenty to do this year.

The Chair recognizes the gentleman from Erie, Mr. Polaski.

Mr. POLASKI. Mr. Speaker, the Committee on Municipal Corporations has organized and is ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, I wish to report that the Committee on Cities Third Class is organized and in working order.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, the third group:

Appropriations, Mr. Polen, Room 245-246;

Highways, Mr. Comer, Room 521;

Judiciary, Mr. Rudisill, Room 131-D;

Game and Conservation, Mr. Curwood, Room 323;

Law and Order, Mr. Welsh, Room 522.

Will the Committee Chairmen report as soon as organized? Please try to do it as quickly as possible.

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Curwood.

Mr. CURWOOD. Mr. Speaker, I wish to report that the Committee on Game and Conservation is organized and ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Welsh.

Mr. WELSH. Mr. Speaker, I wish to report that the Committee on Law and Order is organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Rudisill.

Mr. RUDISILL. Mr. Speaker, the Judiciary General Committee has organized and is ready to proceed with the business of the House.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the Committee on Appropriations has organized and is ready for the transaction of business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Comer.

Mr. COMER. Mr. Speaker, I would like to inform the House that the Committee on Highways is now organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, Group No. 4:

Ways and Means, Mr. Kamyk, Room 131-G;

Townships, Mr. Flynn, Room 131-A;

Welfare, Mr. Stone, Room 331;

Fisheries, Mr. Jim, Westmoreland, a change which will be in the Committee Report, Room 323;

Motor Vehicles, Mr. Limper, Room 521;

Legislative Apportionment, Mr. Kornick, Room 245-246.

Will the Chairmen please report as soon as their Committees have been organized?

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, the Committee on Legislative Apportionment has organized.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Stone.

Mr. STONE. Mr. Speaker, the Committee on Welfare is organized and ready to transact business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Limper.

Mr. LIMPER. Mr. Speaker, the Committee on Motor Vehicles has organized.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Kamyk.

Mr. KAMYK. Mr. Speaker, the Committee on Ways and Means is organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Washington, Mr. Flynn.

Mr. FLYNN. Mr. Speaker, on behalf of the Committee on Townships, I wish to report to the House that we have organized and are ready to transact business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Jim.

Mr. JIM. Mr. Speaker, the Committee on Fisheries is organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, the fifth group, the next to the last group. We have divided them into six groups.

Education, Mrs. Reibman, Room 324;

Banking and Building and Loan Association, Mr. Parlante, Room 131-A;

Counties, Mr. Cioffi, Room 131-C;

Elections, Mr. Eilberg, Room 323;

Labor Relations, Mr. Wargo, Room 131-G;

Professional Licensure, Mr. Boies, Room 131-B.

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the lady from Northampton, Mrs. Reibman.

Mrs. REIBMAN. Mr. Speaker, the Committee on Education has organized and is ready to do the business of the Session.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes the gentleman from Philadelphia, Mr. Parlante.

Mr. PARLANTE. Mr. Speaker, the Committee on Banking and Building and Loan Associations is organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, I wish to report that the Committee on Professional Licensure is organized and ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Wargo.

Mr. WARGO. Mr. Speaker, the Committee on Labor Relations is organized and ready to do its duty.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence, Mr. Cioffi.

Mr. CIOFFI. Mr. Speaker, the Committee on Counties is organized and ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GREMMINGER asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION

CONGRATULATIONS

Messrs. GREMMINGER, GALLAGHER, J. A. SULLIVAN, AGNEW, DONALDSON, KAMYK, FOERSTER, KRAMER and McCANN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The rseolution was read, considered and adopted as follows:

In the House of Representatives, January 17, 1961.

The Pittsburgh Baseball Club, better known as the Pirates, won the National League Championship and by defeating the New York Yankees Baseball Club in the World Series became the baseball champions of the world.

This was accomplished under the managership of Danny Murtaugh, a native of Delaware County, Pennsylvania. This signal honor to the State of Pennsylvania was in a large measure attributable to the ability and efforts of Danny Murtaugh at Manager. As a result of this achievement Danny Murtaugh was named by the Baseball Writers Association as Manager of the year; therefor be is

Resolved, That Danny Murtaugh be congratulated and commended for his receiving this outstanding award; and be it further

Resolved, That a copy of this resolution be transmitted to Danny Murtaugh at his home in Chester, Pennsylvania.

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg.

Mr. EILBERG. Mr. Speaker, the Committee on Elections is organized and ready to do business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. The sixth and last group:

Liquor Control, Mr. Reidenbach, Room 131F

Military Affairs, Mr. Needham, Room 324

Public Health and Sanitation, Mr. Maxwell, Room 331

State Government, Mr. Fineman, Room 522

Public Utilities and Corporations, Mr. Mills, Room 245-246

The SPEAKER pro tempore. At this time, for the record, the Chair would like to call attention to the Members of an inaccuracy in the vote of the bills that we passed this morning and this afternoon. After conference with the Chief Clerk and the Secretary and the Minority and Majority Leaders, the vote will now be recorded at 187 yeas, 2 nays—(House Bill No. 3); House Bill No. 4, 185 yeas and 4 nays; House Bill No. 5, 186 yeas and 3 nays; House Bill No. 6, 185 yeas and 4 nays. So they will be the corrected vote totals which will go into the Legislative Journal and the record.

QUESTION OF PERSONAL PRIVILEGE

Mr. FILO. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FILO. Mr. Speaker, I think that Mr. Ominsky should hear this. Sometimes during the night some of the papers have disappeared from my desk. I recall one time in the last Session that I saw a woman cleaner just scraping the papers off the desks of the Members. It might be a good thing to instruct those people not to touch anything on the Members' desks.

The SPEAKER pro tempore. The Chief Clerk observes that the women are as careful as they can be. However, each Member has keys to various compartments of his desk and any important papers which he wishes to preserve should be kept within the desk, under lock and key, except the calendars and the other papers which are automaticallly kept on top.

REPORTS OF COMMITTEES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I desire to report that the Committee on State Government is organized and ready to transact business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lackawanna, Mr. Needham.

Mr. NEEDHAM. Mr. Speaker, the Committee on Military Affairs has been organized and is ready for action.

The SPEAKER pro tempore. The Chair thanks the gentleman and wishes him lots of action.

The Chair recognizes the gentleman from Westmoreland, Mr. Mills.

Mr. MILLS. Mr. Speaker, the Committee on Public Utilities has been organized.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lackawanna, Mr. Reidenbach.

Mr. REIDENBACH. Mr. Speaker, the Liquor Control Committee is organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, the Committee on Public Health and Sanitation has met and is now organized and ready for business.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, this completes the list of organizational committee meetings for today. They have all reported.

I do ask that every Committee Chairman notify the Chief Clerk as to their secretaries, for the publication which the Chief Clerk's Office is preparing.

ADJOURNMENT

Mr. SIMMONS. Mr. Speaker, I move that this House do now adjourn until Monday, January 23, 1961, at 3:30 p.m. EST.

The motion was agreed to, and (at 2:16 p. m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, JANUARY 23, 1961. No. 8.

SENATE

MONDAY, JANUARY 23, 1961.

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, REV. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethern Church, Palmyra, offered the following prayer:

O God, our help in ages past, our hope for years to come, we return thanks unto Thee for Thy many blessings unto our Nation and State. Wherein we have been guilty of shortcomings, forgive us, we pray.

Grant Thy heavenly benediction upon the President of our beloved Country and his Administration. Undergird him and his associates with Thy unfailing power. May all our people be united to support those efforts which will be for the welfare of all mankind.

Remember the Governor of our Commonwealth and every Member of the Assembly with Thy guidance and understanding. Grant, O Lord, that through their mutual labor Thy name can be enhanced and all our citizenry blessed.

This we ask through the name of Him who said: "I am the Way, the Truth and the Life." Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR LAID ON THE TABLE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and laid on the table:

TREASURER IN AND FOR THE COUNTY OF MERCER

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley H. Patterson, 135 South Shenango Street, Mercer, Mercer County, for appointment as Treasurer in and for the County of Mercer, until the first Monday of January 1962, vice Hon. Robert G. Hunter, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Alleghany County.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Alleghany County.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Markovitz, 236 Franklin Street, Johnstown, Cambria, County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Ralph H. Eccles, Rimersburg, Clarion County.

Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County.

DAVID L. LAWRENCE.

MEMBER OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Earnest E. Wadsworth (Democrat), 311 Pine Street, Johnstown, Cambria County, for appointment as a member of the Cambria County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Anthony H. Lorditch, Johnstown, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE PHILADELPHIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward O'Malley, Jr. (Democrat), 25th and Moore Streets, Philadelphia 45, Philadelphia County, for appointment as a member of the Philadelphia County Board of Assistance, until December 31, 1963, and until his successor is duly apponited and qualified, vice Joseph W. Wood, Philadelphia, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William B. Freeland, 201 Market Street, Halifax, Dauphin County, for appointment as Justice of the Peace in and for the Borough of Halifax, Dauphin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel B. Ahearn, R. D. 1, Coudersport, Potter County, for appointment as Justice of the Peace in and for the Township of Allegany, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

RECALLING CERTAIN NOMINATIONS FOR CONFIRMATION

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nominations for confirmation, dated January 3, 1961, of the following:

Mrs. Agnes McCartney, Lansford, member of the Board of Trustees of Hamburg State School and Hospital, from November 15, 1960, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

Thomas H. Lane, Middletown, member of the Board of Trustees of Harrisburg State Hospital, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

Robert M. Taylor, Philadelphia, member of the Board of Trustees of Pennhurst State School, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

I respectfully request the return to me of the messages of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR TAKEN FROM THE TABLE

Mr. WEINER. Mr. President, I call from the table the nominations of Mrs. Agnes McCartney as a member of the Board of Trustees of Hamburg State School and Hospital, Thomas H. Lane as a member of the Board of Trustees of Harrisburg State Hospital, and Robert M. Taylor as a member of the Board of Trustees of Pennhurst State School, and ask that they be read by the Clerk.

The Clerk read the nominations as follows:

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following persons:

MEMBER OF THE BOARD OF TRUSTEES OF HAMBURG STATE SCHOOL AND HOSPITAL

January 3, 1961.

(Mrs.) Agnes McCartney, Lansford, from November 15, 1960, until the third Tuesday of January 1961, and until her successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

January 3, 1961.

Thomas H. Lane, Middletown, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

January 3, 1961.

Robert M. Taylor, Philadelphia, from November 15, 1960, until the third Tuesday of January 1961, and until his successor is appointed and qualified.

David L. Lawrence.

NOMINATIONS RETURNED TO THE GOVERNOR

Mr. WEINER. Mr. President, I move that the nominations just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. SCOTT. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The nominations will be returned to the Governor.

APPOINTMENT OF STANDING COMMITTEES

The PRESIDENT. The Chair wishes to announce that communication has been received from the President pro tempore, designating the Appointment of the Standing Committees of the Senate of Pennsylvania for the Session of 1961.

The Appointment of the Standing Committees of the Senate will appear in the Legislative Journal.

The Chair might advise the Senators that copies of the

Appointment of the Standing Committees have been placed on the desk of each Senator.

SENATE COMMITTEES

Standing Committees of the Senate of Pennsylvania
Session of 1961

AGRICULTURE—(18)

Room 539—E Floor, North Wing

YATRON (Chairman)
CAMIEL (Vice-Chairman)

Haluska	Sesler	Madigan
Hays	Seyler	Mallery
Mahady	Staisey	Stroup
McGinnis	Hawbaker	DiSilvestro, ex officio
Miller	Kessler	
Rooney	Kromer	

APPROPRIATIONS—(23)

Room 252—2d Floor, Center Wing

McGINNIS (Chairman)
STIEFEL (Vice-Chairman)

Camiel	Murray	Chapman
Haluska	Ripp	Fleming
Hays	Sarraf	Kessler
Kalman	Seyler	Propert
Lane	Silvert	Stevenson
McMenamin	Weiner	Taylor
Mullin	Berger	DiSilvestro, ex officio

BANKING—(19)

Room 302—3rd Floor, Front Center

DONOLOW (Chairman)
MURRAY (Vice-Chairman)

Mahady	Staisey	Propert
McCreesh	Stiefel	Wade
McGinnis	Yatron	Wagner
Rooney	Bell	Ware
Sesler	Keller	DiSilvestro, ex officio
Silvert	Pechan	

CONSTITUTIONAL CHANGES & FEDERAL RELATIONS—(17)

Room 302—3rd Floor, Front Center

MAHADY (Chairman)
DONOLOW (Vice-Chairman)

Camiel	Silvert	Madigan
Haluska	Staisey	Propert
Kalman	Stiefel	Ware
McCreesh	Confair	Wolfe
Miller	Kromer	DiSilvestro, ex officio

CORPORATIONS—(18)

Room 301—3rd Floor, Front Center

RIPP (Chairman)
SILVERT (Vice-Chairman)

Donolow	Sesler	Shafer
Kalman	Staisey	Van Sant
McMenamin	Chapman	Ware
Miller	Ehrgood	DiSilvestro, ex officio
Mullin	Mallery	
Rooney	Propert	

EDUCATION—(19)

Room 302—3rd Floor, Front Center

HAYS (Chairman)
SEYLER (Vice-Chairman)

Mullin	Staisey	Kessler
Murray	Stiefel	Madigan
Ripp	Yatron	Stroup
Rooney	Berger	Wagner
Sarraf	Fleming	DiSilvestro, ex officio
Silvert	Keller	

ELECTIONS—(17)

Room 301—3rd Floor, Front Center

McCREESH (Chairman)
SESLER (Vice-Chairman)

Camiel	Miller	Scott
Devlin	Sarraf	Shafer
Donolow	Bell	Stroup
Mahady	Keller	Taylor
McGinnis	Kromer	DiSilvestro, ex officio

EXECUTIVE NOMINATIONS—(10)

Room 539A—E Floor, North Wing

DEVLIN (Chairman)
LANE (Vice-Chairman)

Kalman	Ehrgood
McGinnis	Fleming
Weiner	Hawbaker
Yatron	DiSilvestro, ex officio

FINANCE—(17)

Room 542—E Floor, North Wing

SILVERT (Chairman)
HAYS (Vice-Chairman)

Donolow	Sarraf	Propert
Kalman	Seyler	Scott
Lane	Weiner	Stevenson
McGinnis	Berger	Wade
McMenamin	Kessler	DiSilvestro, ex officio

FORESTS & WATERS, GAME & FISH—(17)

Room 539A—E Floor, North Wing

STAISEY (Chairman)
MAHADY (Vice-Chairman)

Camiel	Ripp	Fleming
Haluska	Sesler	Stevenson
Hays	Stiefel	Ware
McGinnis	Yatron	Wolfe
McMenamin	Confair	DiSilvestro, ex officio

HIGHWAYS—(24)

Room 542—E Floor, North Wing

ROONEY (Chairman)
MULLIN (Vice-Chairman)

Camiel	Murray	Flack
Devlin	Ripp	Fleming
Donolow	Sesler	Mallery
Haluska	Staisey	Van Sant
Hays	Stiefel	Wade
Lane	Yatron	Wolfe
McGinnis	Confair	DiSilvestro, ex officio
McMenamin		

INSURANCE—(17)

Room 542—E Floor, North Wing

MURRAY (Chairman)
RIPP (Vice-Chairman)

Devlin	Miller	Taylor
Donolow	Silvert	Van Sant
Kalman	Stiefel	Wade
McCreesh	Flack	Wagner
McMenamin	Scott	DiSilvestro, ex officio

JUDICIARY GENERAL—(24)

Room 535—E Floor, North Wing

McMENAMIN (Chairman)
KALMAN (Vice-Chairman)

Devlin	Sesler	Ehrgood
Donolow	Seyler	Kessler
Lane	Silvert	Mallery
Mahady	Stiefel	Scott
McCreesh	Bell	Shafer
McGinnis	Berger	Stroup
Mullin	Chapman	DiSilvestro, ex officio
Ripp		

LABOR & INDUSTRY—(18)

Room 535—E Floor, North Wing

MILLER (Chairman)
DEVLIN (Vice-Chairman)

Donolow	Seyler	Kessler
Haluska	Staisey	Madigan
Kalman	Chapman	Mallery
Lane	Hawbaker	Wagner
Mullin	Keller	DiSilvestro, ex offiicio
Murray		

LAW & ORDER—(17)

Room 535A—E Floor, North Wing

CAMIEL (Chairman)
YATRON (Vice-Chairman)

Hays	Seyler	Kromer
Mahady	Silvert	Madigan
Miller	Stiefel	Shafer
Ripp	Confair	Wagner
Rooney	Hawbaker	DiSilvestro, ex officio

LOCAL GOVERNMENT—(18)

Room 301—3rd Floor, Front Center

HALUSKA (Chairman)
SARRAF (Vice-Chairman)

Camiel	Ripp	Scott
Devlin	Seyler	Stevenson
Hays	Flack	Stroup
Lane	Kromer	Van Sant
McCreesh	Mallery	DiSilvestro, ex officio
Mullin		

MILITARY AFFAIRS & AERONAUTICS—(17)

Room 539—E Floor, North Wing

SESLER (Chairman)
MILLER (Vice-Chairman)

Devlin	Ripp	Shafer
Donolow	Sarraf	Stevenson
Haluska	Yatron	Wade
Mahady	Bell	Wolfe
McCreesh	Pechan	DiSilvestro, ex officio

MINES AND MINERAL INDUSTRIES—(17)

Room 542—E Floor, North Wing

KALMAN (Chairman)
McMENAMIN (Vice-Chairman)

Hays	Sarraf	Scott
Mahady	Sesler	Stevenson
McCreesh	Berger	Ware
Murray	Flack	Wolfe
Rooney	Pechan	DiSilvestro, ex officio

PUBLIC HEALTH & WELFARE—(18)

Room 535A—E Floor, North Wing

SARRAF (Chairman)
McCREESH (Vice-Chairman)

Camiel	Staisey	Confair
Hays	Stiefel	Flack
Kalman	Yatron	Hawbaker
Mullin	Berger	Pechan
Murray	Chapman	DiSilvestro, ex officio
Rooney		

REAPPOINTMENT—(12)

Room 535A—E Floor, North Wing

SEYLER (Chairman)
WEINER (Vice-Chairman)

Lane	Berger
McGinnis	Ehrgood
Mullin	Fleming
Murray	Taylor
Ripp	DiSilvestro, ex officio

RULES—(9)

Room 540—E Floor, North Wing

WEINER (Chairman)
LANE (Vice-Chairman)

Murray	Pechan
Sarraf	Taylor
Stiefel	DiSilvestro, ex officio
Berger	

STATE GOVERNMENT—(18)

Room 535—E Floor, North Wing

MULLIN (Chairman)
STAISEY (Vice-Chairman)

Devlin	Murray	Keller
Hays	Rooney	Shafer
Lane	Seyler	Van Sant
McGinnis	Bell	Wade
McMenamin	Ehrgood	DiSilvestro, ex officio
Miller		

NOMINATIONS BY THE GOVERNOR TAKEN FROM THE TABLE AND REFERRED TO THE COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WEINER. Mr. President, I call from the table all of the nominations made by His Excellency, the Governor, and ask that they be referred to the Committee on Executive Nominations.

The PRESIDENT. The nominations are so referred to the Committee on Executive Nominations.

(For above nominations, see Senate Legislative Journal of January 3, 16, 17, and 23, 1961.)

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented **HB 3, 4, 5 and 6,** which were referred to the Committee on Constitutional Changes and Federal Relations.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a meeting of the Select Committee on Legislation, to be held in the office of the President pro tempore. This meeting is for the purpose of rereferring bills to the proper committees.

The PRESIDENT. Are there any objections? The Chair

hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

SELECT COMMITTEE ON LEGISLATION DISSOLVED

Mr. WEINER. Mr. President, I am authorized by the Select Committee on Legislation to turn over to the Chair the bills in its possession for rereferral to the appropriate committees.

I would also like the record to show that the Select Committee on Legislation is now dissolved inasmuch as the Standing Committees of the Senate are now in operation.

BILLS REREFERRED

Mr. WEINER, from the Select Committe on Legislation, returned to the Senate, **SB 7,** which was rereferred to the Committee on Corporations.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 8** and **21,** which were rereferred to the Committee on Law and Order.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 4, 9, 10, 12, 13, 25, 32, 54** and **58,** which were rereferred to the Committee on Highways.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 11** and **19,** which were rereferred to the Committee on Finance.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 14, 15, 16, 17, 18, 20, 26, 59** and **62,** which were rereferred to the Committee on Judiciary General.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 22 and 30,** which were rereferred to the Committee on Local Government.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 23, 24, 27, 33, 34, 36, 37, 42, 44, 47, 48, 50** and **52,** which were rereferred to the Committee on Constitutional Changes and Federal Relations.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 45, 56,** and **57,** which were rereferred to the Committee on State Government.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 5, 55,** and **63,** which were rereferred to the Committee on Appropriations.

He also, from the Select Committee on Legislation, returned to the Senate, **SB 60** and **61,** which were rereferred to the Committee on Labor and Industry.

SENATE RESOLUTION, SERIAL No. 5, REREFERRED

Mr. WEINER, from the Select Committee on Legislation, returned to the Senate, Senate Resolution, **Serial No. 5,** which was rereferred to the Committee on Education.

SENATE CONCURRENT RESOLUTION, SERIAL No. 101, REREFERRED

Mr. WEINER, from the Select Committee on Legislation, returned to the Senate, Senate Concurrent Resolution, **Serial No. 101,** which was rereferred to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. EHRGOOD asked and obtained unanimous consent to address the Senate.

Mr. EHRGOOD. Mr. President, one of the great keystones of democracy, of course, is education and the opportunity to pursue higher education need not be belabored by me. Presently, there is a means by which scholarships are granted to schools of higher education in this Commonwealth. The State Council of Education awards, on the basis of merit and competitive examination, a scholarship to each county or each Senatorial District.

The bill which I am about to introduce, on behalf of Senator Silvert, Senator Stroup and myself, would extend that. It would grant additional scholarships to each district and, on the basis of competitive examination, it would allow the State Council of Education to award 1,000 scholarships to schools of higher education in the Commonwealth of Pennsylvania, regardless of whether or not they are State-aided.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, I have cosponsored this scholarship bill, which is being introduced by Senator Ehrgood, because it directs itself to an area in our society that is requiring more and more of our attention, and that is the area of college education.

We all know that tuition fees have gone up and we are rapidly approaching a situation where only the sons and daughters of the well-to-do will be able to go to college. Certainly we in Pennsylvania would not like to see such a situation arise.

I believe the bill being introduced by Senator Ehrgood is good for two reasons: First, it is based upon competitive scholarships and, secondly, it goes to the area of ability to pay. In other words, there must be financial need in the family before a student can qualify for these scholarships.

BILLS INTRODUCED AND REFERRED

Messrs. EHRGOOD, SILVERT and STROUP presented to the Chair **SB 64,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the number and value of scholarships, and making an appropriation.

Which was committed to the Committee on Education.

Mr. EHRGOOD presented to the Chair **SB 65,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making the sale of regrooved tires without notice thereof a crime.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 66,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," changing the provisions relating to the report of nonpayment of judgments.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 67**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring the erection of school bus stop signs and requiring that loading zones be approved by the Pennsylvania State Police.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 68**, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," relating to the measure of damages in survival actions involving personal injuries.

Which was committed to the Committee on Judiciary General.

Mr. MULLIN presented to the Chair **SB 69**, entitled:

An Act amending the act of April 24, 1947 (P. L. 80), entitled "Intestate Act of 1947," changing provisions with respect to illegitimates.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 70**, entitled:

An Act providing for the determination and effect of comparative negligence in actions of tort and providing that contributory negligence shall not bar recovery.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 71**, entitled:

An Act removing the effect of a seal on presumptions and limitation of actions.

Which was committed to the Committee on Judiciary General.

Mr. SILVERT presented to the Chair **SB 72**, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry, Philadelphia, Pennsylvania, for maintenance and support.

Which was committed to the Committee on Appropriations.

Messrs. MAHADY, McCREESH, MURRAY, DONOLOW, CAMIEL, McMENAMIN and ROONEY presented to the Chair **SB 73**, entitled:

An Act repealing the act of July 18, 1957 (P. L. 1006), entitled "A supplement to the act of May 2, 1945 (P. L. 382), entitled 'Municipality Authorities Act of 1945' granting certain powers to Authorities organized by a county or counties and engaged solely in the construction or acquisition and operation of water works, water supply works or water distribution systems with respect to the life of such Authorities, the issuance of bonds, the power of eminent domain, the laying of mains, the relocation and vacation of roads, the abatement of certain nuisances, the supplying of water to the public, and conferring additional powers on the Secretary of Highways, municipalities, the courts of quarter sessions, and courts of common pleas, with respect to such Authorities," and providing for the dissolution of existing Authorities.

Which was committed to the Committee on Local Government.

Messrs. DEVLIN, DONOLOW, MAHADY, McCREESH and MURRAY presented to the Chair **SB 74**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," prohibiting persons under fourteen years of age from operating certain tractors and other equipment.

Which was committed to the Committee on Highways.

Messrs. DEVLIN, MILLER and McCREESH presented to the Chair **SB 75**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring operators to dim their headlights when following or overtaking another vehicle and providing penalties.

Which was committed to the Committee on Highways.

Messrs. DONOLOW, DEVLIN, McCREESH, KALMAN, MURRAY, HAYS and MILLER presented to the Chair **SB 76**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the maximum number of officers and men in the aggregate in the Pennsylvania State Police and making editorial changes.

Which was committed to the Committee on State Government.

Messrs. DONOLOW, McCREESH, SILVERT and MURRAY presented to the Chair **SB 77**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," imposing duties on the secretary relating to lights on certain vehicles, tractors and machinery; making it illegal to operate them during certain hours and providing penalties.

Which was committed to the Committee on Highways.

Messrs. DONOLOW, CAMIEL, SILVERT, STIEFEL and MULLIN presented to the Chair **SB 78**, entitled:

An Act amending the act of March 31, 1860 (P. L. 427), entitled "Criminal Procedure Act of 1860," broadening the power of magistrates to take bail.

Which was committed to the Committee on Judiciary General.

The PRESIDENT. The Chair now recognizes the gentleman from Northampton, Senator Rooney, who is standing at a different microphone than at which I am accustomed to seeing him.

PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, I agree with you. I am in a rather unaccustomed spot in introducing this bill. However, I can assure you this bill is probably the bombshell of this Legislative Session because the bill which I am about to introduce, along with my colleague, Senator McCreesh, is a bill that will amend The Vehicle Code, authorizing the use of radio-microwave equipment in timing speed. In other words, this bill will permit the State Police in Pennsylvania to arrest motorists by the use of radar. This method, Mr. President, has been very successful in other States.

This bill, Mr. President, will implement the Governor's Highway Safety Program, a program that the Governor and the Democratic Party campaigned for in 1958.

I personally feel if this bill is reported to the floor of the Senate, it will pass. I know many of my Republican

colleagues on the floor of the Senate have assured me they will vote for radar, and I think eventually it will eliminate many of the highway deaths in Pennsylvania which are due to an excessive rate of speed.

BILLS INTRODUCED AND REFERRED

Messrs. ROONEY and McCREESH presented to the Chair **SB 79,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the use of radio-microwave equipemnt in timing speed; further regulating convictions; prescribing powers and duties of the Secretary of Revenue; and prescribing penalties.

Which was committed to the Committee on Highways.

Mr. PROPERT presented to the Chair **SB 80,** entitled:

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County between a point in the Borough of Norristown or a township adjacent thereto, and a point in the Borough of Bridgeport or a township adjacent thereto; and to provide the necessary approaches and connections with State highways empowering the county to pay certain damages and making an appropriation therefor.

Which was committed to the Committee on Highways.

Messrs. PROPERT, KESSLER and KELLER presented to the Chair **SB 81,** entitled:

An Act providing for a referendum to determine the will of the electorate on certain contracts between any political subdivision and Authorities.

Which was committed to the Committee on Local Government.

Mr. HAYS presented to the Chair **SB 82,** entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Centre County.

Which was committed to the Committee on Highways.

Mr. TAYLOR presented to the Chair **SB 83,** entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. STEVENSON asked and obtained unanimous consent to address the Senate.

Mr. STEVENSON. Mr. President, I am about to introduce a group of bills which were prepared by the Local Government Commission and sponsored by its members, consisting of Senator Lane, Senator Mallery, Senator Hays, myself, and also a former member of the Commission, Senator Haluska.

I am also introducing two additional bills, which have the same sponsors with the addition of Senator McMenamin and Senator Sesler.

In addition to these bills, I am introducing a bill on behalf of Senator Mallery, Senator Lane and myself.

BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON, LANE, MALLERY, HAYS and HALUSKA presented to the Chair **SB 84,** entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," changing the over-all limit of tax revenues for certain taxing districts.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 85,** entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class," excepting certain probationary appointees from suspension and removal provisions.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 86,** entitled:

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled, as amended, "An act empowering municipality authorities, cities of the third class, boroughs, incorporated towns and townships, adjoining each other, to co-operate with each other through joint agreements in the exercise of their governmental powers, duties and functions," extending the act to counties; further regulating joint purchases, and providing for the appointment of joint advisory service boards and prescribing their powers and duties.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 87,** entitled:

An Act providing for the creation and incorporation as bodies corporate and politic of joint service districts by counties, cities of the third class, boroughs, towns and townships to perform certain functions; prescribing the powers and duties of such joint service districts and the duties of participating counties, cities, boroughs, towns and townships; and conferring jurisdiction on courts of quarter sessions in connection therewith.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 88,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," abolishing county institution districts in counties of the third, fourth, fifth and sixth classes, and transferring their property, powers, duties and obligations to counties.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 89,** entitled:

An Act amending the act of May 23, 1945 (P. L. 913), entitled "Professional Engineers Registration Law," prohibiting certain acts by professional engineers.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 90,** entitled:

An Act amending the act of May 17, 1949 (P. L. 1403), entitled "Municipal Unclaimed Moneys Act," further regu-

lating the deposit of moneys by municipal officers, and imposing penalties.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 91,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," requiring semi-annual detailed audits, settlements and adjustments of accounts of institution district officers to be completed by controllers and auditors and requiring certain reports to be filed with courts of common pleas, the Department of Internal Affairs and boards of county commissioners.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 92,** entitled:

An Act amending the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," authorizing payments by the Commonwealth to municipalities paying part of the costs of certain sewage treatment plants.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, LANE, MALLERY, HAYS, McMENAMIN, SESLER and HALUSKA presented to the Chair **SB 93,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," further regulating certification of change in population as it affects change in classification of counties.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 94,** entitled:

An Act amending the act of June 25, 1895 (P. L. 275), entitled "City Classification Law," further regulating the change of classification of cities.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, MALLERY and LANE presented to the Chair **SB 95,** entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," requiring retirement credit to be given for certain per diem employment.

Which was committed to the Committee on Local Government.

Messrs. PECHAN and MAHADY presented to the Chair **SB 96,** entitled:

An Act authorizing the Department of Highways, with the approval of the Governor, to construct a highway and to erect and maintain a bridge over the Kiskiminetas River, in Westmoreland and Armstrong Counties, and to provide the necessary approaches and connections with State highways; empowering counties to pay certain damages; and making an appropriation therefor.

Which was committed to the Committee on Highways.

Messrs. PECHAN, WADE and EHRGOOD presented to the Chair **SB 97,** entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, permitting citizens eighteen years of age or over to vote.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. HALUSKA presented to the Chair **SB 98,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," prohibiting requiring conveyance or encumbrance of real property for repayment of certain public assistance obligations, cancelling certain existing obligations not assigned by the Commonwealth, requiring reconveyances and satisfaction of certain existing encumbrances, and making editorial corrections.

Which was committed to the Committee on Public Health and Welfare.

Messrs. MURRAY, KALMAN, MILLER, DEVLIN, DONOLOW and HAYS presented to the Chair **SB 99,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," regulating the issuance of operators' licenses to persons between sixteen and eighteen years of age, restricting their driving privileges and providing penalties.

Which was committed to the Committee on Highways.

Messrs. MURRAY, DONOLOW, MILLER, HAYS, KALMAN and McCREESH presented to the Chair **SB 100,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," by making persons over sixteen years of age subject to certain penal provisions of the act.

Which was committed to the Committee on Highways.

Mr. SILVERT presented to the Chair **SB 101,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring brake linings to be approved, prohibiting the sale of unapproved linings, providing for the issuing and revocation of certificates of approval, establishing fees and providing penalties.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 102,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring pedestrians in cities of the first class who are charged with a violation of the summary provisions of this act to stop upon request or signal of a peace officer.

Which was committed to the Committee on Highways.

Messrs. KALMAN, HALUSKA and MURRAY presented to the Chair **SB 103,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," creating the crime of homicide by motor vehicles or tractors, making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

Which was committed to the Committee on Highways.

Messrs. KALMAN, MILLER, SESLER, YATRON, MURRAY and HALUSKA presented to the Chair **SB 104,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," granting the power to the Secretary of Highways to establish speed limits.

Which was committed to the Committee on Highways.

Messrs. KALMAN, MILLER, YATRON, HALUSKA and MURRAY presented to the Chair **SB 105,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the placing of lights on certain vehicles, and providing penalties.

Which was committed to the Committee on Highways.

Messrs. LANE and BERGER presented to the Chair **SB 106,** entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; . . ." requiring the creation of a county retirement system in counties of the fifth and sixth class.

Which was committed to the Committee on Local Government.

Mr. WEINER (By request) presented to the Chair **SB 107,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the issuance of registration for motor buses and motor omnibuses for less than one year and for a partial reduction of fees.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 108,** entitled:

An Act amending the act of June 24, 1895 (P. L. 236), entitled "An act providing that the right of action for injury wrongfully done to the person shall survive against the personal representative of the wrong-doer, and limiting the time within which suit for such injury must be brought," extending the time within which action may be brought in certain cases.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I have two resolutions to be presented to the Chair. One of them was delayed from the last Session. However, with the Chair's permission, I would like to say a few words about the other resolution.

Mr. President, one of the deplorable conditions in Pennsylvania is that this Commonwealth is completely apathetic or lethargic when it comes to the question of celebrating the Centennial of the Civil War. While just the other day, the Eisenhower Administration, despite the defeat, appropriated a substantial sum of money to commemorate the Centennial, here in Pennsylvania nothing has been done.

On February 22, 1861, President-elect Lincoln honored the city of Harrisburg and the State Legislature by appearing here at a Joint Session of the General Assembly.

The purpose of this resolution, which I am offering on behalf of my colleagues, Senator Chapman, Senator Kessler, Senator Mahady, Senator Shafer and myself, is to arrange for the commemoration of this great event.

Mr. President, I am offering this resolution and requesting its immediate adoption.

SENATE CONCURRENT RESOLUTION

COMMEMORATING LINCOLN'S VISIT TO THE GENERAL ASSEMBLY ON FEBRUARY 22, 1861

Messrs. STIEFEL, KESSLER, CHAPMAN, MAHADY and SHAFER offered the following resolution (**Serial No. 102**), which was read as follows:

In the Senate, January 23, 1961.

Whereas, the General Assembly of the Commonwealth of Pennsylvania by joint resolution adopted on January 28, 1861, appointed a committee to invite Abraham Lincoln to visit Harrisburg on his way to Washington to be inaugurated as President of the United States; and

Whereas, the President-elect graciously accepted the General Assembly's invitation and arrangements were made for his visit to coincide with a celebration of Washington's Birthday; and

Whereas, at the appointed hour the Speaker and the Members of the Senate were introduced into the House of Representatives, and a Committee of Reception introduced Abraham Lincoln, President-elect of the United States and the Governor and heads of departments of this Commonwealth; and

Whereas, the Speaker of the Senate and the Speaker of the House of Representatives greeted the President-elect with speeches promising the support of Pennsylvania in his efforts to save the Union from disruption, and were thanked by Lincoln for their generous words; and

Whereas, this occasion, one hundred years ago, marked the beginning of Pennsylvania's strenuous efforts as the Arsenal of America to preserve the Union, THEREFORE BE IT:

Resolved (if the House concur), That a Committee of three members from each body be appointed to ararnge for a suitable commemoration and re-enactment on February 21, 1961, of the reception to Abraham Lincoln a hundred years before, in which re-enactment the Speaker of the House of Representatives and the President pro tempore of the Senate shall deliver the speeches of welcome addressed to Lincoln, and in which the part of Lincoln shall be impersonated; and be it further

Resolved, That the committee shall invite the Governor and the heads of departments of the Commonwealth of Pennsylvania to attend these aforementioned ceremonies in order to re-enact the event of a century ago.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 102, ADOPTED

Mr. STIEFEL. Mr. President, I move the immediate adoption of this resolution.

Mr. MAHADY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, apropos of the resolution just introduced by Senator Stiefel, on behalf of himself and others, I just was remarking to him—and I recommend it for the reading of the Senate—about the communication or greeting which the gentleman sent at Christmas, relative to the Civil War.

I would like to call his attention to the fact that I understood the date was the twenty-second rather than the twenty-first. He explained to me that because we

could not be here on the twenty-second, we had to have it on the twenty-first.

Mr. STIEFEL. Mr. President, we will not be in Session on February 22. This is the reason why circumstances dictate this resolution.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr STIEFEL asked and obtained uanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, this resolution, which I am about to introduce, speaks for itself. It is being sponsored by three Senators who join me; namely, Senator Sarraf, Senator McMenamin and Senator Kalman.

This resolution pays homage to the Philadelphia Eagles Football Team and its splendid victory. Somehow, we overlooked this.

SENATE CONCURRENT RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PHILADELPHIA EAGLES FOOTBALL TEAM

Messrs. STIEFEL, SARRAF, KALMAN and McMENAMIN offered the following resolution (**Serial No. 103**), which was read, considered and adopted:

In the Senate, January 23, 1961.

Whereas, the Eagles on December 26, 1960 defeated the Green Bay Packers at Franklin Field, Philadelphia, by a score of 17-13 in the annual National Football League Championship Game before a sell-out crowd of 67,325; and

Whereas, The Championship Contest was a tribute to the Eagles' management in securing the type of player needed to mold the championship team; a tribute to the coaches of the team, a tribute to the players themselves for their great spirit and courage during the 1960 season; and

Whereas, the Championship Contest was viewed on nation-wide television by more than 60 million people, more than 220 television stations in all corners of the United States; broadcast on radio nationally and to the Armed Forces wherever they may be, thus bringing the Commonwealth of Pennsylvania and the City of Philadelphia into world-wide focus; and

Whereas, by their stirring victory the Eagles have greatly strengthened Philadelphia's position as the Sports Capital of the Nation and given the Commonwealth of Pennsylvania its second championship athletic team of 1960—their fame echoes that of the Pittsburgh Pirates who won he world championship of baseball; now be it therefore

Resolved (if the House concurs), That the General Assembly of Pennsylvania extend its congratulations to the owners, management, coach and players of the Philadelphia Eagles for their outstanding achievement in winning the 1960 World Football Championship in the National Football League game played at Philadelphia on December 26, 1960; and be it further

Resolved, That a certified copy of the instant Resolution be forwarded, upon its adoption, to Mr. Frank L. McNamee, President of the Philadelphia Eagles, as evidence of the profound appreciation by the membership of the Senate and House of Representatives of the General Assembly of Pennsylvania, of the fame and glory the Eagles football players and coaches have brought to the City of Philadelphia and to the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

WELCOMING FORMER PRESIDENT AND MRS. EISENHOWER

Messrs. HAWBAKER and BELL offered the following resolution (**Serial No. 104**), which was read as follows:

In the Senate, January 23, 1961.

On January 20, 1961, former President Dwight D. Eisenhower returned to Pennsylvania from which his ancestors came prior to the migration which led them to Texas where he was born in 1890.

He gave all of his life to our Country and brought honor to the Pennsylvania of his origins.

From a humble beginning, his boyhood, life and training led him in the direction of his Country's service to the United States Military Academy at West Point from which he graduated in 1915.

He served the Armed Forces in the Canal Zone under General Fox Conner, in the Philippines with General Douglas MacArthur; was placed in command of the Allied Forces for the North African Invasion in 1942 and, on December 31, 1943, he was named Commanding General of the Allied Powers for the European Theatre of Operations. Later he served as Chief of Staff of the United States Army and was placed in command of the NATO Forces in Europe.

A scholar and administrator, he served as President of Columbia University before ascending to the greatest height of our time, the Presidency of the United States.

As our Chief Executive and Commander in Chief of the Armed Forces, he kept the peace through eight long troublesome years.

After half a century of distinguished service to the nation and to the world, it is mete and right that he should return to Gettysburg, there to dwell in his first permanent home with his good wife Mamie, overlooking the field of the great decisive battle which preserved the Union of these great United States.

Resolved (the House concurring), That it is with great pride and enthusiasm that the General Assembly of Pennsylvania welcomes Dwight D. Eisenhower and Mrs. Eisenhower to the soil of Pennsylvania.

Resolved, That a copy of this resolution be transmitted to the Eisenhowers at Gettysburg.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, SERIAL No. 104, ADOPTED

Mr. HAWBAKER. Mr. President, I move the adoption of this resolution.

Mr. LANE. Mr. President, I wish to second the adoption of this resolution. On behalf of the Democratic Party, we are happy, indeed, to have such a distinguished resident in Pennsylvania. As a matter of fact, Pennsylvania can go down in history in so far as distinguished persons are concerned.

I wish President Eisenhower, his wife, his children and his grandchildren a happy, long and useful life. I am quite sure that the people of Pennsylvania are, indeed, proud that we have this great ex-President as one of our neighbors and one of our residents.

On the question,

Will the Senate agree to the motion?

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, I am about to offer a Concurrent Resolution memorializing Congress. I would like to have it read and then sent to the proper committee for its final disposition.

SENATE CONCURRENT RESOLUTION

MEMORIALIZING CONGRESS TO ESTABLISH A CIVILIAN CONSERVATION CORPS

Mr. HALUSKA offered the following resolution (**Serial No. 105**), which was read as follows and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, January 23, 1961.

Pennsylvania is proud of the many beautiful forests that dot our countryside. No other State can boast of such preserves, but without conservation some day our beautiful woodlands will be a barren area.

The same is true of our water supply. Today it is abundant, but without care and conservation we might find ourselves faced with a shortage of water in the future.

A way to solve these problems would be to re-establish the Civilian Conservation Corps which worked so well during the thirties. The creation of this force would not only help our forests and water supply, but it would also aid in the curbing of juvenile delinquency, and the problems of unemployment which we face today; therefore be it

Resolved (the House concurring), That the General Assembly of Pennsylvania memorialize Congress to establish a Civilian Conservation Corps; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 3—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 39—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 40—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 41—Mr. MAHADY. Mr. President, I request that this bill go over in its order, due to a printer's error.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 43—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I desire to be recorded as voting against this measure. I intend to vote against all Joint Resolutions amending the Constitution of Pennsylvania. Since the Constitution was adopted in 1874, eighty-one amendments have been submitted to the people and sixty-three have been adopted. This Constitution has now become a patchwork of amendments.

Since I am sponsoring a measure to call a Constitutional Convention, which will evolve and result in the submission to the people of an entirely new Constitution, it would not be logical for me to cast my vote for piecemeal amendments. For this reason, I am voting against this bill.

And the question recurring,

Shall the bill pass finally?

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, before everyone becomes exercised about this measure, I would like to state that there is very little difference whether it does or does not pass.

The entire purpose of introducing this legislation is to show how ridiculous are some of the things which we have in our Constitution. It shows how long ago the Constitution has outlived its usefulness. The railroads, the canals and the business corporation laws are all enmeshed into what is supposed to be a basic document for the operation of the Commonwealth of Pennsylvania.

Therefore, Mr. President, whether we vote for this bill or not will not make any difference. The I.C.C. happens to

regulate this particular provision. However, if we can get the people of the Commonwealth to understand what is happening, we can call a Constitutional Convention and deal with these problems at one time.

Mr. BELL. Mr. President, with respect to Senate Bill No. 43, I am going to vote "no" on this bill. However I am not going to vote "no" because of the reasons given by the Democrats. I am against the giving of free passes by the railroads.

That is my reason for voting "no" on this bill.

Mr. MULLIN. Mr. President, I think we can get rid of passes on the railroad by passing an Act of the Legislature. I do not see any reason why we should have the Constitution cluttered up with a lot of little legislative restrictions which should not be in a constitution.

The PRESIDENT. The Clerk will continue with the roll call.

(During the calling of the roll, the following occurred:)

Mr. HALUSKA. Mr. President, I move that Senate Bill No. 43 go over in order.

The PRESIDENT. Senator Haluska, as far as I know, we have reached the point of calling the roll. The calling of the roll has been interrupted twice. Therefore, it is beyond the ability of the Chair to allow the bill to be passed over in its order.

Mr. HALUSKA. Mr. President, I then move that the vote by which this bill passed finally be reconsidered.

Mr. WEINER. Mr. President, may we be at ease for a moment?

(The Senate was at ease.)

The PRESIDENT. The Clerk will please proceed with the roll call.

(During the calling of the roll, the following occurred:)

Mr. HALUSKA. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. STIEFEL. Mr. President, I desire to change my vote from "aye"to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—17

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mallery,	Murray,	Staisey,
Donolow,	McCreesh,	Sarraf,	Weiner,
Hays,	McGinnis,	Seyler,	Yatron,
Kalman,			

NAYS—29

Bell,	Keller,	Pechan,	Stiefel,
Berger,	Kessler,	Propert,	Stroup,
Chapman,	Kromer,	Rooney,	Taylor,
Confair,	Madigan,	Scott,	Van Sant,
Flack,	Mahady,	Sesler,	Wade,
Fleming,	McMenamin,	Shafer,	Wagner,
Haluska,	Miller,	Stevenson,	Ware, III,
Hawbaker,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

RECONSIDERATION OF SB 43

Mr. HALUSKA. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 43 failed of passage on final passage.

The PRESIDENT. How did the Senator vote?

Mr. HALUSKA. Mr. President, I voted with the prevailing side.

Mr. STIEFEL. Mr. President, I second the motion.

The PPRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

SB 43 PLACED ON FINAL PASSAGE CALENDAR

Mr. WEINER. Mr. President, I request that Senate Bill No. 43, Printer's No. 9, be placed on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, Senate Bill No. 43 will appear on tomorrw's Final Passage Calendar.

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 28—Without objection, the bill was passed over in its order at the request of Mr. DONLOW.

BILL ON SECOND READING

SB 29—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 31, 35, 38, 46, 49, 51 and **53**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjorn until Tuesday, January 24, 1961, at 12:00 m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:00 p. m.

HOUSE OF REPRESENTATIVES

MONDAY, January 23, 1961

The House met at 3:30 P.M., E.S.T.

The Speaker (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplin, Reverend David R. Hoover, offered the following prayer:

At the beginning of this new week's session, we come before Thee in deepest humility. We recognize the great task which faces these legislators in this hour. Endue them with Thy power from on high, and grant them the insight to know and do the things which are pleasing and right to Thee. For each of us, we humbly pray that Thou wilt mercifully look upon our infirmities and in all our dangers and necessities stretch forth the right hand of Thy Majesty, to help and defend us; through Jesus Christ, Thy dear Son our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 17, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 95.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956, (P. L. 1228) eliminating the provision for commissions for collection and remittance of the tax.

Referred to Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 96.

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594), making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

Referred to Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 97.

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

Referred to Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 98.

An Act amending the act of June 13, 1907 (P. L. 640), entitled, "An act to provide revenue by levying a tax upon the shares of stock companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' *** increasing the rate of tax on shares of capital stock of every title insurance or trust company, bank and trust company or trust company and changing the date for the determination of the base of the tax.

Referred to Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 99.

An Act imposing a State tax on gross premiums, premium deposits, and assessments received from business transacted within this Commonwealth by certain insurance companies, associations, and exchanges; requiring the filing of annual and tentative reports and the computation and payment of tax; providing for the rights, powers and duties of the Department of Revenue the taxpayers and officers thereof; and providing penalties.

Referred to Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 100.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations copartnerships, municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

Referred to the Committee on Ways and Means.

By Messrs. KAMYK, McCANN, PETROSKY and POLEN HOUSE BILL No. 101.

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions, and extending such tax to the surplus, undivided profits and reserves of savings banks without capital stock, building and loan associations and federal and state savings and loan associations and changing the date for determination of the base of the tax.

Referred to the Committee on Ways and Means.

By Mr. STRAUSSER HOUSE BILL No. 102.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing four way stop intersections or multi-way stop intersections in counties of the sixth, seventh and eight class in certain cases.

Referred to the Committee on Motor Vehicles.

By Messrs. PARLANTE and CIANFRANI HOUSE BILL No. 103.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the granting of restricted operators' licenses in certain other cases.

Referred to the Committee on Motor Vehicles.

By Mr. M. H. GOLDSTEIN HOUSE BILL No. 104.

An Act amending the act of June 15, 1939 (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; * *," changing the date by which county assessing authorities shall annually furnish properly certified duplicates of property valuation to the city controller and to the board of school directors.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. M. H. GOLDSTEIN HOUSE BILL No. 105.

An Act amending the act of June 30, 1947 (P. L. 1161),

entitled "An act to provide for the prompt peaceful and just settlement of labor disputes between public uility employers *** and their employes which cause or threaten to cause strikes, ***" including public transportation by trolley or motor bus within the definition of public utility, restating the policy of the act and designating additional parties who may request a mediation.

Referred to the Committee on Labor Relations.

By Messrs. GALLAGHER, HEAVEY and LIMPER.
HOUSE BILL No. 106.

An Act enabling the Department of Procurement of cities of the first class to establish by resolution the conditions upon which it will award contracts for city printing.

Referred to the Committee on Cities—Counties First Class.

By Messrs. GALLAGHER, GREMMINGER and KELLY.
HOUSE BILL No. 107.

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," requiring employers to make certain payments to employes when on jury in certain cases.

Referred to the Committee on Labor Relations.

By Messrs. GALLAGHER, BONNER, KELLY and GREMMINGER. HOUSE BILL No. 108.

An Act permitting certain ambulances, fire apparatus, rescue vehicles and other emergency vehicles to pass over turnpikes, toll roads and toll bridges without paying tolls; providing for reimbursement by the Commonwealth in lieu of such tolls; imposing duties upon the Secretary of Highways and providing penalties.

Referred to the Committee on Highways.

By Messrs. McNALLY, FARABAUGH and DENGLER.
HOUSE BILL No. 109.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), imposing educational requirements for issuance of an operator's license or learner's permit to persons under eighteen years of age.

Referred to the Committee on Motor Vehicles.

By Messrs. STONE, HAMILTON, KLEIN and M. H. GOLDSTEIN. HOUSE BILL No. 110.

A Joint Resolution proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania providing for grants or loans to residents of the Commonwealth for higher educational purposes.

Referred to the Committee on Judiciary.

By Messrs. ROVANSEK, McNALLY and DENGLER.
HOUSE BILL No. 111.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) providing for a proportional refund of fees upon death.

Referred to the Committee on Judiciary.

By Messrs. GALLAGHER, ISAACS and PRENDERGAST. HOUSE BILL No. 112.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing additional enforcement procedures on traffic violations in boroughs, towns and townships.

Referred to the Committee on Motor Vehicles.

By Messrs. GALLAGHER and SCHAAF.
HOUSE BILL No. 113.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), providing that the commission allowed to recorders of deeds in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties and requiring recorders of deeds to act as such agents.

Referred to the Committee on Counties.

By Messrs. GALLAGHER and SCHAAF.
HOUSE BILL No. 114.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), providing that the amount retained by registers of wills in certain counties for acting as agents of the Commonwealth shall be paid over for the use of the counties.

Referred to the Committee on Counties.

By Messrs. GALLAGHER and HEAVEY.
HOUSE BILL No. 115.

An Act amending the "Bedding and Upholstery Law," approved May 27, 1937 (P. L. 926), by extending the coverage to stuffed toys.

Referred to the Committee on State Government.

By Messrs. JIM, FILO, SCHAAF and WILLARD.
HOUSE BILL No. 116.

An Act to select and adopt the Beagle as the State dog of the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. SCHAAF, HEFFNER, HAUDENSHIELD and STONE. HOUSE BILL No. 117.

An Act exempting certain physicians from civil liability when acting in an emergency.

Referred to the Committee on Judiciary.

By Messrs. HOLMAN, DENGLER and CAPANO.
HOUSE BILL No. 118.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), prescribing the time for the start of the school term in certain districts.

Referred to the Committee on Education.

By Messrs. STONE, DONALDSON and KLEIN.
HOUSE BILL No. 119.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382) removing tax exemptions in certain cases.

Referred to the Committee on Municipal Corporations.

By Mrs. REIBMAN, Mrs. HENZEL and Mr. ESHLEMAN. HOUSE BILL No. 120.

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania, increasing borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

Referred to the Committee on Education.

By Mrs. REIBMAN and Mrs. HENZEL.
HOUSE BILL No. 121.

A Joint Resolution proposing an amendment to article

eighteen, section one of the Constitution of the Commonwealth of Pennsylvania, changing the method for amending the constitution.

Referred to the Committee on Judiciary.

By Messrs. SHERMAN, HARTLEY and A. D. WILLIAMS. HOUSE BILL No. 122.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) further regulating compensation for sabbatical leaves for employes of school districts.

Referred to the Committee on Education.

By Messrs. ISAACS, R. P. JOHNSON, SAKULSKY and MILLS. HOUSE BILL No. 123.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. PERRY and EILBERG. HOUSE BILL No. 124.

An Act establishing a Court of Conciliation in Philadelphia County; prescribing its jurisdiction, powers and duties; and providing for hearings, service of process and procedure before the court.

Referred to the Committee on Cities—Counties First Class.

By Messrs. AUKER, KORNS, CIOFFI and FARABAUGH. HOUSE BILL No. 125.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) fixing the time for the annual report by the county auditors to the court and providing for the audit of miscellaneous accounts.

Referred to the Committee on Counties.

By Messrs. FINEMAN, ISAACS and R. J. JOHNSON. HOUSE BILL No. 126.

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace, magistrates and aldermen and repealing certain prior acts.

Referred to the Committee on Judiciary.

By Messrs. WALSH, CIOFFI, OGILVIE and BOWMAN. HOUSE BILL No. 127.

An Act amending the "Optional Third Class City Charter Law," approved July 15, 1957 (P. L. 901) providing for the compensation of the controller and the treasurer.

Referred to the Committee on Cities—Third Class.

By Messrs. LAMB and M. H. GOLDSTEIN. HOUSE BILL No. 128.

An Act making loss of a spouse's consortium an element of damage for which recovery may be had.

Referred to the Committee on Judiciary.

By Messrs. LAMB and M. H. GOLDSTEIN. HOUSE BILL No. 129.

An Act regulating cancellation or termination of insurance policies during the time for which a premium has been paid.

Referred to the Committee on Insurance.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 130.

An Act fixing the time for levying taxes and water rates and making appropriations in cities of the second class, and imposing duties on the mayor, council and heads of departments in such cities.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. FINEMAN and GIBBONS HOUSE BILL No. 131.

An Act defining and relating to installment land contracts in cities of the first class; and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Referred to the Committee on Cities—Counties First Class.

By Messrs. ANDREWS, KAMYK, GUESMAN and A. W. JOHNSON. HOUSE BILL No. 132.

An Act relating to the establishment, operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania; amending, revising, consolidating and changing the laws relating thereto; imposing duties upon public officers; providing for State and local cooperation and assistance in the establishment and maintenance of libraries; prescribing penalties; and repealing existing laws.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 1.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

Referred to the Committee on Judiciary.

SENATE BILL No 2.

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GALLAGHER and FINEMAN. RESOLUTION No. 7.

In the House of Representatives, January 17, 1961.

During the early part of the month of January, 1961, it has been reported that fourteen people have died from Serum Hepatitis. Of these unfortunate people who have succumbed, four have been residents of Pennsylvania, particularly, Levittown and Bucks County.

It has been reported by officials of the State of New Jersey, who are conducting an investigation in this matter, that the deaths were due to injections. They state that these people contracted this disease, Serum Hepatitis, after receiving injections of drugs used in the practice of psychiatry. The Attorney General of New Jersey has un-

covered the fact that a person known as a "carrier" of the disease received injections of drugs from the same source and, subsequent to this, other patients were administered drugs with the same instruments, thereby transmitting the disease to other patients and causing the unfortunate death of these fourteen people. It is a medical fact that Serum Hepatitis can only be contracted by injection into a person's bloodstream. The use of improperly sterilized instruments can cause this to happen. Attention should be given to the fact that other deadly diseases can be transmitted in the same manner to unsuspecting people; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby directs the Pennsylvania Department of Health and all of the regulatory licensing boards, i.e., the State Dental Council and Examining Board; State Board of Medical Education and Licensure; State Board of Osteopathic Examiners; State Board of Nurse Examiners and Practical Nurse Examiners of the Commonwealth of Pennsylvania, to investigate the possibility of requiring the use of a newly developed instrument known as a "sterile disposable syringe" as a means of preventing a recurrence of this disaster; and that the Department of Health shall compile a report of the findings of all such boards and shall make a report to the House of Representatives as soon as possible. In the event legislation is necessary to correct this problem, this fact should be clearly stated in the report; and be it further

Resolved, That the House of Representatives direct the Chief Clerk to transmit a copy of this resolution and a copy of the report of the Department of Health to the Governor of the State of New Jersey and to the State Legislature of New Jersey.

Referred to the Committee on Rules.

By Messrs. WORLEY and TOMASCIK.

RESOLUTION No. 8.

In the House of Representatives, January 17, 1961.

Whereas, There are many obsolete laws upon the statute books of this Commonwealth, and

Whereas, These obsolete laws should not be repealed without a careful study first being made thereof; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to make a study of the laws of this Commonwealth for the purpose of ascertaining which laws are obsolete; and be it further

Resolved, That the Joint State Government Commission shall make a full report of such obsolete laws with their recommendations to the next General Assembly.

Referred to the Committee on Rules.

By Messrs. DONALDSON and MAGEE.

RESOLUTION No. 9.

In the House of Representatives, January 17, 1961.

Various groups of consumers have long questioned the high price of milk and cream in Pennsylvania.

The Milk Control Act, enacted during the depression to assure the constant supply of fresh milk, has now become an oddity in that it authorizes the Milk Control Comcission to fix minimum prices for milk and cream. The present economic atmosphere creates a need for maximum limitations on prices, not a minimum or floor for prices; therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of three members of the House to study the price fixing policies of the Milk Control Commision in the various areas of Pennsylvania; and be it further

Resolved, That the committee make a report of its findings and recommendations to the General Asembly as soon as possible.

Referred to the Committee on Rules.

By Messrs. WILLAREDT and HAMILTON.

RESOLUTION No. 10.

In the House of Representatives, January 17, 1961.

The Tall Cedars of Lebanon of the United States of America, an organization of Master Masons promotes, as its national charitable objective, muscular dystrophy research and in connection therewith, sponsors a research metabolism unit for muscular dystrophy occupying an entire floor of the Institute of Muscle Diseases in New York City.

During the week of March 5 of this year, the Tall Cedars of Lebanon will sponsor various activities including emphasis on programs promoting muscular dystrophy research.

Every assistance should be given to any program which has as its objective the reduction and elimination of the crippling disease of muscular dystrophy; therefore be it

Resolved, That the Governor of this Commonwealth is hereby requested that he issue a proclamation setting apart the week of March 5, 1961 as "National Tall Cedars of Lebanon Week" in order to promote muscular dystrophy research and to urge that the occasion be appropriately observed by the citizens of the Commonwealth of Pennsylvania; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor by the Chief Clerk of the House of Representatives.

Referred to the Committee on Rules.

By Mr. WALSH. (Concurrent) RESOLUTION No. 11.

In the House of Representatives, January 17, 1961.

For the past several years, a large portion of our Federal tax dollars has gone towards National defense. President Eisenhower and responsible leaders of both major political parties have indicated that we must continue to spend a large part of our tax revenues for defense against communist aggression. In President Eisenhower's budget this year, he is asking for a total of $47,392,000,000 for National security. This is 58¢ of every tax dollar for National defense.

On a State level, funds for aid to education have long been given a top priority. Education of our young people, not only in the ways and means of earning a livelihood, but in modern day political activity, is an essential factor to be considered in order that we and our youth may survive. Governor Lawrence, in his message yesterday, asked that we appropriate a sum of $469,055,501, or 47.147¢ of every tax dollar, for education. Every year we appropriate large sums of money to the University of Pittsburgh to help maintain this fine university. This year's appropriation is approximately $6 million.

If we continue to appropriate funds for education, we must be sure that these funds will be spent properly, and will be so channelled as to aid and abet the American way of life and the high ideals and objectives of decent Americanism. To allow supposed educational activity to undercut the objectives of our total activity, and for the Commonwealth of Pennsylvania to appropriate funds to institutions harboring leftists who preach pro-communist doctrine, is a woeful waste of our substance. The tax money appropriated by this body for educational activities must be spent on education which is wholesome and benefical to the community, and not for the payment of salaries of pro-communists.

Dr. Robert Colodny, a history profesor at the University of Pittsburgh, fought with the Communist forces in the Spanish Civil War. He was a member of the Abraham Lincoln Brigade, which still tops the Attorney General's list of subversive organizations seeking to overthrow the United States government by force and violence. Dr. Colodny has stated that "The Spanish Republic was just an agrarian reform movement." He has made it plain that he considers Fidel Castro's revolution in Cuba just another case of "agrarian reform."

Last April he was one of some thirty signers of a statement isued by the "Fair Play for Cuba Committee," an openly pro-Castro organization founded to tell the Amer-

ican public the "true facts" about Cuba, which, it claims are being "suppresed" by the American press.

Among others signing the statement, were novelist Norman Mailer, Jean Paul Sartre, French existential leftist; writer Truman Capote; French leftist author Simone de Beauvoir, and drama critic Kenneth Tynan, who staged a British TV program last spring featuring, among other "distinguished American dissenters," Alger Hiss.

Any so-called professor who confuses the dirt of the Castro regime with the earth of any agrarian policy is a confused person, and unreliable as a teacher. The institution employing such a person must be informed of the attitude of this General Assembly toward him and his attitudes. He is subverting the respected institution employing him and insulting the intelligence of all citizens of this Commonwealth by preaching his drivel concerning "agrarian reform;" therefore, be it

Resolved (The Senate concurring), That the Speaker of the House of Representatives appoint three members of the House, and the President Pro Tempore of the Senate appoint three members of the Senate, who together shall constitute a joint committee to make a thorough investigation of schools, colleges and universities receiving State aid, to determine whether subversive doctrines are being fostered; and, be it further

Resolved, That the University of Pittsburgh is hereby requested to investigate the above charges against Dr. Colodny, to determine the extent of his guilt, and if found guilty of teaching subversion of government, to ask for his resignation; and, be it further

Resolved, That the committee make a report as of their findings to this Session of the General Assembly as soon as possible.

Referred to the Committee on Rules.

STATEMENT BY SPEAKER

The SPEAKER. The Chair has declined to accept the resignation of the gentleman from Philadelphia, Mr. Muldowney, as Chairman of the Committee on Cities—Counties First Class, and the Chair expects that the gentleman will serve.

COMMUNICATION

REQUEST FOR SPECIAL ELECTION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

REPUBLICAN STATE COMMITTEE

of PENNSYLVANIA

HARRISBURG

January 17, 1961

Honorable Hiram G. Andrews
Speaker of the House of Representatives
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

My dear Mr. Speaker:

I am adviced that there was submitted to you yesterday, January 16, 1961, the resignation of Floyd K. Brenninger, Representative-Elect to the General Assembly from the Third Legislative District of Montgomery County.

May I respectfully request that a Writ of Special Election be issued, fixing the date of the Primary Election, May 16, 1961, as the date upon which the Special Election will be held to fill this vacancy. In making such a request, we are keeping in mind the additional cost to the taxpayers of Montgomery County if this date is not selected.

Since the Republicans are in the minority in the House, Mr. Brenninger's absence will not necessarily have any effect on legislation pending prior to May 16.

I have always appreciated your fine cooperation, and I am sure that you will give me every consideration in this request.

Sincerely yours,
(s) GEORGE I. BLOOM

GIB:cp

The SPEAKER. The request of the Republican State Chairman will be complied with.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. MURPHY because of illness.

Mr. Eilberg for Mr. DOUGHERTY because of illness.

Mr. Tompkins for Mr. KESSLER for the remainder of the week because of illness.

Mr. Tompkins for Mr. AUKER for today's session.

Mr. Tompkins for Mr. ODORISIO for today's session because of illness.

PERMISSION TO ADDRESS HOUSE

Mr. TOMPKINS asked and obtained unanimous consent to address the House.

Mr. Speaker, I wish at this time to make a statement.

Mr. Speaker and Members of the House.

On January 16, 1961, his Excellency, the Governor of Pennsylvania delivered his budget message to this General Assembly.

As I have read and re-read this message I am more and more impressed with it being a document of abdication—an abdication of our powers and responsibilities as a sovereign State to the Federal Government.

I find no less than 17 references in said document to the Federal Government. Let's take a look at some of them.

Change Fiscal Year of Pennsylvania to bring it into accord with the Fiscal Year observed by the Federal Government.

Urban Renewal and Industrial Development—"we anticipate a stronger combined operation with Federal*** support".

Education—"will discuss this vital area (later) in relationship to possible programs of Federal assistance".

Education—we "Hope for Federal augmentation to Education".

Highways—In addition to matching funds of $106,360,000 in Federal aid for Federally assisted highways—we "anticipate Federal reimbursements to come".

Highways—"short term borrowings made in anticipation of Federal repayment".

Unemployment—"We must be prepared to take full advantage in this State of any programs which are passed by Congress or effected by executive order".

Unemployment compensation—"We have a vital concern in the extension of unemployment compensation payments by Congress on a grant basis."

Housing and Urban Renewal—"The Housing and urban renewal programs, which are so important in Pennsylvania also are largely dependent upon Federal action".

Medical Care—"This budget assumes that Congress will so alter the present legislation as to eliminate the need for further state appropriations."

Education—"We may then consider such further action as may be indicated by Congressional decisions."

Anticipate, possible, hope, vital concern, dependent,

assume, further action. Just what kind of a budget is this?

Is the present administration here in Harrisburg seeking to continue itself in power by riding on the tiger's back of the Federal Government, which would inevitably find the Commonwealth inside and consumed by the tiger?

Without pointing out how we should be further immersed in Federal dependency and control—why is not some effort made to point the way as to how we can extricate ourselves from the clutches of further centralized and remote control?

While attending the Inaugural last Friday I hope the Governor heard that portion of the Inaugural Address which laid down the challenge—"and so, my fellow Americans: ask not what your Country will do for you—ask what you can do for your Country".

For too long we have rendered many of our people to an apathy and indifference to their responsibilities as individuals in the ever intensified urging and encouragement to reliance upon a paternalistic Government. These are unsightly ink spots on the fabric of our liberty and Freedom. What can we do to inspire our people to a better sense of self responsibility? In my opinion this is the most worthy function of any society or government.

Then too, bait in the form of subsidies and matching funds have been held out for so long and extended so far to lower levels of Government by succeeding higher levels of Government, that lower levels of Government have been rendered almost impotent and helpless to do anything for and by themselves.

The proposed Federal Budget for the coming year will take $5,620,000,000 out of Pennsylvania. Why this is enough on the basis of the proposed Pennsylvania Budget to finance our State Government for almost 6 years.

In 1959 Pennsylvania received $489 million in Federal Aid at an estimated cost of $622 million, or a net loss in the transaction of $173 million.

The relationship between grants and costs indicates that it costs Pennsylvania $1.40 in Federal taxes to receive $1.00 in Federal aid. For Highway grants alone, the ratio is $1.33 for each $1.00, and for all other grants it is $1.45 per $1.00.

Why the net loss alone of $173 million is just about the figure required to meet the approximate $180 million additional which the Governor's budget indicates is needed to balance the budget.

And don't overlook the fact that 55% of the $489 million Federal aid which came to us was derived from graduated individual income taxes: and 25% from graduated corporate income taxes, or a total of 80% of $391 million was derived from graduated taxes. So the taxes which the people of Pennsylvania have thrice rejected and which this General Assembly has repeatedly rejected is by subterfuge and indirection to become the head of the corner.

So what does the Governor suggest, urge and advise—haste, speed, hurry up, accelerate—why?—There are no less than 12 exhortations in the Budget message to haste and speed. Why?

So we can sit around Harrisburg and wait for the anticipations, possibilities, hopes, assumptions, further actions and decisions of Congress? And if Congress makes no decisions, or if Congress does not make the right kind of decisions, then what? Will we then get a revised budget or a supplemental budget covering Education, unemployment relief, medical care and others? If so what will it look like? The Governor doesn't say—all he does is hope and anticipate and waits for decisions not his own. I ask you, is this any way to run a government?

And what else is there in this budget that the Governor does not want us to find out with a little bit of study? I wonder. Perhaps it is what is not in the budget that should be there that we should be looking for. Is this the Governor's whole budget—or is he going to come along with a series of Sunday Punches?

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I have just listened to the distinguished gentleman rom Cameron and I am wondering if he would want us here in Pennsylvania to not take advantage of the Federal funds that are made available.

First, I would like to say, Mr. Speaker, outside of the Federal aid or education, which has been proposed, none of these programs is new. The acceptance of them in Pennsylvania was not started under either the Leader or the Lawrence Administration. It seems to me that here in Pennsylvania, where we pay hundreds of millions of dollars in income tax, as the gentleman stated, we should receive some of it back in benefits. I do not know how he would propose to finance the various projects in Pennsylvania that we do with Federal aid if they were entirely thrown upon the resources of this Commonwealth.

Mr. Speaker, whether we like it or not, the Federal government has an income tax, they are going to collect the income tax in Pennsylvania, and I believe it is up to this administration to get for the people of Pennsylvania the benefits which the Federal government makes available to the states.

REPORT OF LEGISLATIVE BUDGET AND FINANCE COMMITTEE OF 1960

Mr. POLEN presented a communication and the report of the Legislative Budget and Finance Committee of 1960.

The communication was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
LEGISLATIVE BUDGET AND FINANCE COMMITTEE
HARRISBURG, PENNSYLVANIA

January 23, 1961.

To the Members of the General Assembly of the Commonwealth of Pennsylvania

Pursuant to Section 3 Paragraph 4 of Act 195 (P. L. 587) approved August 4, 1959 there is transmitted herewith the first summary report of the activities of the Legislative Budget and Finance Committeee and of the Legislative Analyst and staff for the calendar year 1960 including financial statements and other schedules.

/s/ M. HARVEY TAYLOR, Chairman

(For report see Appendix)

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

SUPPLEMENT REPORT OF COMMITTEE ON COMMITTEES

Mr. McCANN. Mr. Speaker, with the consent of all parties involved and the Speaker of this House, we would like to announce some changes, two changes, for the record which will be incorporated in the supplement to the committee on Committees report.

William Renwick, listed as Chairman of the Fisheries Committee, is to be replaced by Charles Jim, Westmoreland County as Chairman of Fisheries. Charles Jim, listed as Vice-Chairman of Game and Conservation Committee is to be replaced by William Renwick of Elk County as Vice-Chairman of Game and Conservation. The two committees involved are Fisheries and Game and Conservation. When the Fisheries Committee meets, the Fisheries Committee would be under the Chairmanship of Charles Jim of Westmoreland County. This will be a supplemental report of the Committeee on Committees.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. KAMYK asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. RUDISILL asked and obtained permission for the Committee on Judiciary General to meet during the session of the House.

INTERROGATION

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to interrogate Mr. McCANN.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is the Majority Leader a member of the Legislative Budget and Finance Committee as established by the Act of 1959?

Mr. McCANN. Mr. Speaker, I am a member of the Committee.

Mr. M. H. GOLDSTEIN. Mr. Speaker, as a Member of the House, I am interested in finding a detailed statement of the proposed appropriations as presented by the Governor, can I secure them from the Legislative Analyst without delay?

Mr. McCANN. Mr. Speaker, will the gentleman repeat the question again?

Mr. M. H. GOLDSTEIN. Mr. Speaker I am interested to know whether I can receive a detailed statement of the appropriations from the Legislative Analyst as provided for by the Act of 1959.

Mr. McCANN. I would say, Mr. Speaker, that I question very much if you could receive a detailed report from the Legislative Analyst, Mr. Truman Thompson, of the budget which you have requested. I could not answer affirmatively that he would have such information ready at this point or that he would be preparing such information.

Mr. M. H. GOLDSTEIN. Mr. Speaker, was it not the purpose of the Act of 1959 that the Legislature would be armed with sufficient knowledge whereby it could intelligently vote upon any fiscal measure?

Mr. McCANN. Yes, I would say that the Membership of the Legislature could intelligently vote on every single measure proposed by the Governor or proposed by any Standing Committee of this House.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have the two budget meassages as presented, both the General and the Highway budgets. Is it not true that these are blanket figures and not a detailed statement?

Mr. McCANN. I am sure, Mr. Speaker, that they are general statements and figures, not complete in detail as to every fine point. That would be true.

Mr. M. H. GOLDSTEIN. Is it not true, Mr. Speaker, that the purpose of this legislation was to make the House and the Senate a coordinate body so that we would not be given legislation of a fiscal character as a blank check?

Mr. McCANN. Mr. Speaker, I would say, for the information of the House that, one, the Legislative Budget and Finance Committee was formed after a great delay; number two, that it is its intention not to specifically talk about figures, but new programs, as to their value, or existing program, as to their value, in the Legislative Budget and Finance Committee, to make their recommendations to the General Assembly in these fields and in other fields dealing with specific subjects that are approved by the Executive Committee to be looked into, information gathered, to adopt a policy or a program on any of these specific subjects.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not specifically provided for under the Act of 1959 that this Committee will analyze the budget and give each and every Member of the Legislature, who is interested enough, information whereby he can make an intelligent vote of yes or no?

Mr. McCANN. Mr. Speaker, the answer to that specific question would be yes, as you read the law.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not true that we spent $200,000 in the last biennium for this particular committee?

Mr. McCANN. Mr. Speaker, it would not be true exactly that we spent $200,000. I believe there was appropriated the sum of $200,000. We did not spend $200,000 of that amount appropriated, sir.

Mr. M. H. GOLDSTEIN. I am getting a little far afield. I think I read the Joint State Government Commission report. Is it not true that the money appropriated for the Legislative Budget and Finance Committee was transferred to the Joint State Government Commission?

Mr. McCANN. No, Mr. Speaker. There was no money transfered to the Joint State Government Commission in the sense of a transfer. The Legislative Budget and Finance Committee did engage the Joint State Government Commission to do specific parts of reports on which they paid for those services—period.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, when we passed the Legislative Budget and Finance Committee legislation in 1959, we appropriated $200,000 for a specific purpose, for the purpose of giving the Legislators intelligent information as to our fiscal problems. I recall that our learned Speaker, from time to time, stated that legislation of this character was necessary so that we would not continue the practice of the past, but so that every one of us would know why we were voting for certain legislation.

I say that right now, with $108,000 contemplated in the

coming budget for this Committee, I am entitled to receive from Truman Thompson, or any other person, a detailed statement of this budget. To ask me or anybody else to vote on a budget with blanket figures and with no detailed information as to whether the amount requested is either too low or too high, I say is improper and not in the public interest, and any legislator who does vote under those circumstances is not performing his duty as an independent legislator.

I suggest that the Legislative Budget and Finance Committee start performing its duties immediately and give every Member the detailed statements they are entitled to under the provisions of this Act.

Mr. McCANN. Mr. Speaker, I certainly can say I am most pleased with the remarks of the gentleman from Allegheny regarding the Legislative Budget and Finance Committee, regarding the remarks that I thought he might be leading into about the Joint State Government Commission, but which he did not. That I assume he reserves for another day and another time. May I state to you that I believe such a report should be presented here in this House and I think that very likely the Legislative Analyst—which I believe is the correct title—Mr. Truman Thompson, should have such a report forthcoming. I will also say to you that perhaps the Legislative Budget and Finance Committee did not get started to do too much work under the present law which started this Committee. But I do believe that as years go on it will serve a very useful and excellent purpose, that each of us is entitled to know what they are doing, what subject they are working on, and what reports they may have to present to every Member of the House and the Senate. I certainly am most pleased to answer any question the gentleman from Allegheny, Mr. Goldstein, may have in his mind at any time regarding this or any other Commission in which we serve in any way in an executive capacity.

The SPEAKER. The Chair might say anytime the gentleman from Allegheny, Mr. Goldstein, desires to call at the Speaker's office, he will tell him the history of that organization that he talked about, in all its details.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HAMILTON asked and obtained unanimous consent to add additional sponsors to bills to be introduced by him.

The SPEAKER. The House will have to pass a rule about this matter of additional sponsors, how many should be on a bill, what is the limit, and then decide whether we want to enforce that limit or whether we leave the question open and have innumerable Members rising to ask for additional sponsors, if the rules should permit any number of sponsors, or should we limit it. If we have a rule we should live within the rule.

REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as committe, House Bill No. 82, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), making certain changes in the fiscal period.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 83, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 84, entitled:

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 85, entitled:

An Act amending the act of April 22, 1949 (P. L. 711), entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges; creating a special fund in the State Treasury to be known as the Toll Bridge Fund;" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 86, entitled:

An Act amending the act of January 5, 1934 (1933-34 P. L. 219) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans; * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General, respectively.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 87, entitled:

An Act amending the Act of May 25, 1939 (P. L. 191), entitled "An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions; * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 88, entitled:

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), increasing the rate of the tentative and the annual tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 89, entitled:

An Act amending the "Corporate Net Income Tax Act," approved May 16, 1935 (P. L. 208), increasing the rate of the tentative and the annual tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 90, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), increasing the permanent rate of tax and eliminating the temporary tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 91, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 92, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities,

boroughs, incorporated towns and townships, for their road, street and bridge purposes; * * *," making an additional appropriation conditioned upon an increase in the rate of taxation.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 93, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), imposing the tax permanently.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 94, entitled:

An Act amending the "State Highway and Bridge Authority Act," approved April 18, 1949 (P. L. 604), increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 95, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956, (P. L. 1228) eliminating the provision for commissions for collection and remittance of the tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 96, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594), making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 97, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 98, entitled:

An Act amending the act of June 13, 1907 (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' * * * increasing the rate of tax on shares of capital stock of every title insurance or trust company, bank and trust company or trust company and changing the date for the determination of the base of the tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 99, entitled:

An Act imposing a State tax on gross premiums, premium deposits, and assessments received from business transacted within this Commonwealth by certain insurance companies, associations, and exchanges; requiring the filing of annual and tentative reports and the computation and payment of tax; providing for the rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof; and providing penalties.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 100, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House Bill No. 101, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions, and extending such tax to the surplus, undivided profits and reserves of savings banks without capital stock, building and loan associations and federal and state savings and loan associations and changing the date for the determination of the base of the tax.

Mr. IRVIS from the Committee on Judiciary reported as committed, Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

Mr. MAGEE from the Committee on Judiciary, reported as committed, Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 1, (not printed).

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Kamyk.

Mr. KAMYK. Mr. Speaker, I am reporting fourteen bills from the Ways and Means Committee that are numbered 88 to 101, inclusive, with the request that they be read for the first time.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I thought I was informed by the Majority Leader that such a request would not be made.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. At the time the discussion was held, the Committee on Ways and Means was in their meeting and I could not attend the meeting. The motion passed was that the bills be reported from committee with a request that they be read for the first time. If you object, the objection will then be taken into consideration.

Mr. AGNEW. I thought we had an understanding. Is the Majority Leader going to request that the request of the Chairman of the Committee on Ways and Means be withdrawn or do you want me to make the objection?

Mr. McCANN. Mr. Speaker, I request that he make the objection.

Mr. AGNEW. I then make the objection.

Mr. McCANN. Mr. Speaker, I move that the bills then be just reported from the Committee.

The SPEAKER. The Chair hears objections to the reading of the bills for the first time.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I think the membership is entitled to know why the Minority objected to the reading

of the bills reported from Committee today on first reading.

The plan of the Majority was to report the bills from committee today on first reading and to pass them finally this week on Wednesday.

The operation of this House is subject to the desires of the Majority. That the Minority admits. However, House Bills Nos. 95 to 101, the key bills in the Governor's new tax program, the new tax bills, were introduced last Tuesday, were available here in the Capitol on Thursday and were kept under lock and key in the Chief Clerk's office and were not released until this morning.

I had my administrative assistant make a verbal request for copies of these bills which I thought, naively perhaps, the Minority might be able to inspect on Thursday and again on Friday. He was denied copies of the bills for perusal in my office and on Saturday I had him deliver a written request to the Chief Clerk asking for copies of the bills.

The Chief Clerk's office informed Mr. Calkins, who was making a request in my name, that their instructions were that nobody, I repeat nobody, was to receive any copies of the bills.

This House has never been operated on that basis before and I might add that House Bills 102 to 134 which were given later numbers and which were submitted certainly no earlier than House Bills 95 to 101, were in print and were available upon request by any interested party, any citizen of the Commonwealth, or for that matter, any citizen of New York, I suppose.

But House Bills 95 to 101, key measure administrative proposals, were not available for use by anybody. I think we have a legitimate right to complain inasmuch as the Minority represents some 47.5 percent of the Membership of this House. Not only do we have the right to complain for ourselves, we have a right to complain for the people of Pennsylvania. Nobody was able to get a copy of these bills and to study them.

They are tax proposals, and I suppose are not considered important pieces of legislation. We thought otherwise. We were told by the Chief Clerk's office that the instructions concerning the withholding of these bills came from the Majority Leader's office. We will assume that is true unless the Majority Leader wishes to deny it. But in connection with that I would like to say that I believe that deliberately an iron curtain was placed around the Governor's Tax Program. Not only were the Members of the General Assembly denied their right and privilege of studying these bills, but the public, the people of Pennsylvania, were deprived of their right to know exactly what the Governor was proposing.

These are steamroller tactics which the Minority will not stand still for. There is an attempt on the part of the administration to thwart and deny the rights of the peoples' chosen representatives, to say nothing of the people themselves, to study carefully these revenue raising proposals.

I would like, in respect to the withholding of the copies of these bills which were available here in this Capitol and which, since time immemorial, have been available to any Member of the House, certainly, upon request, to interrogate the Majority Leader and attempt to find out from him if in fact his orders were that the bills be withheld and if there was any reason for it, and if in the foreseeable future during this Session such a practice will be repeated.

I request permission to interrogate the Majority Leader.

Mr. McCANN. Mr. Speaker, I would ask that the Minority Floor Leader yield to permit me to make a statement.

Mr. AGNEW. I yield to the Majority Leader.

Mr. McCANN. Mr. Speaker, of the total package involved, 82 to 101 inclusive, a portion of those bills went to the printer first, were checked and were in the Capitol and released on Thursday. You are in error when you say the other numbers were here on Thursday. They were delivered by the printer to the custody of the Chief Clerk, where all bills are delivered, on Friday. Yes, those bills were held at my request to be checked, including 82, which, after being checked, were released as were the others after they were checked. The bills were released on Monday morning, this morning, and your office, I believe, received ten copies of each of the bills. I was present when they were picked up and turned over.

Now then, as to this type of legislation, there is no measure being taken to withhold from the public, but there are measures being taken to see that the House and Senate Members have copies of this legislation and that not all the lobbyists come in and take all the copies all the time on important legislation and then it is not available to you and your constituents when you need it. This I say to you is not a measure to try to hide in any way. I did issue such order on all of the bills. The first package, beginning at 82 to that number, was checked. From that number the balance of the package, that was delivered on Friday, was checked as to its printing on each one. Yes, this could have been released then on Sunday. I was here Sunday. I was here Sunday evening, working, at nine p. m. and I worked until midnight last night. I had no knowledge at any time other than when I talked to a certain gentleman at midnight, between midnight and one o'clock this morning, about these measures. I assure you, in every way, this was done as a helpful precaution and if this is a situation where you say we are withholding, we are printing all bills in Committee right now. There are no pink bills. Your copies cannot, in any way, in the future be withheld. When they arrive from the printer, they will go straight to the offices.

Mr. AGNEW. Mr. Speaker, in view of the lateness of the hour I withdraw my request to interrogate the Majority Leader. He has answered in some fashion the questions I would have asked him anyway. I do want him and the officers of the House to know that any time bills are in print and they are not available at the request of any Member of this House, we are going to make it a matter of a permanent record of this House during the next Session. That is why these comments are being made today. If they were held up and kept under lock and key merely to determine whether or not there were any mistakes in the bills, I think that is an excuse and not a reason. If there are any mistakes in the bills they can always be corrected by amendment, and I think the Majority Leader knows that as well as I do.

We very much object to what was done over the week end. If I was mistaken and the bills were not here Thursday, I apologize, but they were definitely here Friday and they were not available on request from my office; they

were not available upon written request of my office on Saturday, and, of course, they were not available for study at all by anybody until this morning.

Now I might say in respect to lobbyists, I am not beating the drums for them anymore than the Majority Leader is, but these lobbyists represent groups of people in this Commonwealth. Labor lobbyists represent labor organizations, business lobbyists represent business organizations and so on, and as such they have a legitimate interest in the legislative proposals of the general Assembly. Certainly we Members do. I do not wish to prolong this past the normal hour of closing, but I do want the permanent record of the House to show that the Minority very strongly objects to the keeping of these important tax bills under lock and key over the week end.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. CANDLESS asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. McCANN. Mr. Speaker, I would like at this time to indicate that each day, or each session, the Whip will send up the notices for committee meetings that are scheduled for the following day, and at this point we have committee meetings to be announced for Tuesday, tomorrow, in this House.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, I would like to announce at this time a Republican Caucus immediately after today's adjournment and, for the benefit of informing our Members, I wonder if the Majority Leader can give us any information on how many sessions the House will have this week?

The SPEAKER. Does the Majority Leader desire to respond at this time to the question of the Minority Leader, or does the Majority Leader desire now to proceed to caucus?

Mr. McCANN. Mr. Speaker, I cannot respond at this time to that question, before caucus, but I do, before we go to caucus, ask that the rule changes that were proposed and that are now mimeographed, be distributed and that every Member take them with him and that the Committee Meetings for tomorow be announced at this time.

Mr. AGNEW. Mr. Speaker, may I point out that the proposed amendments to the House Rules are being distributed now and I would ask the Republican Members to please bring their copies to caucus also.

COMMITTEE MEETINGS

CITIES—THIRD CLASS, Mr. Walsh, Chairman, Room 131 C, Tuesday, January 24, at 12:30 p. m., E. S. T.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, January 24, at 9:45 a. m., E. S. T.

ELECTIONS, Mr. Eilberg, Chairman, Room 323, Tuesday, January 24, at 11:00 a. m., E. S. T.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, January 24, at 11:00 a. m., E. S. T.

JUDICIARY GENERAL, Mr. Rudisill, Chairman, Room 149, Tuesday, January 24, at 10:00 a. m., E. S. T.

GAME AND CONSERVATION, Mr. Curwood, Chairman, Room 323, Tuesday, January 24, 11:15 a. m., E. S. T.

DEMOCRAT CAUCUS

The SPEAKER. The Majority Leader has not yet announced his desire as to a caucus.

Mr. McCANN. I will now, Mr. Speaker.

Mr. Speaker, I will request a Democratic caucus in the New House Caucus Room. Such caucus will be completed by 6:30. I will ask that every Member bring with them the mimeographed copy of the proposed amendments to House Rules which they have on their desks. We will proceed immediately and I ask that everyone attend the caucus.

ADJOURNMENT

Mr. KRAMER. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 24, 1961 at 1:00 p. m. EST.

The motion was agreed to, and (at 5:40 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

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SENATE

TUESDAY, JANUARY 24, 1961

The Senate met at 12:00 m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, REV. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Our Father, Who art in Heaven, with grateful hearts we acknowledge Thy renewed mercies in our lives this day.

In light of the solemn responsibilities confronting this legislative body, impart Thy wisdom and leadership so that during the weeks of this legislative session, notable strides will be accomplished for the moral, social and temporal betterment of our State.

Make us willing to daily appropriate Thy grace, which is always sufficient for our every need. Then, assuredly, it can be said of us, as was spoken of Thy servant, David: "'He served his own generation by the will of God."

These petitions we ask in the Name of God, the Father; God, the Son and God, the Holy Spirit. Amen.

ANNOUNCEMENT CONCERNING PROPOSED VISIT TO WYETH LABORATORIES

The PRESIDENT. The President pro tempore has requested the Chair to make this announcement for the benefit of those Members of the Senate who are going to visit the Wyeth Laboratories in Radnor, Pennsylvania. Please be advised that the special train will leave the Harrisburg, Pennsylvania Station at 3:00 p.m., this afternoon. The train returning to Harrisburg will leave Radnor at approximately 10:30 this evening.

I am reminded to advise you of one more thing. The Senators are asked to please be at the station on time. You never can tell, but the train might leave on time.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. HALUSKA, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF HAMBURG STATE SCHOOL AND HOSPITAL

January 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes McCartney, Lansford, Carbon County, for reappointment as a member of the Board of Trustees of Hamburg State School and Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF HARRISBURG STATE HOSPITAL

January 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas H. Lane, Middletown, Dauphin County, for reappointment as a member of the Board of Trustees of Harrisburg State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

January 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert N. Taylor, 608 East Durham Street, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Pennhurst State School, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

FIRST ANNUAL REPORT OF THE LEGISLATIVE BUDGET AND FINANCE COMMITTEE FOR CALENDAR YEAR 1960

Mr. BERGER. Mr. President, on behalf of Senator M.

Harvey Taylor, I present the Report of the Legislative Budget and Finance Committee for filing.

The PRESIDENT. The offering of this report will be noted in the Journal, and the report itself will be printed in the Appendix.

RECESS

Mr. WEINER. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Constitutional Changes and Federal Relations, to be held in Room No. 302.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

RESOLUTION REPORTED FROM COMMITTEE

Mr. MAHADY, from the Committee on Constitutional changes and Federal Relations, reported without amendment, Senate Concurrent Resolution, **Serial No. 105,** entitled:

Memoralizing Congress to Establish a Civilian Conservation Corps.

The PRESIDENT. The resolution will be laid on the table.

BILL REREFERRED

The PRESIDENT. The Chair would like to state that there is one bill on the desk which has been held for reference. This bill is Senate Bill No. 6, which was returned by the Select Committee on Legislation for rereferral by the desk.

The Chair now rerefers Senate Bill No. 6 to the Committee on Public Health and Welfare.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 109,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing additional penalties for violation of ordinances.

Which was committed to the Committee on Local Government.

Mr. KESSLER presented to the Chair **SB 110,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

Which was committed to the Committee on Education.

Mesrs. SILVERT and DONOLOW presented to the Chair **SB 111,** entitled:

An Act revising the procedure to be followed concerning arrest, detention and bail, and substituting criminal summons for warrant of arrest in certain criminal cases.

Which was committed to the Committee on Judiciary General.

Messrs. MURRAY and FLACK presented to the Chair **SB 112,** entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," changing the rights, powers and duties of Authories heretofore or hereafter created.

Which was committed to the Committee on Local Government.

Messrs. McGINNIS and MALLERY presented to the Chair **SB 113,** entitled:

An Act authorizing the Department of Property and Supplies to exchange certain lands located in Huntingdon County.

Which was committed to the Committee on State Government.

Messrs. McGINNIS and PECHAN presented to the Chair **SB 114,** entitled:

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779), entitled "The Fish Law of 1959," removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes; further regulating the issuance of permits or bills of sale for fish caught in such lakes; changing penalties relating to such lakes; and harmonizing language of existing law.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. LANE, WAGNER, FLACK and DONOLOW presented to the Chair **SB 115,** entitled:

An Act making an appropriation to the committee appointed by the 1960 General Assembly to study the unemployment problem in Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. WEINER presented to the Chair **SB 116,** entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," limiting the amount of compensation which may be paid as a commission and including certain corporations within the provisions of the act.

Which was committed to the Committee on Judiciary General.

Messrs. SARRAF, DiSILVESTRO, FLEMING and PECHAN presented to the Chair **SB 117,** entitled:

An Act amending the act of December 28, 1955 (P. L. 913), entitled "The Dangerous Drug Act of 1955," defining amphetamines as dangerous drugs and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

They also presented to the Chair **SB 118,** entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing, and use of certain drugs, and keeping records thereof; . . .," defining "drug" to include amphetamines and providing penalties and forfeitures.

Which was committed to the Committee on Public Health and Welfare.

SENATE CONCURRENT RESOLUTION

REQUESTING CONGRESS TO ADD A NEW ARTICLE TO THE CONSTITUTION OF THE UNITED STATES

Messrs. PROPER and KESSLER offered the following resolution (**Serial No. 106**), which was read as follows and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate, January 24, 1961.

Be it resolved by the Senate of the Commonwealth of Pennsylvania (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States or to call a convention for such purpose as provided by law to add to the Constitution an Article providing that:

ARTICLE .....

Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

Section 2. The Constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of ratification of this amendment, be liquidated and the properties and facilities effected shall be sold.

Section 4. Three years after the ratification of this amendment the Sixteenth Article of amendments to the Constitution of the United States shall stand repealed and, thereafter, Congress shall not levy taxes on personal incomes, estates, and/or gifts.

Resolved, That a certified copy of this Resolution be forwarded by the Secretary of the Commonwealth to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of Congress from the Commonwealth of Pennsylvania.

STATEMENT BY THE CHAIR

The PRESIDENT. The Chair would like to call to your attention the difficult situation he is in.

In an effort to keep order in this august Chamber, I broke a gavel yesterday and, today, I have broken another one. I have only half of a gavel left, so I will expect your cooperation. I cannot pound very hard. Therefore, please, a little more quiet.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. STAISEY offered the following resolution, which was read, considered and adopted:

In the Senate, January 24, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 30, 1961, at THREE o'clock P. M., E.S.T. and when the House of Representatives adjourns this week,, it reconvenes on Monday, January 30, 1961, at THREE-THIRTY o'clock P. M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE CONCURRENT RESOLUTION, SERIAL No. 105, CALLED UP

Mr. WEINER, without objection, called from the table Senate Concurrent Resolution, **Serial No. 105**, entitled:

Memoralizing Congress to Establish a Civilian Conservation Corps.

Mr. WEINER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

ANNOUNCEMENT RELATIVE TO PREPARATION OF RESOLUTIONS FOR INTRODUCTION

The PRESIDENT. The Chair has a special announcement to make for all Senators concerning the preparation of resolutions for introduction.

It will be required that we have eight copies of all resolutions introduced in the future. Will you please advise your staff to that effect?

Any objections can be taken up with the Secretary. It is requested that eight copies, gentlemen, of all resolutions be furnished, which would be an original and seven copies.

Mr. KESSLER. Mr. President, may I suggest that the Secretary of the Senate advise the Legislative Reference Bureau accordingly?

The PRESIDENT. We shall see that the Legislative Reference Bureau is immediately advised of the fact that we require an original and seven copies of all resolutions.

Thank you, Senator Kessler.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

SB 43. Without objection, the bill was passed over in its order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 3. Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 29. Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "'aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 41. Without objection, the bill was passed over in its order at the request of Mr. WEINER.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, yesterday the microphones or the audio system were not working too well and it might have been that some of the gems, which we expounded here from time to time, might have been lost. Therefore, I wish to make our position perfectly clear.

Mr. President, we are introducing measures which deal with amendments to the Constitution. In order for anyone to understand these bills and what they are doing, you not only have to read the bills, but you have to go back and read the original amendments which have been made to the Constitution.

We are not in favor, as among some of these other measures, of giving free passes to the Members of the Legislature or anyone else. If free passes were to be given for airplane travel, I could understand that some of the Members might feel inclined in that direction. However, the time has come when we feel that the Constitution under which we are living is far outmoded. It does not fit our mode of life. It does not fit what we are doing today. We are going back almost ninety years under this Constitution. We have tried, in vain, to call Constitutional Conventions and have never met with any success or popularity in either of the two Chambers. The bill always gets bogged down in one place or another.

On the Democratic side, both in the House and Senate, we are hopeful of introducing a bill, which I think is already in the works, and have it passed, providing for a Constitutional Convention. However, every time we have discussed a Constitutional Convention, we have always been told that the Constitution maintains and has within it its own mechanism for correcting the ills which exist. As we have demonstrated here, week after week since we have been in Session, for us to do this, a great number of changes would have to take place. These measures would have to pass both Chambers on two succeeding Sessions. The Sessions would not necessarily have to be ones which follow each other, even though we are in annual sessions. Thereafter, they would have to appear on the ballot. If these measures were to pass, we would have thirty-odd amendments on which the people could vote. Some people have difficulty even ascertaining who the candidates are. This would be an extra burden on them and many of them would never get to the point of actually pulling the proper lever on these different amendments. We have seen some of those go astray in past elections.

It is not our desire to rend asunder the Constitution or to prove that the measures in the Constitution should be corrected piecemeal. We feel that the entire document should be rewritten and oriented to our form of life. That is why we are asking for this to be done. There is no other ulterior motive or purpose behind it.

There has been some difficulty in getting this position across to the people. I am sure the Members of the Legislature well understand our position. However, that is the reason we have introduced these measures for consideration. We wish to show how a measure dealing with corporations, for example, is in the Constitution. This should be part of our laws and it is a part of the B.C.L. now, which is the Business Corporation Law. These matters should be codified. We should set up statutory laws where they belong, in order for amendments to be made. For example, if our corporation setup changed or we wanted to make any changes, we practically would need a Constitutional amendment in order to do that.

That is what we are trying to demonstrate by these measures.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, I appreciate the candor which the Majority Leader used in describing the purpose they have in presenting these constitutional amendments. I am sure he is too good a lawyer to attempt to do indirectly what he has been unable to do directly.

However, Mr. President, I want to say that the Constitution of Pennsylvania is a very living document and it can always be altered or amended by this method. However, I do want to say that it appears to me, at this present stage of the legislative process, there are some other important things which should be occupying our attention on the Calendar other than repealing some of these constitutional provisions.

Mr. President, I do not intend to labor this, but there are a number of provisions in the corporate laws, and in other laws, which are there only because the Constitution requires that limitation to be in the law. I can pick out one or two bills on this Calendar that are very salutary. For instance, the requirement to have an office in the Commonwealth of Pennsylvania by foreign corporations is in the law. It is certainly in the law, but it is in there because the Constitution says that is what you have to do. I see no reason in the world why you should repeal a provision like that.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I believe the gentleman has pointed out the very purpose which I am trying to bring to the attention of the General Assembly; namely, that we already have it in the law. It might very well be that it stems from this document. However, there is no reason to have it twice in order to do the very same thing that has been done.

Also, in this same context, these are the measures which we were able to have reported out and you can see the difficulty we are having in moving these along. I agree that there are many other important things and I am trying to get them out of committee. However, in doing that, we have been criticized for moving too hastily. The Legislature usually is damned because it does not move fast enough but, in this context, we are being damned because we are moving too quickly. I think one of the things which the gentlemen of this Chamber should make up their minds about is whether or not they should be

impervious to that type of criticism, especially if they are doing the right thing.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, my point is that many of the salutary provisions which are in the Acts of Assembly are there because the Constitution requires it. If the Constitution did not require it, they might not be in there.

PERMISSION TO ADDRESS SENATE

Mr. FLEMING asked and obained unanimous consent to address the Senate.

Mr. FLEMING. Mr. President, since the Majority Leader has outlined the philosophy of his Party and why they are putting out these various constitutional amendments, I would like to draw his attention to the fact that only a litle over a year ago we had a Consitutional Revision Commission, which was co-chaired by two very eminent lawyers from Pennsylvania; namely, former Chief Justice Stearne and Judge Robert Woodside.

The Commission had a membership of fifteen, fourteen of whom were highly qualified for the job. I say that because I happen to have been the fifteenth member. I was not in the same class with the others. However, we had very fine men and women from all over Pennsylvania who made a thorough study of this subject. That Commission recommended not a Constitutional Convention, but it recommended that certain changes be made in the Constitution by amendment to it.

I would suggest to the Majority Leader, and to the Committee on Constituional Changes and Federal Relaions, that they consider the recommendations of that Constitutional Revision Commission, get some of those amendments into bill form, present them to the Legislature and, in that way, attempt to make some of the necessary or, a least, recommended changes to the present Constitution.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I might point out to the gentleman who just spoke that many of these bills which we have introduced have been recommendations made by the Constitutional Revision Commission. I also would like to point out to the gentleman—without my doing the arithmetic, because I know he is quite capable of doing it for himself—what the numbers were in this Senate Chamber and who the chairmen of the committees were. I think we merely have to go back, look into the little History and we will find out what happened to all these measures.

I do not want to belabor what has taken place in the past. However, I do think we now have, in the present, an opportunity to do what we think should be done and do it in a correct manner. I think we should bring this to the attention of the public, as well, in order for the public to give us the support which we need on some of these measures. By merely avoiding some of these issues or problems, I do not think we are helping anyone, most noteworthy of whom are the citizens of Pennsylvania, who I think must live under this Constitution.

PERMISSION TO ADDRESS SENATE

Mr. SEYLER asked and obtained unanimous consent to address the Senate.

Mr. SEYLER. Mr. President, there are various ways of amending the Constitution. The people who oppose a Constitutional Convention, which is the method which I believe would be most efficacious, have always said that it is better to use one of the other methods. The only thing that a person in my position then can do, it seems to me, is to take them at their word and support efforts to amend our Constitution in a desirable way by whatever method is proposed. This does not mean that I believe the method offered here, of separate amendments, is the best. I do not think you will get as integrated a product. I think it is predictable that what is happening here—a confusing of the issues by confusing the attempts to take out of the Constitution things which should not be there, with an attempt to do the substantive changes suggested by the various amendments—will also arise in people's minds. I think this is an inferior method but, nevertheless, as one who—as I—believes that it is very necessary to do something to improve our Constitution is bound, it seems to me we must use any means that is offered, provided the ends are desirable.

I would like to say to the gentlemen who vote against these amendments that unless they can offer arguments as to why the separate amendments should be in the Constitution as constitutional provisions, rather than in the statutory laws as an enactments of the Legislature, I do not think they have a justification for voting against them.

I would hope that in this Session, when the Members see what is happening to these separate attempts to amend the Constitution and what chaos you will get in the thinking of the Members about it—and I have no part in proposing these separate attempts—they will thereby be convinced that we should take the step, which is really necessary, of having a State Constitutional Convention which will take the whole Constitution and look at it and prepare a new Constitution, removing the obsolete portions, bringing it up-to-date, streamlining it in view of the modern demands of government and then we will really have something.

Therefore, Mr. President, while I will vote for these separate amendments, as I consider them meritorious, I would like to be on the record as saying that I believe the method of a State Constitutional Convention would be the preferred method which should be used.

PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, I think the object of the introduction of these amendments has been achieved. I think Senator Weiner's pronouncement is correct in that this is a matter of education and that it is believed this will draw the attention of the voters to the fact that there are obsolete spots in the Constitution. There are spots in which people disagree as to whether or not they are fundamental, and on some I am with one side

and on others, I am on the other side. That is a matter of individual judgment.

The basic problem I think is best expressed in this way: There are many of us who will spend years in the academic halls, and we are prone to have the academic approach. There are others who have spent part of their life, or a good part of it, in the practical world, and they have an extremely practical approach.

You must have both of these views in mind when you consider the Constitution. The biggest fundamental difficulty, and a violation of the basic concept of a Constitution, is in individual amendments. The basic concept of our Constitution, whether it be Federal or State, is the check and balance system. If you propose three amendments which, as a whole, will still provide the check and balance system, and the voters turn down two of them, then you are running the risk, if this happens, of having a provision which has removed the full effect of the check and balance system. In other words, your document must be as a whole and not as parts. It is the old fasces of the Romans, where there is a bundle of sticks bound together and each stick is important because it holds the other in place, as well as the boughs which surround it.

If we are to preserve the check and balance system, and if we are to preserve the idea that we must make haste slowly when we change fundamental principles, it is obvious from the debates of yesterday and today that some of us have forgotten our history and that there are reasons why these things were put into the Constitution.

As legislators at the present time, we trust each other and we know each other, but from time to time in the future, and sometimes in the past, there could be and there have been, forces which creep in and possess the legislature and they act in an arbitrary manner, contrary to the interests of the fundamental rights of the people. In a quick and decisive moment, when feelings run high and passions rule rather than thought, they will pass something quickly. Anything which is fundamental—not because of the fact that it is in a law, but the fact that it is fundamental—means that it must be preserved so that it takes a greater length of time for consideration and for amendment.

I have said that if the check and balance system is to be preserved, then we must have a Constitutional Convention or something similar where, in one stroke or a period of time, long or short as it may be, you may have a complete document bearing the checks and balances that you desire, and not run the risk that the mores of the moment will give you something like a woman's hat or a woman's dress that is in style for the moment, but rather something that keeps historically the checks and balances that we put in here, as well as the fundamental principles upon which the Commonwealth was founded.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, I am a little confused as to which section of our Constitution provides for a Constitutional Convention. I see in our Constitution that Article XVIII says that we may change it by individual amendments.

I would like to have—not today, but maybe in the next week or so—someone who is a constitutional authority in this Senate point out where in our Constitution there is a provision authorizing the Legislature to call a Constitutional Convention. I could see how it could be done. We could amend the existing Constitution to provide a way. However, I do not see, under our Constitution, any provision whereby we can pass a simple law calling for a Constitutional Convention which would rip out this Constitution, Under Article XVIII, to make a single change, an amendment has to pass two Sessions of the Legislature and go to the voters.

I would like to have that answered some day.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I am not an authority on the Pennsylvania Constitution nor am I a constitutional lawyer. However, I would like to point out to the gentleman that we can have a Constitutional Convention by having the Legislature pass an act providing for a convention to meet for the purpose of studying our Constitution and providing either amendments or changes to that Constitution. If the final result happens to be a new document and the people approve this and ratify it, it is as simple as adding amendments to the present Constitution of the United States, which have changed many of the original provisions in it to where it now reads almost as a new document; to wit., your income tax laws and amendments, just to name one phase of it.

Even our Constitution of the United States, which is probably one of the greatest documents ever written, immediately had put into it the first ten amendments which deal with the Bill of Righs, and they had not been included by the very founders of this great Country and were thought upon as an adjunct or an addenda.

At some stage of the life of this Commonwealth, we wrote a new Constitution—somewhere around 1870. If we saw fit to do that at that time, there certainly must have been a Constitution before that time which was changed or amended and so the new document was substituted.

I do not think there is anything sacred in this document so that we here, knowing each other as we do and knowing the people in this Commonwealth as we do, could not sit down and concern ourselves with some of the problems that we face today, problems which in 1870 were not even considered or thought about.

We certainly did not have super highways at that time. We certainly did not have the modern way of living that we do today or the complexity of life as it has become in this Commonwealth. That was not even considered by the people who wrote the Constitution of 1870.

I think we would do well to concern ourselves and update some of our present institutions so that they fit the present situation in which we find ourselves.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, I fear the Majority Leader has misunderstood my simple words.

My only problem is this: Where in the Constitution of Pennsylvania is there a provision that this Legislature

can discard this document through means of a Constitutional Convention? I say that our Constitution provides that we will change it by amendments and I would like very much to be given law on this subject because we are a government under law.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, maybe I was not very clear. That was my fault. I will try to speak a little more clearly.

A Constitutional Convention would not at all be for the purpose of ripping out or tearing up this Constitution. There are certain basic premises in that Constitution which we want to keep. They are good and they do fit and will always fit the human behavior and the behavior of men among each other, and, of course, of conduct, which is part of the Constitution or charter under which we operate.

However, there are certain provisions which are outmoded, and the convention would merely meet to consider those amendments or remove those parts that are outmoded. This would then be referred to the people to be ratified by them in a manner similar to what has been done. There are precedents that are available to us on how that has been handled.

I am sure the gentleman from Delaware County would agree with me that we have very little difficulty with canals these days. The only thing we have to be concerned about is that they do not overflow their banks or that they do not run into the center stream or cause other difficulties. Canals have long since been outmoded. They are only used today in general areas for forms of recreation. I am sure there are many other similar areas.

Our corporations are basically the creature of the crown. They go back to the days in England when the king was the only one who could give a commission, or the king was the only one who could charter a company. That day has passed. Today, it is a very simple procedure to form a corporation. It can be done by merely filing forms with the Secretary of the Commonwealth or the Federal Government, if that becomes the problem. It is a very simple thing. It certainly does not have to clutter up an entire document such as the Constitution of the State of Pennsylvania.

I admit that the safeguards placed in there, and the positions taken, were well taken. However, we have passed that day. We have passed that time, and we can make our document, upon which this Commonwealth is founded, a very simple one and one that meets the needs of the present conditions in which we find ourselves. It might save us many legislative days if we could put certain things in that Constitution.

The great fear—and I think that I would be less than candid if I did not voice it—is that you will change the Constitution to possibly provide for an income tax. I think if that is the basic fear which people have against a Constitutional Convention—and that fear is held in some quarters—you could very easily, when you set up your convention machinery, decide that you are not going to touch this problem or take up this part of the problem, and concern yourself with all of the other problems. I think that would lay to rest some of the real feeling that people have on this matter.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, if Senator Bell's contention is that it would be illegal and unconstitutional to call a Constitutional Convention, then in carrying it through logically, our present Constitution is unconstitutional because in 1870 we called a Constitutional Convention and that is how we obtained our present Constitution.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, it was my intention to request the Majority Leader's permission to interrogate him, but I find difficulty in seeing him right at the moment. So, I waive the privilege.

The PRESIDENT. Perhaps we could have him brought back for that interrogation.

Mr. BERGER. No, Mr. President, I would not care to do that. I only wanted to ask him, Mr. President, whether it was his conception that a Constitutional Convention could be called in limine and to consider only the elimination of certain provisions in the existing Constitution which might appear to be ridiculous and repugnant. I doubt very much if he meant that.

The PRESIDENT. He is not here for us to ask him. Therefore, if there is no objection, we will proceed to the bills on second reading, appearing on page two of the Calendar.

SECOND CALENDAR READING

BILLS OVER IN ORDER

SB 28—Without objection, the bill was passed over in its order at the request of Mr. DONOLOW.

SB 31—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 35, 38, 46, 49 and **51**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 53—Without objection, the bill was passed over in its order at the request of Mr. FLEMING.

INTERROGATION

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Fleming.

The PRESIDENT. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. WEINER. Senator, in order for us to plan a Calendar for next week and our work load next week, may we be assured that we can work on this matter, specifically Senate Bill No. 53, Printer's No. 10? There is a great deal of feeling about this matter on all sides. May we be assured that we can work on this on Monday and Tuesday of next week?

Mr. FLEMING. Mr. President, I can assure the gentleman that on Monday of next week, I will ask for no further delay. I cannot, however, speak for the other twenty-four Members on this side of the Senate. One of

them may or may not desire to have it go over at that time.

Mr. WEINER. Thank you, Senator.

FURTHER ANNOUNCEMENT CONCERNING PROPOSED VISIT TO WYETH LABORATORIES

The PRESIDENT. May I repeat the announcement given at the beginning of the Session?

The special train to take Members of the Senate to the Wyeth Laboratories in Radnor, Pennsylvania will leave the Harrisburg, Pennsylvania Railroad Station at 3:00 p. m., this afternoon. The train returning to Harrisburg will leave Radnor at approximately 10:30 p. m.

Senators are asked to please be at the station on time. That is in one hour and twenty-six minutes, according to the clock on the wall of the Senate Chamber.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Monday, January 30, 1961, at 3:00 p. m.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:45 p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, January 24, 1961

The House met at 1:00 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, REVEREND DAVID R. HOOVER, offered the following prayer:

Eternal and Everloving Father, Thou Who dost continually watch over and care for the needs and necessities of mankind, and Thou Who dost show Thy abiding love in every hour of trial or tribulation, we turn to Thee and Thy throne of mercy in this moment of reverence. We extend our deepest sympathy to the family of John H. Light, who passed to his eternal rest and pray for Thy blessing upon them. The Hon. Mr. Light served this House of Representatives as a Member from Lebanon County for 10 years, and previously served as the Secretary of Agriculture of this Commonwealth. Strengthen each one of us with the awareness of the importance of living our lives to the fullest. And use us and the talents we dedicate to Thee in Thy service as we seek to serve our fellowmen. In Jesus' name, we pray. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Monday, January 16 and Tuesday, January 17, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, January 23, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. STITELER and OGILVIE
HOUSE BILL No. 133.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), providing for the issuing of lifelong free resident fishing licenses to persons sixty-five years of age or over.

Referred to the Committee on Fisheries.

By Messrs. CIOFFI and STONE HOUSE BILL No. 134.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), providing that it shall be deceptive advertising to fail to state that an item was produced or manufactured in a foreign country.

Referred to the Committee on Judiciary.

By Messrs. STIMMEL and MAXWELL.
HOUSE BILL No. 135.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), further providing for the collection of tax on motor vehicles.

Referred to the Committee on Ways and Means.

By Mrs. KERNAGHAN and Messrs. ISAACS, DENGLER and GIBBONS. HOUSE BILL No. 136.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An Act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; * * *" prohibiting the imposition of wage, income, or occupation taxes on nonresidents and abolishing such taxes heretofore imposed.

Referred to the Committee on Ways and Means.

By Messrs. LIPPINCOTT, ISAACS, EILBERG and Mrs. REIBMAN. HOUSE BILL No. 137.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission, for the repair and restoration of the Caleb Pusey House, subject to certain conditions.

Referred to the Committee on Appropriations.

By Messrs. SHERMAN, LAWSON and HARTLEY.
HOUSE BILL No. 138.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, granting war veterans certain tax exemptions.

Referred to the Committee on Judiciary.

By Messrs. SHERMAN, GELFAND and A. D. WILLIAMS. HOUSE BILL No. 139.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, granting tax exemptions to certain persons over the age of sixty-five years.

Referred to the Committee on Judiciary.

By Messrs. LAMB, KRAMER, STECKEL and BACKENSTOE. HOUSE BILL No. 140.

An Act amending the act of June 13, 1883 (P. L. 122), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, providing for the improvement, amendment and alteration of the charters of corporations of the second class, * * *" removing a provision relating to construction of the act.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. J. H. GOLDSTEIN and SCHAAF.
HOUSE BILL No. 141.

An Act amending the act of September 29, 1951 (P. L. 1645), entitled "An act authorizing the orphans' courts of the several counties, upon application therefor, to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings; * * *" extending the provisions of the act to the recorder of deeds, the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

Referred to the Committee on Counties.

By Messrs. HAUDENSHIELD, DONALDSON, LAMB and KRAMER. HOUSE BILL No. 142.

A Joint Resolution proposing an amendment to article eighteen, section one of the Constitution of the Commonwealth of Pennsylvania, changing the method for amending the Constitution.

Referred to the Committee on Judiciary.

By Messrs. FETTEROLF and WILLAREDT.
HOUSE BILL No. 143.

An Act authorizing the Department of Highways with the approval of the Governor to construct a highway and to erect and maintain a bridge over the Schuylkill River in Montgomery County between a point in the Borough of Norristown or a township adjacent thereto, and a point in the Borough of Bridgeport or a township adjacent thereto; and to provide the necessary approaches and connections with State highways empowering the county to pay certain damages and making an appropriation therefor.

Referred to the Committee on Highways.

By Messrs. WEIDNER, PIPER and ADAMS.
HOUSE BILL No. 144.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), authorizing wives of persons in the actual military service of the United States to cast absentee ballots without being registered and enrolled as electors.

Referred to the Committe on Elections.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 145.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), requiring controllers to be elected in each county of the sixth class, and requiring semi-annual detailed audits * * * to be completed by controllers and auditors and filed with the courts of common pleas, the Department of Internal Affairs and boards of county commissioners.

Referred to the Committee on Counties.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 146.

An Act amending the "Pennsylvania Loyalty Act," approved December 22, 1951 (P. L. 1726), providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

Referred to the Committee on Elections.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 147.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), further regulating notice given to delinquent taxables.

Referred to the Committee on Counties.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 148.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for an assistant secretary of the board of school directors.

Referred to the Committee on Education.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 149.

An Act providing for the relocation of certain utility facilities owned by political subdivisions to accommodate Federal-aid highway projects.

Referred to the Committee on Highways.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 150.

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, * * *," providing that all witnesses be paid mileage daily.

Referred to the Committee on State Government.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 151.

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991), extending the provisions of the act to include certain boroughs, except in counties of the second class, and requiring private redevelopers to reimburse public utilities for the costs of removing, altering, constructing, reconstructing or otherwise changing their facilities in certain cases.

Referred to the Committee on Boroughs.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 152.

An Act amending the act of May 14, 1925 (P. L. 714), entitled "An act prohibiting the placing of any sign, banner, or advertising matter of any kind whatsoever on or across any public road or highway * * *," further providing for the disposition of the moneys collected for violations of the act.

Referred to the Committee on Highways.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 153.

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall be paid mileage daily.

Referred to the Committee on State Government.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 154.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for an assistant township secretary.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 155.

An Act to validate certain proceedings for municipal improvements, municipal investments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of this Commonwealth.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 156.

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employes of certain associations within the act.

Referred to the Committee on State Government.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 157.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), providing for an assistant township secretary.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 158.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), relieving cities and the counties in which they are located from payment of damages occasioned by and costs of construction, reconstruction, repair and maintenance of certain bridges and viaducts.

Referred to the Committee on Municipal Corporations.

By Messrs. STONE, KLEIN and STECKEL. HOUSE BILL No. 159.

An Act amending the act of May 24, 1951 (P. L. 402), entitled "An act authorizing the court in any proceeding to establish paternity, to order the parties therein to submit to blood grouping tests, and prescribing the conditions under which such evidence may be admitted," further specifying the effect of the blood grouping tests.

Referred to the Committee on Judiciary.

By Messrs. STONE, KLEIN and STECKEL. HOUSE BILL No. 160.

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgments confessed on written instruments, * * *," providing defenses in any county in which an execution, bill of discovery or attachment is issued on a judgment.

Referred to the Committee on Judiciary.

By Messrs. STONE, KLEIN, MILLS and STECKEL. HOUSE BILL No. 161.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) further regulating the issuance of club liquor licenses and catering licenses.

Referred to the Committee on Liquor Control.

By Messrs. STONE, HAMILTON and ESHLEMAN. HOUSE BILL No. 162.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the admission of beginners to the public schools.

Referred to the Committee on Education.

By Messrs. BACKENSTOE, STECKEL and STONE. HOUSE BILL No. 163.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the position of candidates' names on voting machines used in primary elections.

Referred to the Committee on Elections.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 164.

A Joint Resolution proposing an amendment to article five, section eleven of the Constitution of the Commonwealth of Pennsylvania, providing for aldermanic districts and the election of aldermen and constables in Allegheny County, providing for compensation, jurisdiction and powers of aldermen and constables in Allegheny County and requiring aldermen in Allegheny County to be learned in the law.

Referred to the Committee on Judiciary.

By Messrs. TAYLOR, FILO and J. A. SULLIVAN. HOUSE BILL No. 165.

An Act providing that liability and collision insurance policies sold in Pennsylvania shall contain certain provisions against cancellation of fully paid policies and provisions relating to renewal.

Referred to the Committee on Insurance.

By Messrs. TAYLOR, FILO and J. A. SULLIVAN. HOUSE BILL No. 166.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring proof of liability insurance coverage by owners of motor vehicles, tractors, trailers or semi-trailers at the time of registration thereof; providing for the refusal or suspension of registration for not being so insured.

Referred to the Committee on Insurance.

By Messrs. J. A. SULLIVAN, TAYLOR and McDEVITT. HOUSE BILL No. 167.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) making it unlawful for manufacturers, importing distributors or distributors to sell malt or brewed beverages at less than cost or at prices established with intent to injure competitors, further defining powers and duties of the board, prescribing penalties and providing procedure.

Referred to the Committee on Liquor Control.

By Messrs. GOODRICH, RENWICK, YETTER and K. B. LEE. HOUSE BILL No. 168.

An Act amending the "Law Fixing Annual Charge on Forest Lands" approved May 7, 1929 (P. L. 1798), increasing the amount of the fixed charge payable by the Commonwealth.

Referred to the Committee on Game and Conservation.

By Messrs. MILLS, CLARKE, TAYLOR and CURWOOD. HOUSE BILL No. 169.

An Act to regulate and control the distribution, sale or offering for sale of ice cream and related frozen products.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GOODRICH, RENWICK, K. B. LEE and BONNER. HOUSE BILL No. 170.

An Act placing a limitation on the combined acreage to be acquired by the Department of Forests and Waters, the Pennsylvania Game Commission, and the Pennsylvania Fish Commission in any one county.

Referred to the Committee on Game and Conservation.

By Messrs. YETTER, PRENDERGAST, BOWER and ESHBACK. HOUSE BILL No. 171.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

Referred to the Committee on Counties.

By Messrs. GOODRICH, WYND, VARNER and K. B. LEE. HOUSE BILL No. 172.

An Act providing a permanent allocation of a part of the liquid fuels tax and the fuel use tax proceeds to the Department of Highways for the paving and improvement of certain State highways; setting minimum standards and specifications for the paving of State highways

and imposing duties in relation thereto on the Department of Highways.

Referred to the Comimttee on Highways.

By Messrs. FRASCELLA and DULDOWNEY.
HOUSE BILL No. 173.

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743), establishing an Alcoholic Court of Philadelphia and prescribing its powers and duties and jurisdiction and the magistrates assigned thereto; providing for a seal for the court and the costs taxable therein.

Referred to the Committee on Cities—Counties First Class.

By Messrs. MULDOWNEY and FRASCELLA.
HOUSE BILL No. 174.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) requiring issuance of restricted operator's licenses to persons whose livelihood depends on the operation of motor vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. McCANDLESS, KING, CIOFFI, HAMILTON, MAGEE and FOX. HOUSE BILL No. 175.

An Act making an appropriation to the Department of Property and Supplies for payment of necessary construction and improvements to the sanitary and surface drainage sewage disposal system at Slippery Rock State College.

Referred to the Committee on Appropriations.

By Mr. FOERSTER. HOUSE BILL No. 176.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), removing provisions for the sale of liquor and malt or brewed beverages during certain hours on Sunday, in hotels, in cities of the first and second class, under certain conditions.

Referred to the Committee on Liquor Control.

By Messrs. HAMILTON, HORST and TAYLOR.
HOUSE BILL No. 177.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), exempting certain property from taxation.

Referred to the Committee on Counties.

By Messrs. HAMILTON and HORST.
HOUSE BILL No. 178.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), exempting certain property from taxation.

Referred to the Committee on Counties.

By Messrs. HAMILTON, FARABAUGH, KORNS, and ASHTON. HOUSE BILL No. 179.

An Act amending the act of May 23, 1919 (P. L. 278), entitled "An act supplementary to an act, approved the eleventh day of May, one thousand nine hundred and eleven entitled 'An act to provide for the appointment of county and city inspectors of weights and measures; * * *' providing for the examination of the glassware used for testing milk and cream * * *" providing that bottles, pipettes and weights used for testing shall comply with the law as to type, and need not be examined and marked individually.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. PIPER, STONE, HAMILTON and ISAACS.
HOUSE BILL No. 180.

An Act amending "The Juvenile Court Law," approved June 2, 1933 (P. L. 1433), removing children's violations of The Vehicle Code from the court's exclusive jurisdiction, and authorizing preliminary hearings for such violations.

Referred to the Committee on Judiciary.

By Messrs. PIPER, STONE, HAMILTON and ISAACS.
HOUSE BILL No. 181.

An Act amending the "Juvenile Court Law of Allegheny County," approved June 3, 1933 (P. L. 1449), removing children's violations of The Vehicle Code from the court's exclusive jurisdiction, and authorizing preliminary hearings to be held for such violations.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS, STONE and LAMB.
HOUSE BILL No. 182.

An Act consolidating, revising and amending the divorce laws of the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary.

By Messrs. LIPPINCOTT, TOMPKINS, STONE and LAMB. HOUSE BILL No. 183.

An Act consolidating, revising and amending the marriage laws of the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary.

STATEMENT BY CHIEF CLERK

The CHIEF CLERK. Mr. Speaker, I wish to note that 27 Members took with them, when they left the Floor of the House yesterday, the bills which were intended for the daily calendar books. Therefore, they may be missing in their folders. It is suggested that when bills are placed on the Members' desks by the Sergeants and the pages that they be left on the desks and, if the Members want extra copies, they may request them from the document room.

Members are also requested to leave the daily calendar books on their desks, thus expediting the work of the Sergeants and the page boys in keeping the calendar current.

I trust that the Members will cooperate in this respect in order to make the system work.

Thank you.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 24, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, January 30, 1961, at three o'clock p.m., E. S. T. and when the House of Representatives adjourns this week,

it reconvene on Monday, January 30, 1961, at three-thirty o'clock p.m., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 39 and 40.

Resolutions for concurrence Senate Serial Nos. 102, 103 and 104.

Mr. McCANN. Mr. Speaker, I would like to report from the Committee on Rules the proposed amendments to House Rules other than voting rules.

The SPEAKER. Does the Majority Leader desire the amendments read at length, or does he want them considered item by item, or adopted as a whole?

Mr. McCANN. Mr. Speaker, I wish to inform the Membership of two rules that have been taken out of the mimeographed copy which they have on their desks. Then I am going to ask that they be considered as a whole.

Mr. Speaker, I bring to the attention of the House, in the mimeographed copies of the proposed rule changes you have on your desks, that withdrawn from this amendment was the proposal dealing with the changes to House Rule 46 and House Rule 48. It was understood following the caucuses yesterday that the Republican Members were not providing any votes for House Rule 46 or House Rule 48, which dealt with the reading of bills the first time out of committee. They have been withdrawn from this report, so the mimeographed copies you have in your possession cover all the rule changes except for 46 and 48, which you should cross off your mimeographed sheet.

The SPEAKER. The Chair recognizes the Minority Leader and wonders whether there is an agreement that the amendments can be acted upon as a whole?

Mr. AGNEW. Mr. Speaker, there is such an agreement as long as the proposed amendments to Rules 46 and 48 are deleted. We can act on the rest of them on one motion.

The SPEAKER. The Chair understands that the amendments to Rules 46 and 48 are not before the House.

The amendments were read by the Clerk as follows:

PROPOSED AMENDMENTS TO HOUSE RULES OTHER THAN VOTING RULES

In the House of Representatives, January 24, 1961.

Resolved, that the Rules of the House be amended as follows:

RULE 6 OATHS TO EMPLOYES

Rule 6 is hereby amended by striking out in line 1 after the word "The," the word "Speaker," and inserting in lieu thereof the words "Chief Clerk."

Also, by adding thereto a new paragraph, as follows:

"Each employee of the House, after taking the oath of office, shall sign his name in the 'Oath Book' in the presence of the Chief Clerk."

RULE 11 HOUR OF MEETING

Rule 11, which reads:

"The House shall convene on Mondays at 4:30 o'clock P.M., E.S.T., unless otherwise ordered by the House.

"On other Legislative Days, the House shall convene at the Hour to which the House adjourned at the last sitting."

is hereby amended by substituting therefor the following:

"The House shall convene on Mondays at 3:30 o'clock P.M., E.S.T., and adjourn not later than 5:30 o'clock P.M., E.S.T., unless otherwise ordered by a majority vote of the House.

"On other days the House shall convene at 1:00 o'clock P.M., E.S.T., and adjourn not later than 5.30 o'clock P.M., E.S.T., unless otherwise ordered by a majority vote of the House."

RULE 15 RESOLUTIONS

Rule 15 is hereby amended by striking out paragraph 5, which reads:

When a resolution originating in the House (except resolutions of sympathy or congratulations), is reported from committee, it shall be printed, filed on each Member's desk and placed upon the calendar—after which it may be called up under the regular order of business for consideration by the House.

and inserting in lieu thereof the following:

"A resolution introduced in the House ond referred to committee shall be printed and placed in the House files. Resolutions of sympathy and congratulations shall not be printed.

"When a resolution is reported from committee, it may be called up by a member for consideration by the House under the order of business of resolutions."

Rule 19 COMMITTEE OF THE WHOLE

Rule 19 is hereby amended by adding thereto the following:

B. QUESTION TIME

The House, upon motion made only by the Majority Leader and seconded only by the Minority Leader, may by majority vote resolve itsef into a Committee of the Whole for "Questions and Answers," relating exclusively to departmental legislation pending on the House calendar.

Questions must be in writing, signed by the members requesting information and be sent to the Majority or the Minority Leader.

The Majority and Minority Leaders shall present questions received from the members to the Committee on Rules for examination. When approved by the Committee, a copy of the question shall immediatetly be forwarded by the House leaders jointly to the head of the department affected, together with a written request that he appear before the Committee of the Whole House at a designated time to answer the questions submitted to him. The Committee may, at its discretion, ask for a written reply.

Questions for oral answer which have been approved by the Committee on Rules shall be printed, each with a number under an appropriate heading on the House calendar at least two legislative days in advance of the time fixed by the House for the sitting of the Committee of the Whole.

Members will be recognized by the Chair to ask the questions in the order they are listed on the House calendar, after which the head of the department to whom the question has been directed will be recognized for reply.

When the head of a department has answered a question, the Speaker, at his discretion, may permit members to put supplemental questions arising out of the reply, but there shall be no debate.

When the Committee of the Whole is sitting for "Questions and Answers," the Speaker shall preside.

A motion may be made in the House to print the "Question and Answer" proceedings in the Legislative Journal.

RULE 37 HOUSE CALENDAR

Rule 37, which reads:

"Bills and resolutions reported by committees to the House with an affirmative recommendation shall be placed on the calendar in numerical order. House bills and House resolutions shall precede Senate bills and Senate resolutions."

is hereby amended by substituting therefor the following:

"Bills and non-privileged resolutions reported from committees to the House with an affirmative recommendation shall be listed on the calendar by title in numerical order. House bills and House resolutions shall precede Senate bills and Senate resolutions."

RULE 39 BILLS REFERRED TO COMMITTEES

Rule 39 is hereby amended by striking out the last paragraph, which reads:

"Bills shall not be considered beyond first reading until the latest print thereof is on the desks of the members."

and transposing it as the last paragraph of Rule 46.

RULE 50 RECONSIDERATION

(a) Rule 50 is hereby amended in paragraph 1, line 3, after the word "of," by inserting the words, "a division or."

(b) And in paragraph 6, line 1, by inserting after the word "question," the word "defeated."

RULE 51 MOTIONS

Rule 51 is hereby amended by striking out paragraph 3, which reads:

"All motions, except for the previous question and reconsideration, may be made without a second."

and inserting in lieu thereof the following:

"All motions, except for the previous question, motion to go into the Committee of the Whole for Question Time and motion for reconsideration, may be made without a second."

RULE 56 PREVIOUS QUESTION

(a) Rule 56 is hereby amended in the last line of paragraph 2, by striking out after the word "of," the word "the," and inserting in lieu thereof the word "a."

(b) And by adding in the last line of paragraph 2 after the word "bill," the words "or resolution."

RULE 61 DEBATE

Rule 61 is hereby amended by adding thereto a new paragraph to read:

"With the unanimous consent of the House, a member may make a statement not exceeding ten minutes in length concerning a subject or matter not pending before the House for consideration, providing the Majority and Minority Leaders have agreed on a time the member is to ask for recognition."

RULE 85 RULES

Rule 85 is hereby amended by striking out the last paragraph, which reads:

"The Committee on Rules shall report to the House any resolution proposing an amendment to the Rules with an affirmative or negative recommendation within five Legislative Days from the date the resolution was referred."

A new rule is hereby added to the Rules of the House as follows:

MEMBERS' EXPENSES

A member summoned to the State Capitol or elsewhere by the Speaker, or the Majority or the Minority Leader of the House to perform legislative services when the House is not in session shall be reimbursed at the rate of twenty ($20.00) dollars per day for each day of service, plus mileage to and from his residence. These expenses shall be paid by the Chief Clerk out of the contingent funds of the House under his jurisdiction upon a written request signed by the Speaker of the House, or the Majority or the Minority Leader of the House.

The SPEAKER. As the House knows, it requires 106 votes to amend the Rules. Would it be the pleasure of the respective Floor Leaders that we use the electric roll call?

Mr. McCANN. Will the Chief Clerk ring the bell for the roll call vote throughout the halls of the House and then we will wait a little while. The elevators were jammed coming up.

On the question,

Will the House adopt the report of the Rules Committee on amendments to the Rules?

PARLIAMENTARY INQUIRY

Mr. SCHAAF. Mr. Speaker, I rise to a question of parliamentary inquiry, in the first place, and then I would like to inquire into one aspect of the proposed rules.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. SCHAAF. Mr. Speaker, as Rule 19 presently stands in this House, may the Committee of the Whole be used only in connection with pending legislation?

The SPEAKER. That is the understanding of the Chair.

Mr. McCANN. Mr. Speaker, that is not the correct answer, sir.

Mr. Speaker, the gentleman from Erie perhaps should repeat his question so that you hear it clearly.

Mr. SCHAAF. I will do so, Mr. Speaker.

As Rule 19 is presently constituted in this House, is the use of the Committee of the Whole limited to matters of pending legislation? Or, to express it a different way, Mr. Speaker, can we resolve ourselves into a Committee of the Whole and take up any subject that we should desire to take up?

The SPEAKER. The answer is yes. The Rule provides for a Committee of the Whole for a special purpose, but the Rule still holds—it is not wiped out—and means the House at any time can resolve itself into a Committee of the Whole.

Mr. SCHAAF. Mr. Speaker, having done so, could the Committee of the Whole compel the attendance of witnesses before the Committee to give testimony on such matters and for such purposes as the Committee has resolved itself?

The SPEAKER. It is not the primary intent of enabling or promoting the idea of subpoenaing anybody before this particular Committee of the Whole session. Department heads will be invited to appear. If they decline to appear, then it would be up to the House to take action. Initially, they would not be required to appear. It would be a mutual arrangement. This House has a right at any time to take action to call anybody before its various committees or before it as a Committee of the Whole.

Mr. SCHAAF. Then, am I correct, Mr. Speaker, that having appeared, they could speak to this House if the House at that time has been resolved into a Committee of the Whole?

The SPEAKER. They would appear before the House under the rule that is proposed, they would answer particular questions that were on the question calendar.

Mr. SCHAAF. Mr. Speaker, I make no reference to the proposed rule. I refer to the present Rule 19. Could, for example, a department head under present Rule 19

be interrogated at such time as this House has been resolved into a Committee of the Whole?

The SPEAKER. The Chair would not be under the impression that it would be a proper function of the Committee of the Whole, under Rule 19, to subpoena anybody. The purpose of this Rule is to convene the Members of this House into a Committee of the Whole. The Committee of the Whole could instruct the House or bring a recommendation to the House of further action.

Mr. SCHAAF. Mr. Speaker, am I not correct that at such time that this House would be resolved into a Committee of the Whole, it could be vested with subpoena power?

The SPEAKER. The House goes into Committee of the Whole for a particular purpose.

Mr. SCHAAF. I understand that.

The SPEAKER. Only the House has the power to subpoena. The Committee of the Whole does not have the power to subpoena. The House can subpoena.

Mr. SCHAAF. My question is, Mr. Speaker, is not the Committee empowered to issue under the Seal of this House a subpoena compelling the attendance of a given department head who could give testimony, if you will, on the matter for which the Committee resolved itself?

The SPEAKER. This House, through the proper agencies, can subpoena anybody. It can empower a committee to subpoena. Any committee of the House can be endowed with the power to subpoena, and the House can subpoena.

Mr. SCHAAF. Mr. Speaker, then may I ask this: Do I understand Rule 19 correctly as it is presently constituted states that at such time as this House resolves itself into a Committee of the Whole the Speaker gives up the Chair to such person as is appointed or elected as Chairman? Am I correct in that?

The SPEAKER. That is right.

Mr. SCHAAF. Now, Mr. Speaker, I refer to Rule 19 (b), as presently proposed. Is there not an inconsistency?

The SPEAKER. Under the rule as proposed the Speaker presides during the question time and only on the matter of the questions. Only on the matter of the question calendar the Speaker presides.

Mr. SCHAAF. Mr. Speaker, may I ask this: assuming we do not adopt this rule, is there any mechanical reason why we cannot have the same relief that this rule would afford us? By that I mean, Mr. Speaker, are we not presently entitled to resolve ourselves into a Committee of the Whole and to question department heads or any other person in this Commonwealth who could give information and is possessed of facts which may be of interest to us?

The SPEAKER. The gentleman is quite right. We did not want to approach the matter from that angle. Of course, this House can subpoena anybody it wants to and it can so instruct the Committee of the Whole, but this is a consent arrangement, initially. There is a bill pending before the House of major importance, concerning which Members desire information. Unless we subpoena him before the Committee, we cannot bring the head of the department into the Hall of this House, into the Well of the House, to answer questions. We can do that through the Committee of the Whole.

Mr. SCHAAF. That is correct as it is presently constituted? Am I correct there, Mr. Speaker?

I will repeat, Mr. Speaker. I appreciate and understand your last remarks, but is it not true that we can do that under Rule 19 as unamended?

The SPEAKER. That is right. It would be a compulsory matter if we did it under the present Rule; it would be an agreement if we did it under the proposed rule.

Mr. SCHAAF. Mr. Speaker, may I ask this, sir: From the point of view of the individual Members of this House, who would again be individual Members of this Committee of the Whole, is not the proposed Rule 19 (b) a restriction on the freedom and the question of choice that individual Members might have?

The SPEAKER. It is not a restriction. It is a greater liberty, a different form, because they do not lose any of their liberties by going into the Committee of the Whole under the rule as proposed. They still enjoy the same powers. They can come back into the Hall of the House and proceed to take affirmative action to compel attendance before certain committees.

Mr. SCHAAF. Mr. Speaker, I do not refer to that, particularly. Let us assume that I do have a given question which requires enlightenment. Under the proposed Rule 19 (b), I would be compelled to submit that question in written form and it would filter down through a committee process and an approval process and then would come on a calendar, as I understand the proposal, at which time it would be taken up by the Committee. But my point is this: under present circumstances and under the present Rule, I can simply move, can I not, that this House resolve itself into a Committee of the Whole to take up a given subject and so long as this House sits as a Committee that subject can be discussed fully?

The SPEAKER. The gentleman should know that the Members do not lose their rights through this proposed amendment. They can still, as you say, do as they like in a Committee of the Whole, but this simply provides for a question calendar. That is the difference.

Mr. SCHAAF. I respectfully disagree with the Speaker.

The SPEAKER. The gentleman is entitled to disagree as much as he likes.

Mr. SCHAAF. Mr. Speaker, is the Chair informed at this date as to whether or not this device has been adapted in any other state in these United States?

The SPEAKER. As far as I know, this is an advanced step, not contemplated as yet by any other legislative group other than our own.

Mr. SCHAAF. And that would include, Mr. Speaker, the Federal Congress, would it not?

The SPEAKER. You ask whether the Federal government has adapted this system? The answer is no. It is not properly adapted to the Federal situation. It is, in the opinion of those who formed the rule, adapted to the procedure of this House.

Mr. SCHAAF. And this, Mr. Speaker, am I not correct is the procedure used by the mother of all parliaments, that of England?

The SPEAKER. Did the gentleman ask if this is the procedure used by the British Parliament?

Mr. SCHAAF. That is correct.

The SPEAKER. It is substantially the same. It limits debate. There is no debate on the question calendar.

Mr. SCHAAF. I thank the Chair.

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. The gentleman from Erie has been talking about the right of the Committee as a Whole to subpoena. My question is, does the House of Representatives or the General Assembly have the right to issue subpoenas against the executive department to compel attendance?

The SPEAKER. The gentleman asks, does the House have the right to issue a subpoena to the department heads. It would be the opinion of the Chair, yes.

Mr. TOMPKINS. I would merely call the attention of the Chair to the Supreme Court case of the Commonwealth vs. Hartranft, which says that the legislative body cannot compel attendance by subpoena of the executive department.

The SPEAKER. Is the gentleman raising a point of order?

Mr. TOMPKINS. I am not raising a point of order, I am trying to clarify the issue. The question is can you compel attendance under the subpoena?

The SPEAKER. What the remedy will be if the Chair and the General Assembly invited a department head and he did not appear. I think it is within the power of this House to require a department head to appear before a proper committee.

Mr. TOMPKINS. Mr. Speaker, I would seriously question that, under that decision, because I happen to have run into that a couple years ago myself when we attempted that very thing.

The SPEAKER. The Chair will, if the gentleman so desires, have that explored by various legal authorities. We will ask an unofficial opinion from the Attorney General, which the House will not be obliged to regard; we will ask for an opinion from the Legislative Reference Bureau, an opinion that the House would not be obliged to regard; and we will even ask if there are any Supreme Court decisions.

Mr. TOMPKINS. I was merely trying to clarify the issue, Mr. Speaker, because there is a serious question in my mind, whether we have that power.

PARLIAMENTARY INQUIRY

Mr. M. H. GOLDSTEIN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. M. H. GOLDSTEIN. Mr. Speaker, what is the basic reason for the amendment to Rule 61, which reads as follows: "With unanimous consent of the House a Member may make a statement not exceeding ten minutes in length concerning a subject not pending before the House for consideration providing the Majority and the Minority Leaders have agreed on a time the Member is to ask for recognition."

The SPEAKER. The Rules of the House now provide that a Member, who wants to talk about potatoes when the House is considering oranges, can only do so by unanimous consent of the House, and very frequently the leadership contends that when important measures are pending and someone desires to make a talk there ought to be time limitations about matters that are foreign to the question before the House. It was the desire, or the intent, to have a period in which any Member who wanted to talk about anything that occurred to him that was not outlawed by the laws of decency could have a time to be heard.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is it not a fact that if we get a certain type of bipartisan legislation, such as increasing the legislative payroll, and the matter is not before the House at the time and a House Member desires to discuss this matter . . .

The SPEAKER. By unanimous consent the Members may do so. They have changed the rule.

Mr. M. H. GOLDSTEIN. I cannot do so unless I get the permission of both leaders?

The SPEAKER. The House can suspend the Rule any time it wants.

Mr. M. H. GOLDSTEIN. Isn't that a throttle to the democratic process of this House?

The SPEAKER. The Chair thinks it is an orderly process and does not think it is a throttle to the democratic process on an important question in which the Members of the entire House are interested and should not be interrupted by an extemporaneous discussion of a question wholly foreign from the matter before the House.

Mr. M. H. GOLDSTEIN. Mr. Speaker, we will agree, there is no contention. Let me give you this example . . .

The SPEAKER. And the gentleman will recognize the fact that when a Member wants to talk about something not before the House he must obtain unanimous consent, and the intent of the rule will give him a chance to be heard, no matter who objects.

Mr. M. H. GOLDSTEIN. Yes, but when I ask unanimous consent and I get a negative answer, I get it in public. But when I want to be heard I first have to go and plead with my leader and the leader on the other side to have a time allotted to me. I am not talking about a time when we are discussing a bill. Only matters pertinent to the bill should be discussed. But we do have these open discussions which sometimes are constructive and sometimes the constructive measures are opposed by both parties, then I have to get their OK to speak. We do not think this is democratic.

The SPEAKER. The Chair will express this opinion and then recognize the Minority Leader.

If we are to expedite business, if we are to proceed with all celerity that is possible, someone must have some sort of control over the priority of the questions and matters considered by the House, and it was the impression of the Chair that this amendment simply made it easier for the Floor leadership to determine the priority of the matters that came before the House. I think it is a good move.

Mr. AGNEW. Mr. Speaker, I would say for the benefit of my friend, the gentleman from Allegheny, that the whole intent of this amendment is to facilitate opportunities for Members of this House to speak on any subject not then pertanent or in order.

What is proposed by this amendment is that once a week we will set up some time during one of the daily sessions, and the members of each caucus will be so informed, whereby they can address the House on any given subject, we hope, not to exceed ten minutes. This

would ordinarily be enough time for anybody who wanted to address the House on any subject. The intent of this amendment is not to gag the Members of the House, but, rather, to facilitate opportunities for Members of the House, whether in the Majority or the Minority, to address the House on any fit and proper subject.

That is our understanding of it. That, I believe, is the intent of the Majority that proposed the rule amendment. I know that is the Speaker's intent, and I am quite certain that is the way we will operate under this new amendment. It is merely to try to present an orderly time during the weekly sessions whereby any Member of the House, for any purpose whatsoever, can address this House.

I want this as a matter of permanent House record right now: that it is my understanding, as the Minority Leader, that I give my consent automatically and as a matter of routine, and that the Minority Leader does also, when any Member on either side of the House wishes to address the House.

The only control that either the Majority Leader or the Minority Leader has over any request by a Member to speak during the designated time that week is on the length of time the Member wants to speak. If the gentleman from Allegheny, Mr. Goldstein, wants to address the House for an hour and we just do not have the time to let him talk for an hour that day, then the Majority Leader and I have the prerogative of cutting his time. Now I think that this House—the Majority Leader, for instance—could object any time the gentleman from Allegheny wanted unanimous consent to address the House, and I could object any time, we will say, the gentleman from Erie, Mr. Schaaf, wishes to address the House.

I want it understood, and I want the Majority Leader to agree with me, if he will, that this new rule is merely to facilitate opportunities for Members to address the House on any subject they desire, at some given time during the week, and that the consent of the Majority Leader and the Minority Leader will not be withheld for any reason whatsoever, except on the length of time a Member may desire to speak.

The SPEAKER. Could the Chair say a word for the benefit, perhaps, and to clarify the thinking of the gentleman from Allegheny. At the present time the gentleman from Allegheny might rise to make a remark that the Speaker did not consider was in accordance or in line with the pending business. The Chair would say that the gentleman's remarks are out of order. Then the gentleman could ask the unanimous consent of the House. The Chair, being a Member of the House, could object, and then the gentleman would have to take up the matter of suspending the rules. Now the amendment is designed to somewhat curtail the powers of the Speaker and to give the Members of the House an opportunity to talk about what they want to without the Chair being able to say they are out of order.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I would like to make a brief statement, if the Majority Leader will pardon me for making it, and then I will be through.

We, in this House operate in a government of rules and regulations and not in a government of party leaders. The fact that my Minority Leader is compelled to get a gentlemen's agreement from the Majority Leader to allow me to have a democratic right to speak indicates that the rules may be written and can be used for an improper purpose at some time.

Mr. McCANN. Mr. Speaker, I hope that the gentleman from Allegheny will particularly pay attention to what I am going to say.

The rule in no way can be made applicable to what he stated, in no way, shape or form. The sole intent of the rule was, as the gentleman from Allegheny, Mr. Agnew, stated for the purpose of trying to have a period in which Members can speak in planning the operation of this House. He, at no time, would be coming to me to speak on any subject under any conditions, neither would the Members from this side be going to the Minority Floor Leader to request to speak on any subject.

If the gentleman, or any gentleman, were going to speak on a subject he would notify his Floor Leader that he wishes to speak in a broad term on any subject. He just states what it is and that is it. And he has notice, then, of Mr. Goldstein, Mr. Wilt, or someone else who wants to speak. I have the list of those who wish to speak on this side. No bad rule could be imposed under such a system nor was such ever intended or ever could be done, but it would help in the operation of the House. If the rule is written vaguely, then, may we say for the record, this is not the intent and it will never be used in the operation of this House.

The SPEAKER. Does the Majority Leader on this roll call deside a record vote or simply an ascertaining of the totals?

Mr. McCANN. Mr. Speaker, there is a gentleman at the microphone, but I will be pleased to answer.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, if the gentleman from Greene is not finished, I will be glad to wait until he is finished.

Mr. Speaker, I agree wholeheartedly with my colleague from Allegheny County. I do not like this rule and I do not intend to vote for it.

You say a rule could not be imposed, and I say, under my interpretation of the rule, it could be imposed. wherever there has to be a meeting of the minds such as there has to be here, a gag rule could be imposed, and I am against it. I see no reason for a rule of this kind and I intend to oppose it.

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Schaaf.

Mr. SCHAAF. Mr. Speaker, I appreciate the comments of both Floor Leaders, but I am at a loss to understand how they can express their intent, their individual intents, as Floor Leaders, when a rule states precisely that it is applicable only in the case of, or relating exclusively to, departmental legislation on the House Calendar.

I question whether these two Floor Leaders speak on this particular rule in expressing their intent, their meaning, at this time.

Mr. Speaker, I respectfully move at this time that this Rule 19 b, as proposed in this document before us, be tabled.

Mr. McCANN. Mr. Speaker, I was not speaking on Rule 19A. I was speaking on the rule that the gentleman from Allegheny, Mr. Goldstein, had raised, which was not Rule 19. It was Rule 61, sir.

Mr. AGNEW. Mr. Speaker, as the Minority Leader, and I am sure the Majority Leader will agree with me, I have no desire to withhold consent from anyone who wants to address the House. I have been here too long and I have taken advantage of these opportunities too many times myself. If there is any question on anybody's mind that this gives the Majority and the Minority Leaders any more authority or control or restriction over a Member who desires to address the House, I personally would like to see this rule held up until we can get it ironed out.

As it was explained to me and as I understand it, this is written to make it easier for the Members of this House at some given time during the legislative week to address the House on any subject they so desire, whether or not it pertains to legislation presently before the House. I do not want any additional authority and I am sure Mr. McCann does not want any additional authority. Either one of us or any other Member of this House right now can withhold unanimous consent.

But due to the suggestion on the part of the membership and the Minority or the Majority, I would suggest to the Majority Leader that he also delete Rule 61 and give us a little time to discuss it. I am sure I do not want any additional authority and I am sure Mr. McCann does not either.

MOTION TO DELETE AMENDMENTS TO RULES 19 and 61

Mr. McCANN. Mr. Speaker, there have been debates on two rules in this House today, Rule 61 and Rule 19. So there will be no question about it, I hereby move that Rule 61 as amended in Rules report and Rule 19 as amended in the Rules report be deleted from the report at this time, and that we vote on the balance of the rule changes.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I move for the adoption of the balance of the rules in the committee report on the revision of rules, excluding the ones that were made on this motion now adopted.

Mr. AGNEW. Mr. Speaker, just so we clearly understand, 19, 61, 46 and 48 are out of the mimeographed report and we are now voting on all other rules but those four?

Mr. McCANN. That is correct, Mr. Speaker, because Rule 46 and 48 were withdrawn from the report that is before this House. Therefore, we are voting on the rules now except as he stated, 46, 48, 19 and 61. All other rules have been agreed to with no debate.

I ask, Mr. Speaker, that we move to adopt these rules.

The SPEAKER. Does the Majority Leader desire a record vote or simply a record of the total?

Mr. McCANN. Just a record vote. Any way at all is satisfactory, sir.

On the question recurring,

Will the House adopt the report of the Rules Committee on amendments to the Rules?

The yeas and nays were required by Messrs. AGNEW and McCANN, and were as follows:

YEAS—192

Adams,	Fry,	Lee, A. M.,	Renwick,
Agnew,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, M. H.,	Lutty,	Sakulsky,
Backenstoe,	Goodrich,	Magee,	Scarcelli,
Blair,	Gramlich,	Manbeck,	Schaaf,
Boles,	Gray,	Markley,	Schuster,
Bonner,	Gremminger,	Marsh,	Seltzer,
Bossert,	Gross,	May,	Shelton,
Bower,	Guesman,	McCandless,	Sherman,
Bowman,	Guthrie,	McCann,	Shupnik,
Branca,	Hamilton,	McDevitt,	Simmons,
Breth,	Hankins,	McDonald,	Slack,
Buchanan,	Hartley,	McInroy,	Snare,
Bush,	Haudenshield,	McKeever,	Stank,
Capano,	Heavey,	McLaughlin,	Steckel,
Capitolo,	Heffner,	McNally,	Stimmel,
Cauley,	Helm,	Meholchick,	Stone,
Cianfrani,	Henzel,	Merry,	Strausser,
Cioffi,	Hocker,	Mihm,	Sullivan, J. A.,
Clarke,	Holliday,	Miller,	Taylor,
Cooley,	Holman,	Monroe,	Thompson,
Crossin,	Horst,	Morley,	Tomascik,
Curwood,	Irvis,	Muldowney,	Tompkins,
Davis,	Isaacs,	Mullen,	Trusio,
Dengler,	Jenkins,	Munley,	Ujobai,
Dennison,	Jim,	Murray,	Varner,
Donaldson,	Johnson, A. W.,	Musto,	Verona,
Doughten,	Johnson, R. P.,	Needham,	Wall,
Edwards,	Jones,	O'Dell,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Weidner,
Elvey,	Keiser,	O'Donnell, J. P.,	Welsh,
Eshback,	King,	Ogilvie,	Wescott,
Eshleman,	Kistler,	Parlante,	Whittaker,
Ewing,	Kelly,	Pashley,	Willard,
Farabaugh,	Kernaghan,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Williams, E. S.,
Fineman,	Kooker,	Polaski,	Wilt,
Flynn,	Kornick,	Polen,	Wood,
Foerster,	Korns,	Prendergast,	Wynd,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews, Speaker

NAYS—1

Worley,

NOT VOTING—15

Comer,	Goldstein, J. H.,	Mills,	Stiteler,
Dougherty,	Kessler,	Murphy,	Sullivan, T. F.,
Down,	Maxwell,	Odorisio,	Walsh,
Gailey,	McCormack,	Price,	

So the question was determined in the affirmative and the report of the Rules Committee on amendments to the Rules was adopted.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MULDOWNEY asked and obtained permission for the Committee on Cities—Counties, First Class to meet during the session of the House.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Maxwell, rise?

Mr. MAXWELL. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MAXWELL. Mr. Speaker, due to the new roll call system that we have in operation, I was in the Hall of the House but unable to get to my seat in time to throw the switch in order to be recorded as voting on

the last resolution. I know that I cannot be recorded, but for the sake of the record I would like to have it noted that I am present, that I was in the Hall of the House, but could not reach my seat in time to flip the electrical switch. Thank you.

The SPEAKER. The remarks of the gentleman on the question of personal privilege will be spread upon the record.

Mr. AGNEW. Mr. Speaker, we have witnessed thus far during this Session a General Assembly by emergency, by crisis. It seems that every week we must hurry up and pass some important legislation, perhaps not giving it the complete consideration that we owe to the people of Pennsylvania as their duly chosen representatives.

This is not a political speech, but there are some who would call this sort of an operation a steam roller; there are some who will say we are acting as a rubber stamp for the Governor; and there are some who will say we are railroading legislation. I prefer, in the vernacular, the last phrase, that we are operating a railroad job when we push through major legislation without giving it due consideration.

The Members of my caucus agree with me. If we are going to operate the General Assembly like a railroad, then the Majority Leader is the legislative engineer and my caucus has asked me to deliver to him the appropriate equipment. We have part of it and I will ask one of the pages to present this gift to the Majority Leader from the Minority, emblematic of the uniform of a railroad engineer.

The SPEAKER. Might the Chair inquire, since the Majority Leader has gotten his insignia as a legislative engineer, what should be done to the gentleman who pulls the spikes from the rails so the Majority Leader cannot engineer?

Mr. AGNEW. We are the brakemen, Mr. Speaker. We are on the caboose.

Mr. McCANN. Mr. Speaker, I certainly accept this in the light of the humor in which it was rendered, but instead of the situation as the Minority Leader so generously stated, using various terms of phraseology, perhaps it would be more like saying it is strictly business and it will be run like any business, businesslike at all times.

Mr. AGNEW. Mr. Speaker, I want the last word. I want to make a suggestion to the Majority Leader. Make sure the train does not get going so fast that you are derailed.

REPORTS FROM COMMITTEE

Mr. W. JAMES LONG, from the Committee on Fisheries, reported as committed, House Bill No. 42, entitled:

An Act repealing the act of March 9, 1771 (1 Sm. L. 313) entitled "An act to prevent the destruction of rock-fish and oysters."

Mr. SCHAAF, from the Committee on Judiciary, reported as committed, House Bill No. 43, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, changing the procedure on the passage of bills.

Mr. BOWMAN, from the Committee on Judiciary, reported as committed, House Bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, changing residence requirements.

Mr. RENWICK, from the Committee on Game and Conservation, reported as committed, House Bill No. 57, entitled:

An Act amending the "Water Well Drillers License Act," approved May 29, 1956 (P. L. 1840), requiring the filing of certain reports to the department of Internal Affairs and deleting the filing of reports in certain cases.

Mr. WILLARD, from the Committee on Game and Conservation, reported as committed, House Bill No. 60, entitled:

An Act amending the act of July 2, 1937 (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein, * * *," requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

Mr. M. H. GOLDSTEIN, from the Committee on Education, reported as committed, House Bill No. 76, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

Mr. OGILVIE, from the Committee on Cities—Third Class, reported as committed, House Bill No. 127, entitled:

An Act amending the "Optional Third Class City Charter Law," approved July 15, 1957 (P. L. 901) providing for the compensation of the controller and the treasurer.

Mr. McCANN, from the Committee on Rules, reported as committed, House Bill No. 132, entitled:

An Act relating to the establishment, operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania; amending, revising, consolidating and changing the laws relating thereto; imposing duties upon public officers; providing for State and local cooperation and assistance in the establishment and maintenance of libraries; prescribing penalties; and repealing existing laws.

Mr. McCANN, from the Committee on Rules, reported as amended, House Resolution No. 11. (Not Printed.)

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. DOUGHERTY because of illness.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, if all the committee reports are in, I am going to ask this House for a recess of approximately two hours. There are no roll calls planned upon the return. An immediate Democratic caucus will be held in the New House Caucus Room. I would ask that we adjourn promptly. We are having no roll calls or no votes on anything but will return at 4:15 p.m. Nothing will be voted in any manner on anything following the return at the end of the recess.

Mr. AGNEW. Mr. Speaker, I have an idea that the Majority Leader cannot tell us anything at this time, but our Members would like to make plans for the rest of the week, so I would ask him if he can at this time give us any indication of what the plans are for the rest of the week.

Mr. McCANN. Mr. Speaker, I cannot, but immediately following the caucus I certainly will answer each of those questions.

Mr. AGNEW. I would ask the Republican Members to report to the third floor immediately after recess. We will have no formal caucus. There will be no formal roll call votes when we return, is that correct?

Mr. McCANN. That is correct, sir.

Mr. AGNEW. Just the first reading bills in the calendar?

Mr. McCANN. That is correct.

Mr. AGNEW. Anyone who has made arrangements to go to the Philadelphia Drug dinner can go ahead and complete those arrangements, is that correct?

Mr. McCANN. The people from your side who have made such arrangements may proceed accordingly and go forward with any plans you have talked over with them.

Mr. AGNEW. The unfortunate part of it is, they will be leaving here at 3:00 o'clock and we will be unable to tell them what the plans are for the rest of the week.

Mr. McCANN. When they return this evening, Mr. Speaker, or whatever the case may be, perhaps the Minority Leader can pass the word, because it really moves around in the hotels pretty fast. Everybody is deeply interested.

Mr. AGNEW. Mr. Speaker, can the Majority Leader tell me at this time if there definitely will be a session tomorrow? If today's session is the last session of the week, those who live down east and attend this dinner will not want to come back tonight.

Mr. McCANN. Mr. Speaker, the tentative plan is for a session tomorrow. That was on our announcement which went out, and also yours.

This, of course, Mr. Speaker, is an item which will be discussed in caucus regarding the situation as it has been presented to me and about which I must inform my caucus. I do reserve the right when we come back from caucus to announce the plans as soon as possible and I hope that they can then proceed, if such would be the case, to either go home or plan for the sessions.

Mr. AGNEW. Mr. Speaker, can the Majority Leader make arrangements to call the dinner this evening and notify the Members of both caucuses what the plans are for the rest of the week?

Mr. McCANN. I will do the following, Mr. Speaker, I will call the gentleman's office so his office may call the dinner. Since he will be there, they will be able to relay the information to him. I will be most pleased to do it in that manner.

Mr. AGNEW. Mr. Speaker, does the gentleman wish us to tell his Members who are at the dinner, too, or just tell our Members?

Mr. McCANN. Mr. Speaker, I appreciate the gentleman's generous hand of helpfulness in relaying the information.

Mr. AGNEW. Mr. Speaker, I appreciate the fact that the Majority Leader is going to let my office know.

Can we at this time state that there are two possibilities for the remainder of this week, one, that todays sesison is the last session of the week, or, two, that there will be a post-midnight session Wednesday, or Thursday A. M.?

Mr. McCANN. Would it not be more correct, Mr. Speaker, to say that there will be three possibilities? This would be a session tomorrow, the possibility of a post-midnight session and the possibility of this being the last session this week. I think it would be more in line to say there are three potential possibilities that will be covered in caucus.

Mr. AGNEW. And we should have the answer in approximately two hours, is that correct, Mr. Speaker?

Mr. McCANN. In the neighborhood of 4:15 or 4:30, yes, sir, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, the Members of the House would like to make plans for the rest of the week, and I think that they should know as soon as possible.

The SPEAKER. The Chair thinks their plans should be contingent upon the developments in the House and the matters that are before the House. The Chair is not in sympathy with the idea that the plans of this House should depend upon the desires of private agencies to entertain members of the House.

Mr. AGNEW. Mr. Speaker, that is not the point I was making. We want to know when this House plans to meet this week. If you are going to call sessions through Saturday, just let us know about it. We do not know at this time whether today is the last day, whether we are having a session tomorrow, or whether we are having a session Thursday. All we are trying to find out is information.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 4:30 p. m.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. JENKINS and GUESMAN.

HOUSE BILL No. 184.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

Referred to the Committee on Boroughs.

By Messrs. JENKINS and GUESMAN.

HOUSE BILL No. 185.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring truck tractors to be constructed or equipped to bar water and other road substances from rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. JENKINS and GUESMAN.

HOUSE BILL No. 186.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing cities, boroughs, towns and townships to erect and maintain traffic control signals in the vicinity of fire stations.

Referred to the Committee on Motor Vehicles.

By Messrs. GUESMAN and JENKINS.

HOUSE BILL No. 187.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring windshields on new automobiles to be equipped with window washing equipment.

Referred to the Committee on Motor Vehicles.

By Messrs. JENKINS and GUESMAN.
HOUSE BILL No. 188.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), requiring taxing bodies to pay commissions and expenses to tax collectors within a stated time.

Referred to the Committee on Motor Vehicles.

By Messrs. GUESMAN, MURRAY and JENKINS.
HOUSE BILL No. 189.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring immunization against poliomyelitis and imposing duties on school directors, superintendents, principals and other persons in charge of public, private, parochial and other schools.

Referred to the Committee on Education.

By Mr. DONALDSON. HOUSE BILL No. 190.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937, (P. L. 1333), eliminating straight party voting by ballot and voting machine.

Referred to the Committee on Elections.

By Messrs. ESHLEMAN, RUDISILL, GAILEY and RUTHERFORD. HOUSE BILL No. 191.

An Act amending the act of November 19, 1959 (P. L. 1535), entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College, * * *," abolishing the right to acquire a certain tract of land, and authorizing the acquisition of certain additional tracts of land.

Referred to the Committee on State Government.

By Messrs. BRETH, CURWOOD, ESHBACK and ELVEY. HOUSE BILL No. 192.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), restricting open seasons for anterless deer.

Referred to the Committee on Game and Conservation.

By Messrs. GIBB and HAMILTON.
HOUSE BILL No. 193.

An Act amending "The Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the tuition and maintenance of certain handicapped children.

Referred to the Committee on Education.

By Messrs. RENWICK, FLYNN, ZIMMERMAN and HOLMAN. HOUSE BILL No. 194.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) exempting certain appointees in police and fire forces from civil service examination.

Referred to the Committee on Boroughs.

By Messrs. GALLAGHER, VERONA and KELLY.
HOUSE BILL No. 195.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing appropriations for mosquito control programs.

Referred to the Committee on Townships.

By Messrs. GALLAGHER and JAS. P. O'DONNELL.
HOUSE BILL No. 196.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting unprotected, abandoned or operative quarries or drainage ditches as determined by the Department of Labor and Industry in places accessible to children.

Referred to the Committee on State Government.

By Messrs. GALLAGHER, J. A. SULLIVAN, LIMPER and KELLY. HOUSE BILL No. 197.

An Act relative to Commonwealth printing; establishing conditions upon which contracts will be awarded; and prescribing remedies and penalties for noncompliance with such conditions.

Referred to the Committee on State Government.

By Messrs. GALLAGHER, J. A. SULLIVAN, KELLY and GREMMINGER. HOUSE BILL No. 198.

An Act requiring employees to pay for medical examination fee where such examination is a condition for employment.

Referred to the Committee on Labor Relations.

By Mrs. MUNLEY and Mrs. MARKLEY.
HOUSE BILL No. 199.

An Act providing group hospitalization contracts and benefits for State employes, the cost thereof to be divided between the Commonwealth and such employes, and requiring the Executive Board to enter into the necessary contracts for such purpose.

Referred to the Committee on State Government.

By Messrs. McCANDLESS, MAGEE, KING and SCHAAF. HOUSE BILL No. 200.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for fire drills on school buses.

Referred to the Committee on Education.

By Mr. DOUGHTEN. HOUSE BILL No. 201

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the issuance of special registration plates to the spouse of a holder of an amateur radio operator's license.

Referred to the Committee on Motor Vehicles

By Mr. DOUGHTEN. HOUSE BILL No. 202.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), reducing the fee for special registration plates issued to holders of amateur radio operator's licenses.

Referred to the Committee on Motor Vehicles.

By Messrs. VERONA, PRENDERGAST, YETTER and TRUSIO. HOUSE BILL No. 203.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction, fixing the qualifications and compensation of members and imposing certain duties on the commission.

Referred to the Committee on State Government.

By Messrs. VERONA, PRENDERGAST, Mrs. REIBMAN and Mr. J. A. O'DONNELL. HOUSE BILL No. 204.

An Act authorizing the Pennsylvania Historical and Museum Commission to acquire the Wolf Academy in East Allen Township, Northampton County; providing for its restoration, improvement, future care and maintenance as an historical site and making an appropriation.

Referred to the Committee on State Government.

By Messrs. SCARCELLI, ESHBACK and CAPITOLO. HOUSE BILL No. 205.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), re-defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board.

Referred to the Committee on State Government.

By Messrs. SCARCELLI, CAPITOLO and A. M. LEE. HOUSE BILL No. 206.

An Act amending the act of October 14, 1959 (P. L. 1314), entitled "An act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class," further regulating the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class.

Referred to the Committee on Cities—Counties First Class.

By Messrs. STIMMEL, BACKENSTOE, CROSSIN and LAMB. HOUSE BILL No. 207.

An Act amending "The Vehicle Code," approved April 29, 1959 (P .L. 58), exempting certain organizations from certificate of title and registration fees.

Referred to the Committee on Motor Vehicles.

By Messrs. FLYNN, CAPANO and VARNER. HONSE BILL No. 208.

An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices, and fixing penalties.

Referred to the Committee on State Government.

By Messrs. HAMILTON, STONE and KLEIN. HOUSE BILL No. 209.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring fuel supply tanks on school buses to be located away from entrance and exit doors.

Referred to the Committee on Motor Vehicles.

By Messrs. HAMILTON and STONE. HOUSE BILL No. 210.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the use of red lights visible from in front of vehicles.

Referred to the Committee on Motor Vehicles.

By Messrs. HAMILTON, STONE and KLEIN. HOUSE BILL No. 211.

An Act amending the "Public School Code of 1949," (P. L. 30), providing for fire drills on school buses.

Referred to the Committee on Education.

By Messrs. HAMILTON, STONE, CIOFFI and KLEIN. HOUSE BILL No. 212.

An Act permitting, with exceptions, certain ambulances, fire apparatus, rescue vehicles and other emergency vehicles to pass over turnpikes, toll roads and toll bridges without paying tolls; * * *.

Referred to the Committee on State Government.

By Messrs. HAMILTON, STONE, KLEIN and BUCHANAN. HOUSE BILL No. 213.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing cities, boroughs, towns and townships to erect and maintain traffic control signals in the vicinity of fire stations.

Referred to the Committee on State Government.

By Messrs. HAMILTON, STONE and BUCHANAN. HOUSE BILL No. 214.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring flashing emergency lamps on snow plows and cinder trucks and lamps used as warning devices be amber in color.

Referred to the Committee on Motor Vehicles.

By Messrs. WEIDNER, PIPER and ADAMS. HOUSE BILL No. 215.

An Act making an appropriation for a special election to fill a vacancy in the office of Representative of the Commonwealth of Pennsylvania in Berks County.

Referred to the Committee on Appropriations.

By Messrs. VERONA, YETTER, TRUSIO and PRENDERGAST. HOUSE BILL No. 216.

An Act to define, license and regulate resident and nonresident auctioneers and apprentices auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto; creating the State Auctioneers Commission; * * * and providing penalties.

Referred to the Committee on Professional Licensure.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 39.

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania repealing section three thereof which disqualifies persons from public office for dueling.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 40.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section seventeen thereof, which authorized the borrowing of money to defray State Government expenses for the biennium beginning June 1, 1933.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. DAVIS, (Concurrent) GRAMLICH and ASHTON. RESOLUTION No. 12.

In the House of Representatives, January 24, 1961.

The Secretary of Highways, Commonwealth of Pennsylvania, reports a progressive stringency in funds with each year.

When the Pennsylvania Turnpike bonds are finally retired, toll receipts will cease. Thereupon the Department of Highways will be saddled with large additional maintenance charges.

The Keystone Shortway, when completed, will place upon the State Highway budget an increasing maintenance burden as the Shortway ages. Much the same sequence will follow with completion of the limited access highway systems currently being built; therefore be it

Resolved (the Senate concurring), That in view of this darkening highway-upkeep fiscal picture which lies ahead, the Joint State Government Commission be authorized and directed to investigate the feasibility of setting up the collection of toll charges by the Commonwealth, or its agencies, on such limited access highways, for the purpose of maintenance and upkeep, as well as continuance of toll charges on the Pennsylvania Turnpike after the retirement of bonds; and be it further

Resolved, That the Joint State Government Commission cover in their investigation the various legal involvements with other agencies, States and the Federal Government; and be it further

Resolved, That the Joint State Government Commission cover in their investigation the various legal involvements with other agencies, States and the Federal Government; and be it further

Resolved, That the Joint State Government Commission report to the next regular session of the General Assembly its findings and recommendations, with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. WORLEY, VARNER, EWING, McCANN and TOMPKINS. (Concurrent) RESOLUTION (Not Printed)

In the House of Representatives, January 24, 1961.

Dwight D. Eisenhower is now a private citizen with his premanent residence in Gettysburg, Pennsylvania. He has completed two terms as President of the United States of America, thus rounding out a life of unparalleled public service to the Nation as a whole.

It seems quite proper that we as Members of the House of Representatives of the Commonwealth of Pennsylvania should commend President Eisenhower on his successful completion of his two terms as President of the United States of America; for his unstinting efforts toward world peace and international harmony among nations.

It seems quite fitting that we as Members of this House should welcome President and Mrs. Eisenhower as permanent residents of Adam County; therefore be it

Resolved, That an invitation be given to President Eisenhower to address a joint meeting of the House and Senate of the Commonwealth of Pennsylvania at an early date; and be it further

Resolved, That copies of this resolution be sent to President and Mrs. Eisenhower at their home in Gettysburg, Pennsylvania.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 102

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

SUGGESTED RESOLUTION

COMMEMORATION OF LINCOLN'S VISIT TO THE GENERAL ASSEMBLY

Whereas, The General Assembly of the Commonwealth of Pennsylvania by joint resolution adopted on January 28 ,1861, appointed a committee to invite Abraham Lincoln to visit Harrisburg on his way to Washington to be inaugurated as President of the United States; and

Whereas, The President-elect graciously accepted the General Assembly's invitation and arrangements were made for his visit to coincide with a celebration of Washington's Birthday; and

Whereas, At the appointed hour the Speaker and the members of the Senate were introduced into the House of Representatives, and a committee of reception introduced Abraham Lincoln, President-elect of the United States, and the Governor and heads of departments of this Commonwealth; and

Whereas, The Speaker of the Senate and the Speaker of the House of Representatives greeted the President-elect with speeches promising the support of Pennsylvania for his efforts to save the Union from disruption, and were thanked by Lincoln for their generous words; and

Whereas, This occasion one hundred years ago marked the beginning of Pennsylvania's strenuous efforts to preserve the Union; therefore, be it

Resolved (if the House concur), That a committee of three members from each body be appointed to arrange for a suitable commemoration and reenactment on February 21, 1961, of the reception of Abraham Lincoln a hundred years before, in which re-enactment the Speaker of the House of Representatives and the President pro tmpore of the Senate shall deliver the speeches of welcome addressed to Lincoln, and in which the part of Lincoln shall be impersonated; and be it further

Resolved, That the committee shall invite the Governor and the heads of departments to attend these ceremonies, the better to re-enact the event of a century ago.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 103

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 23, 1961.

Honoring the Philadelphia Eagles Football Club, owners, management, coaches and players for bringing great glory to the City of Philadelphia and to the Commonwealth of Pennsylvania in winning the World Football Championship for 1960.

Whereas, The Eagles on December 26, 1960 defeated the Green Bay Packers at Franklin Field, Philadelphia, by a score of 17-13 in the annual National Football League Championship Game before a sell-out crowd of 67,325; and

Whereas, The Championship Contest was viewed on nation-wide television by more than 60 million people, more than 220 television stations in all corners of the United States; broadcast on radio nationally and to the Armed Forces wherever they may be, thus bringing the Commonwealth of Pennsylvania and the City of Philadelphia into world-wide focus; and

Whereas, By their stirring victory the Eagles have greatly strengthened Philadelphia's position as the Sports Capital of the Nation and given the Commonwealth of Pennsylvania its second championship athletic team of 1960—their fame echoes that of the Pittsburgh Pirates who won the world championship of baseball; Now Therefore Be It

Resolved (If the House concurs) that the General Assembly of Pennsylvania extend its congratulations to the

owners, management, coach and players of the Philadelphia Eagles for their outstanding achievement in winning the 1960 World Football Championship in the National Football League game played at Philadelphia on December 26, 1960; and be it further

Resolved, That a certified copy of the instant Resolution be forwarded, upon its adoption, to Mr. Frank L. McNamee, President of the Philadelphia Eagles as evidence of the profund appreciation by the membership of the Senate and House of Representatives of the General Assembly of Pennsylvania, of the fame and glory of the Eagles Football players and coaches have brought to the City of Philadelphia and to the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE RESOLUTION SERIAL No. 104

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 23, 1961.

On January 20, 1961, former President Dwight D. Eisenhower returned to Pennsylvania from which his ancestors came prior to the migration which led them to Texas where he was born in 1890.

He gave all of his life to our country and brought honor to the Pennsylvania of his origins.

From a humble beginning, his boyhood, life and training led him in the direction of his country's service to the United State Military Academy at West Point from which he graduated in 1915.

He served the Armed Forces in the Canal Zone under General Fox Conner, in the Philippines with General Douglas MacArthur; was placed in command of the Allied Forces for the North African Invasion in 1942 and, on December 31, 1943, he was named Commanding General of the Allied Powers for the European Theatre of Operations. Later he served as Chief of Staff of the United States Army and was placed in command of the NATO forces in Europe.

A scholar and administrator, he served as President of Columbia University before ascending to the greatest height of our time, the Presidency of the United States.

A scholar and administrator, he served as President of Columbia University before ascending to the greatest height of our time, the Presidency of the United States.

As our Chief Executive and Commander in Chief of the Armed Forces, he kept the peace through eight long troublesome years.

After half a century of distinguished service to the nation and to the world, it is mete and right that he should return to Gettysburg, there to dwell in his first permanent home with his good wife Mamie, overlooking the field of the great decisive battle which preserved the Union of these great United States.

Resolved (the House concurring), that it is with great pride and enthusiasm that the General Assembly of Pennsylvania welcomes Dwight D. Eisenhower and Mrs. Eisenhower to the soil of Pennsylvania.

Resolved, That a copy of this resolution be transmitted to the Eisenhowers at Gettysburg.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. J. H. GOLDSTEIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. J. H. GOLDSTEIN. Mr. Speaker, at the time of voting on the amendments to the Rules this afternoon, I, together with some of my constituents, in accordance with a previously made appointment, was in conference with Dr. Maurice Goddard, Secretary of Forests and Waters, and I was unable to be present to have my vote recorded. Had I been present, I would have voted "aye." May I file the statement, please?

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

RESOLUTION

CONDOLENCE

Messrs. SELTZER and MANBECK offered a resolution and aked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, January 24, 1961.

The death on January 21, in the Good Samaritan Hospital at Lebanon, Pennsylvania, of the Honorable John H. Light, a former member of this House of Representatives from 1951 to 1960, ended a notable and illustrious career of public service.

Mr. Light attended Annville Normal School and West Chester State Teacher's College, and did graduate work at several colleges. He taught in public schools for eight years.

Mr. Light's chief interest was in farming. He owned and operated farms throughout his entire life. His association with the State Grange covered many years. He served this association as lecturer, secretary, legislative representative, editor of the Grange News, and as a member of the executive committee.

Mr. Light's public life, in addition to membership in this House of Representatives, included service as registry assessor, justice of the peace, school director, deputy register of wills, county commissioner, member and director of the State Farm Show Commission, and State Secretary of Agriculture.

His ability and devotion to duty marked him as a distinguished and exemplary citizen of this Commonwealth; therefore, be it

Resolved, That the members of this House of Representatives extend their individual and heartfelt sympathy to Mrs. Ellen Light, widow of the Honorable John H. Light, and to the Reverend Harvey M. Light, his son; and, be it further

Resolved, That copies of this resolution be sent to Mrs. Ellen Light and to the Reverend Harvey M. Light.

REPORTS FROM COMMITTEE

Mr. LAMB, from the Committee on Judiciary, reported as committed, House Bill No. 77, entitled:

A Joint Resolution proposing an amendment to article 4 of the Constitution of the Commonwealth of Pennsylvania, repealing section 20 thereof which prescribes certain powers and duties of the Superintendent of Public Instruction.

Mr. LAMB, from the Committee on Judiciary, reported as committed, House Bill No. 78, entitled:

A Joint Resolution proposing an amendment to article four, section one of the Constitution of the Commonwealth of Pennsylvania, removing the Superintendent of Public Instruction as a constitutional officer.

Mr. LAMB, from the Committee on Judiciary, reported as committed, House Bill No. 79, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, removing the requirement that

the appointment of the Superintendent of Public Instruction be confirmed by two-thirds of the members of the Senate.

Mr. LAMB, from the Committee on Judiciary, reported as committed, House Bill No. 80, entitled:

A Joint Resolution proposing an amendment to article six, section four of the Constitution of the Commonwealth of Pennsylvania, providing for the removal of the superintendent of Public Instruction from office.

Mr. McCANN, from the Committee on Rules, reported as committed, Senate Resolution Serial No. 102. (Not Printed.)

Mr. McCANN. Mr. Speaker, I desire to inform the Membership of this House as to our schedule for this week. This House will be in session tomorrow, Wednesday, beginning at 1:00 p. m., and then at 12:01 a. m., Thursday.

Mr. AGNEW. The Minority just wishes to comment that we are amazed and, therefore, speechless.

Mr. McCANN. Mr. Speaker, I am ready to move all the bills up on the calendar if all the gentlemen who had resolutions which were being prepared have had a chance to introduce same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 82, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) making certain changes in the fiscal period.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 83, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 84, entitled:

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 85, entitled:

An Act amending the act of April 22, 1949 (P. L. 711) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act amending the act of January 5, 1934 (1933-34 P. L. 219) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 87, entitled:

An Act amending the Act of May 25, 1939 (P. L. 191) entitled "An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 88, entitled:

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) increasing the rate of the tentative and the annual tax.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 89, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) increasing the rate of the tentative and the annual tax.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 90, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent rate of tax and eliminating the temporary tax.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 91, entitled:

An Act amending "The Liquid Fuels Tax Act" approved

May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 92, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes * * *" making an additional appropriation conditioned upon an increase in the rate of taxation.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 93, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) imposing the tax permanently.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 94, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 95, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) eliminating the provision for commissions for collection and remittance of the tax.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 96, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 97, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 98, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 99, entitled:

An Act imposing a State tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights powers and duties of the Department of Revenue the taxpayers and officers thereof and providing penalties.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 100, entitled:

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 101, entitled:

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and federal and state savings and loan associations and changing the date for the determination of the base of the tax.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the first time. Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

REPORT OF COMMITTEE

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Muldowney.

Mr. MULDOWNEY. Mr. Speaker, the Committee on Cities—Counties—First Class has organized and is ready to work.

The SPEAKER. The Chair thanks the gentleman.

CAUCUS OF PHILADELPHIA DELEGATION

Mr. EILBERG. Mr. Speaker, I should like to call an immediate caucus of the Philadelphia delegation in the office of the Chief Clerk.

The SPEAKER. The gentleman from Philadelphia, Mr. Eilberg, desires to call a caucus of the Democratic Members from Philadelphia immediately in the office of the Chief Clerk.

ANNOUNCEMENTS

Mr. McCANN. Mr. Speaker, when the House convenes tomorrow at one o'clock I desire permission to call a caucus of the Democratic Membership from the floor of this House. Such caucus very likely will be of one-hour duration. We will convene at 1:00 p. m., tomorrow.

Mr. AGNEW. Mr. Speaker, does the gentleman from Greene mean that as soon as we convene at one o'clock he is going to call a Democratic caucus?

Mr. McCANN. No, Mr. Speaker, I will not be calling a Democratic caucus immediately at one o'clock. I will be calling a Democratic caucus probably in about one hour, roughly about two o'clock, sir.

Mr. AGNEW. If we are going to work from one to two and then you call a caucus, our plans are to have a caucus at the same time.

The SPEAKER. I presume that can be arranged.

COMMITTEE MEETING

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, Wednesday, January 25, at 11:00 a. m., E. S. T.

Mr. McCANN. I desire to say to our Democratic Members who live close enough to be able to travel home each night, we will see you tomorrow for sure and tomorrow night.

Mr. AGNEW. The Minority would just like to say that we think the orderly processes of the Legislature would call for a meeting, if there is to be a Thursday Session, sometime Thursday morning, about 10:00 a. m., and not post-midnight Wednesday. This is a little ridiculous this early in the Session and should only be done if an emergency were facing the Commonwealth. But if you want a Thursday Session, I think the orderly legislative process calls for a Session at approximately 10:00 o'clock Thursday morning, and not post-midnight, Wednesday.

However, we are in the minority and will convene when the Majority calls the Session. I think it is well to point out that it does not make much sense, if it makes any sense, unless you are accommodating a certain group of Majority legislators, to have a post-midnight Session this early in the legislative year. Common sense will dictate that we call a session for 10:00 o'clock Thursday morning. We have no objection to a Thursday, or a Friday, or a Saturday Session if you want to work, but to call a session at post-midnight flies in the face of common sense.

ADJOURNMENT

Mr. STITELER. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 25, 1961 at 1:00 p. m. EST.

The motion was agreed to, and (at 5:05 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

WEDNESDAY, January 25, 1961.

The House met at 1:00 p. m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God of all life, and Lord of all creation, we turn to Thee this day in the realization that we are far from sufficient unto ourselves. We are dependent upon Thee for all the gifts of life and even for life itself. Enable us, we humbly pray, to use this previous gift to the glory of Thy Holy Name. Increase our faith that we may thrust our souls into the ever hidden future without fear or dread. And guide us to the fulfillment of Thy greatest good for our lives. This we ask knowing that Thou art our ever-flowing source of power which never runs dry. In Thy Dear Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 24, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. MAXWELL and MILLS.

HOUSE BILL No. 217.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the definition of "unprotected birds" to exclude snowy owls.

Referred to the Committee on Game and Conservation.

By Messrs. R. P. JOHNSON, FINEMAN and WILT.

HOUSE BILL No. 218.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring operators to drive on the right side of multiple lane divided highways and providing penalties.

Referred to the Committee on Highways.

By Messrs. R. P. JOHNSON, FRASCELLA, FETTEROLF and WILT. HOUSE BILL No. 219.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), restricting speed in areas near playgrounds and providing penalties.

Referred to the Committee on Highways.

By Messrs. R. P. JOHNSON, McCORMACK and FETTEROLF. HOUSE BILL No. 220.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) prohibiting the sale of certain equipment and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. R. P. JOHNSON, FRASCELLA and WILT.

HOUSE BILL No. 221.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making certain additional persons liable under the provisions of the act.

Referred to the Committee on Judiciary.

By Messrs. R. P. JOHNSON, PERRY and WILT.

HOUSE BILL No. 222.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for traffic courts in townships of the first class.

Referred to the Committee on Judiciary.

By Messrs. R. P. JOHNSON, McCORMACK and FETTEROLF. HOUSE BILL No. 223.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making it illegal to cross medial strips and providing penalties.

Referred to the Committee on Highways.

By Messrs. R. P. JOHNSON, FINEMAN and FETTEROLF. HOUSE BILL No. 224.

An Act amending the act of June 19, 1941 (P. L. 143), entitled "An act designating certain days of each year as Arbor Days and Bird Days, one of which days shall be the ninth day of April, * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day.

Referred to the Committee on State Government.

By Messrs. BACKENSTOE and PRENDERGAST.

HOUSE BILL No. 225.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228)), excluding shoe repairing from taxation.

Referred to the Committee on Ways and Means.

COSTA RICAN MINISTER OF LABOR WELCOMED

The SPEAKER. We are honored today by having with us the Honorable Franklin Solor Zano, Minister of Labor of Costa Rica.

The Minister is visiting the United States under the auspices of the International Cooperation Administration, United States Department of State.

Our guest is President of the Board of Directors of the Social Security Administration of Costa Rica and formerly a Congressman in the Costa Rican National Legislative Assembly.

He is particularly interested in becoming better acquainted with our education programs and problems of labor administration.

I am sure that the Members of the House would be pleased to have our distinguished guest address us. So, without objection, the Chair will declare a brief recess.

ESCORT COMMITTEE APPOINTED

The SPEAKER. The Chair appoints the gentleman from Westmoreland, Mr. Petrosky, and the gentleman from Delaware, Mr. Lippincott, to escort the Minister and his interpreter, Mr. Riveros, to the rostrum.

ADDRESS BY COSTA RICAN MINISTER

MINISTER FRANKLIN SOLOR ZANO. Honorable Mr. Speaker, Honorable Members of the great State House of Pennsylvania, it has been a great honor for me to be able to have the opportunity to address this great Chamber of the State Congress of Pennsylvania.

I come from one of the smallest countries in the world. I come, as Mr. Speaker has announced to you, from the country of Costa Rica.

I came to this country under the auspices of the State Department agency which is called the International Cooperation Administration, otherwise called Point 4.

I have had the opportunity on several visits to different representatives of the Federal government and the different agencies of the same to be in contact with the American people and to admire not only the greatness of this Democracy but the feeling of this country toward the liberty of the peoples and to admire at the same time the natural and the simple way in which you live and act.

I have known for many years the greatness of this country from many different sources of information such as books, newspapers, magazines, personal contacts, but now that I have come to this country, I have confirmed all those opinions and good feelings that I felt for this country all through my life.

I want to take the opportunity to pay due homage to this country and to bring salutations from the President of my country and the government towards this country and this State.

I am sure that all through these visits I shall have the opportunity to learn much about this country and, when I return to my country, I assure you I will try to put into practice the teachings and the knowledge that I will acquire.

Again, I wish to thank the Federal Government for the invitation they extended to me and thank you for the patience that you have today with me.

The SPEAKER. Mr. Minister, it is my hope, as I know it is your hope, that our two countries may continue to march shoulder to shoulder in defense of the liberties and the privileges of the hemisphere in which we live, in the promotion of peace, of economic prosperity, of sound morality and liberty and equality for all men, based upon individual human dignity.

REPORTS FROM COMMITTEE

Mr. POLASKI from the Committee on State Government, reported as committed, House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House Bill No. 46, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949, authorizing the assistant secretary or the assistant treasurer to sign certain papers.

Mr. FOERSTER from the Committee on State Government, reported as committed, House Bill No. 51, entitled:

An Act repealing Section 528 of "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), eliminating the requirements that cotton fabrics used in State institutions be flameproofed.

Mr. LUTTY from the Committee on State Government, reported as committed, House Bill No. 54, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing departments, boards and commissions to purchase certain film strips, recordings and tests.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House Bill No. 70, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), making obligations of the Tennessee Valley Authority authorized investments.

Mr. KRAMER from the Committee on State Government, reported as committed, House Bill No. 71, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), making obligations of the Tennessee Valley Authority authorized investments.

Mr. RENWICK from the Committee on State Government, reported as committed, House Bill No. 72, entitled:

An Act amending the "Fiduciaries Investment Act of 1949," approved May 26, 1949 (P. L. 1828), making obligations of the Tennessee Valley Authority authorized investments.

Mr. RENWICK from the Committee on State Government, reported as committed, House Bill No. 73, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," making obligations of the Tennessee Valley Authority authorized investments.

Mr. STRAUSSER from the Committee on State Government, reported as committed, House Bill No. 74, entitled:

An Act amending the "Building and Loan Code," approved May 5, 1933 (P. L. 457), making obligations of the Tennessee Valley Authority authorized investments.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 42, entitled:

An Act repealing the act of March 9, 1771 (1 Sm. L. 313), entitled "An act to prevent the destruction of rockfish and oysters."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 43, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act amending the "Water Well Drillers License Act" approved May 29, 1956 (P. L. 1840), requiring the filing of certain reports to the Department of Internal Affairs and deleting the filing of reports in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act amending the act of July 2, 1937 (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein * * *" requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 76, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 77, entitled:

A Joint Resolution proposing an amendment to article four of the Constitution of the Commonwealth of Pennsylvania, repealing section 20 thereof which prescribes certain powers and duties of the Superintendent of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 78, entitled:

A Joint Resolution proposing an amendment to article four section one of the Constitution of the Commonwealth of Pennsylvania removing the Superintendent of Public Instruction as a constitutional officer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 79, entitled:

A Joint Resolution proposing an amendment to article four section eight of the Constitution of the Commonwealth of Pennsylvania removing the requirement that the appointment of the Superinendent of Public Instruction be confirmed by two-thirds of the members of the Senate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 80, entitled:

A Joint Resolution proposing an amendment to article six section four of the Constitution of the Commonwealth of Pennsylvania providing for the removal of the superintendent of Public Instruction from office.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 127, entitled:

An Act amending the "Optional Third Class City Charter Law" approved July 15, 1957 (P. L. 901), providing for the compensation of the controller and the treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 132, entitled:

An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania amending revising consolidating and changing the laws relating thereto, imposing duties upon public officers, providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 49 and Serial No. 105.

The SPEAKER. I understand both parties desire to caucus.

Mr. McCANN. Mr. Speaker, following the Minority Leader's discussion, I will be requesting a caucus for a period of one hour and, upon return from that caucus, we will proceed with the bills now on second reading on the calendar and, also, to vote on House Resolutions 1 and 11 and Senate Serial Number 102, and to offer the necessary amendments, of which the Minority Leader has received copies, to bills now on second reading. I also will ask the Minority Leader if at their caucus they will determine whether they will debate the bills on second reading, on third reading, or debate on both.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, we will inform the Majority Leader after we return from caucus whether some of the debate will be this afternoon or whether we will be in session all night and all tomorrow morning.

At this time, I would like to call a Republican caucus for a quarter after two, about one-half hour from now. We would request a period of recess of one hour and a half. We will be ready to come back at a quarter after three.

The SPEAKER. Does that suit the desires of the Majority Leader, to come back at half past three?

Mr. McCann. Half past three is all right. I believe that to be an hour and forty-five minutes.

Mr. AGNEW. We can always use another fifteen minutes. We might have a little trouble with our Philadelphia delegation today.

Mr. McCANN. Mr. Speaker, does not the Minority Leader wish that he had a Philadelphia delegation like the one I have here, 100 per cent attendance that will vote 100 per cent?

Mr. AGNEW. Mr. Speaker, we do not know whether we do or not.

Seriously, we waited while you had a two-hour caucus yesterday, and we want an hour and forty-five minutes today. I think we should be entitled to that.

Mr. McCANN. Mr. Speaker, I raise no objections. I will ask for a Democratic caucus and we shall return to this House at 3:30 p. m.

The SPEAKER. The Chair is about to call a recess until 3:30 p. m.

The Chair desires to congratulate the House upon the splendid spirit so far exhibited and we hope that state of mind will prevail until the wee small hours of tomorrow.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, I do not know that I have ever felt better in my life. Win or lose, there are times when you feel great. When you have men such as the men in Philadelphia, men like Jim Dougherty, whom we insisted stay home, but he says, "I want to be there tonight to vote 'aye' on every bill," I am as proud as any man can be. I say, Mr. Speaker, I am proud of every Democrat serving in this House today, tonight and every day the rest of this year. It will be a short businesslike session.

Mr. Speaker, I ask that a Democratic caucus be held immediately. Everyone shall proceed to the New House Caucus Room.

Mr. AGNEW. Mr. Speaker, speaking for the minority, we are glad to see Jim Dougherty any time, whether he is coming here to vote on tax bills or not. We hope that the Majority Leader's good humor lasts until the wee hours of the morning.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 3:30 p. m.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

RESOLUTION

CONGRATULATIONS

Mr. SCARCELLI offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 25, 1961.

The City of Philadelphia, through its Philadelphia Highway Patrol Unit of the Philadelphia Police Department, has brought a signal honor not only to the City of Philadelphia but to the entire Commonwealth of Pennsylvania. During the past presidential campaign, during the time that President Kennedy was campaigning in the area of Delaware Valley, the members of the Philadelphia Highway Patrol Unit were assigned to guard him.

For a period of four days and nights, during which time it rained every day and night, thus making very hazardous driving conditions, President Kennedy was escorted during the entire time by the Philadelphia Highway Patrol Unit without mishap or injury. This was done in spite of the fact that the route took the President through a thickly populated area of more than two million people.

President Kennedy is reported to have said that that was the best job of police escorting that he had encountered in the entire country. The amazing thing is that in spite of all the people he met, and the appointments which he kept, he was never late for any appointment, TV or radio appearance. As a result of a job so well done, the unit was invited to participate in the inaugural ceremonies on January 20, 1961 in Washington, D. C.

There were only two occasions when the President stood to applaud any units in the Inaugural Parade. First the members of his former crew PT Boat 109, and the second was for the Philadelphia Highway Patrol Unit of the City of Philadelphia Police Department.

This is the first time in the history of our Commonwealth that a unit from any police department from this State has been invited to participate in an Inaugural Parade; therefore be it

Resolved, That the House of Representatives hereby commend and congratulate the Philadelphia Highway Patrol Unit of the Police Department of the City of Philadelphia on its wonderful showing and splendid work, and for the outstanding honor it has brought, not only to its native city but the entire Commonwealth of Pennsylvania; and be it further

Resolved, That copies of this resolution be sent to the Mayor, Commissioner of Police and Commanding Officer of the Highway Patrol Unit.

BILLS INTRODUCED AND REFERRED

By Messrs. WORLEY, ASHTON, CIANFRANI, ANDREWS and MUSTO. HOUSE BILL No. 226.

An Act abolishing the penalty of death for any offense

for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

Referred to the Committee on Judiciary Special.

By Mr. REIDENBACH and Mrs. PASHLEY.

HOUSE BILL No. 227.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

Referred to the Committee on Judiciary.

By Messrs. POLASKI and O'DELL.

HOUSE BILL No. 228.

An Act requiring the Department of Highways to make formal surveys of proposed routes into the City of Erie for the Port Access Highway.

Referred to the Committee on Highways.

By Mr. DOUGHTEN. HOUSE BILL No. 229.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prescribing life imprisonment in lieu of death as the penalty for certain crimes.

Referred to the Committee on Judiciary Special.

By Messrs. J. P. O'DONNELL, BRANCA and MULLEN. HOUSE BILL No. 230.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt persons over the age of sixty-five years who are receiving pension or retirement payments, or social security payments, or who are unemployed from the payment of personal taxes.

Referred to the Committee on Judiciary Special.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 29.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing room rentals at State Teachers' Colleges and providing for the disposition of the increased rentals.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE CONCURRENT RESOLUTION SERIAL No. 105

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 23, 1961.

Pennsylvania is proud of the many beautiful forests that dot our countryside. No other state can boast of such preserves, but without conservation some day our beautiful woodlands will be a barren area.

The same is true of our water supply. Today it is abundant but without care and conservation we might find ourselves faced with a shortage of water in the future.

A way to solve these problems would be to reestablish the Civilian Conservation Corps which worked so well during the thirties. The creation of this force would not only help our forests and water supply, but it would also aid in the curbing of juvenile delinquency, and the problems of unemployment which we face today; therefore be it

Resolved (The House concurring), That the General Assembly of Pennsylvania memorialize Congress to establish a Civilian Conservation Corps; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to make a statement.

We will probably have considerable use in the hours to come in the days to come for the electric roll call. The Rule provides that before the Speaker locks the roll call that a reasonable period shall ensue before the roll call is locked. Some doubt having been expressed in some quarters as to whether the Speaker is or is not a judge of a reasonable period, the Chair will proceed as follows:

As, if and when the Majority Leader believes that a reasonable period of time has elapsed for conducting the roll call, the Majority Leader will request to be recognized and advise the Chair to lock the roll call. The Chair will then inquire, "Is the Minority Leader agreed?" and in that event, the roll call will be locked.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 82, entitled:

An Act amending "The Administrative Code of 1929," (P. L. 177) making certain changes in the fiscal period.

And said bill having been read at length the second time and greed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 83, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 84, entitled:

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, we do not require any amendments on this bill, Mr. Speaker.

The SPEAKER. My calendar indicates that someone wanted to interrogate.

The Chair has just been informed that the interrogation will be deferred until the bill is on third reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 85, entitled:

An Act amending the act of April 22, 1949 (P. L. 711) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 86, entitled:

An Act amending the act of January 5, 1934 (1933-34 P. L. 219), entitled " An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Section 1 (Section 7.1), page 2, line 12, by striking out "Toll Bridge" and inserting: "Veterans' Compensation."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 87, entitled:

An Act amending the Act of May 25, 1939 (P. L. 191) entitled "An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Section 2 (Section 2), page 3, line 10, by inserting after "than": "thirty days after."

It was agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 88, entitled:

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) increasing the rate of the tentative and the annual tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 89, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) increasing the rate of the tentative and the annual tax.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Section 1 (Section 4), page 8, line 11, by inserting a bracket before "and" and after "fifty-five."

Amend Section 1 (Section 4), page 8, line 11, by striking out the bracket after "thereafter" and before "except."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 90, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent rate of tax and eliminating the temporary tax.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 91, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 92, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944)

entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes * * *" making an additional appropriation conditioned upon an increase in the rate of taxation.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. POLEN, STRAUSSER and WILLARD offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out "and 9."
Amend Sec. 1, page 2, line 7, by striking out "are" and inserting: "is."
Amend Bill, page 3, by inserting between lines 4 and 5:
"Section 2. Section 4.1 of the act, amended December 22, 1959 (P. L. 2004), is amended to read:
"Section 4.1 If the sum appropriated by section three amounts to less than thirty million dollars ($30,000,000) annually during the calendar years 1956 or 1957, 1958 or 1959, 1960 [or] 1961, 1961 or 1963, there is appropriated for each of said years out of the Motor License Fund an amount equal to the difference between thirty million dollars ($30,000,000) and the lesser amount provided by section three, which sum shall be paid to the municipalities in accordance with the provisions of section four.
"Section 3. Section 9 of the act is amended to read:"

On the question:

Will the House agree to the amendments?

The SPEAKER. Has the gentleman from Columbia sent all his amendments to the desk?

Mr. STRAUSSER. Mr. Speaker, I delivered one copy to the Majority and Minority Leaders and the rest to the desk. I think I had a total of nine, so there should be seven.

Mr. McCANN. Mr. Speaker, that amendment as it ends there at that section is proper where it stops, "is amended to read."

The SPEAKER. The Chief recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, did I understand you to state there were not sufficient copies of that amendment?

The SPEAKER. Section three of the act is "amended to read," and that is all.

Mr. POLEN. That is correct, Mr. Speaker. That ties in with the bill.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the section?

Mr. HOLMAN offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, line 2, by striking out "six cents (6¢)" and inserting: "five cents (5¢)."
Amend Sec. 1 (Sec. 9), page 3, line 9, by striking out "six cents (6¢)" and inserting: "five cents (5¢)."

On the question,

Will the House agree to the amendments?

The SPEAKER. He is asking to amend the amendments. The Chair will reconsider. The matter should have been agreed upon. He must amend the amendments. The bill has been amended now in certain form.

Mr. McCANN. Mr. Speaker, these are the amendments offered to House Bill 92 by the gentleman from Perry, Mr. Holman.

Is that right?

The SPEAKER. That is correct.

Mr. McCANN. Mr. Speaker, I will yield to the gentleman from Perry, whom I understand wanted to speak on these amendments before I speak on them.

Is that correct, sir?

Mr. HOLMAN. Yes, sir.

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, in the budget message to the General Assembly of Pennsylvania delivered by our Governor, Mr. Lawrence, on January 16, 1961, he stated in part, and I quote:

> "One task is the modernization of what is called the 100 per cent state system—the 20,000 miles of rural and feeder roads for which we receive no Federal assistance. There is a constant pressure, when our funds are narrowly limited in amount, to neglect these roads and to apply all available state money to the Federally-aided highways."

And I repeat, "to neglect these roads and to apply all available state money to the Federally-aided highways."

When I came to my desk this morning, there was a press release from the Secretary of Highways on my desk which says substantially the same thing.

Now, Mr. Speaker, up to this time neither the Governor nor the Secretary of Highways has given this legislative body or the people of Pennsylvania any assurance that the $80 million they ask will be used for this purpose.

Furthermore, the municipal road system of this Commonwealth is also in great, desperate need for funds. Now what this amendment does is to guarantee to a small extent that the Governor of Pennsylvania and the Secretary of Highways will both keep their word to the people. This amendment would insure that 20 per cent of both pennies of the tax proposed would be returned to municipalities of this Commonwealth.

I ask that the Members on both sides of the aisle support this amendment. I say categorically that a vote against this amendment is a vote against the municipalities of this Commonwealth, both city, borough and townships. A vote against this amendment is a vote against the people of this great Commonwealth whom we are all here to serve.

I thank you and I ask for a roll call on the electric roll call system.

Mr. McCANN. Mr. Speaker, the amendments offered by the gentleman from Perry, Mr. Holman, take an initial 20 percent of the additional one cent and allocate it to the communities and municipalities.

Mr. Speaker, under the proposed program and the highway program which we will debate tonight, we are opposing this amendment in giving 20 percent of this other cent to the municipalities of this Commonwealth, and I ask that all the Members vote "no" on the amendment offered by the gentleman from Perry, Mr. Holman.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. HOLMAN and AGNEW and were as follows:

YEAS—85

Adams,	Fulmer,	Kistler,	Slack,
Agnew,	George,	Knecht,	Snare,
Anderson, J. H.,	Gibb,	Kooker,	Steckel,
Ashton,	Goldstein, J. H.,	Korns,	Stimmel,
Auker,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Backenstoe,	Goodrich,	Lippincott,	Strausser,
Blair,	Gramlich,	Magee,	Thompson,
Bossert,	Gross,	Manbeck,	Tompkins,
Bower,	Guthrie,	Markley,	Ujobai,
Bowman,	Haudenshield,	Marsh,	Varner,
Buchanan,	Helm,	May,	Wall,
Bush,	Henzel,	McCandless,	Weidner,
Davis,	Hocker,	Merry,	Willard,
Dennison,	Holliday,	Miller,	Willaredt,
Donaldson,	Holman,	O'Dell,	Williams, A. D.,
Edwards,	Horst,	Ogilvie,	Williams, E. S.,
Elvey,	Isaacs,	Price,	Wilt,
Eshback,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Seltzer,	Wynd,
Foor,	King,	Simmons,	Zimmerman,
Fox,			

NAYS—101

Anderson, S. A.,	Gallagher,	McCann,	Polen,
Arlene,	Gelfand,	McCormack,	Prendergast,
Bachman,	Gray,	McDevitt,	Reibman,
Boies,	Gremminger,	McDonald,	Renwick,
Bonner,	Guesman,	McKeever,	Riley,
Branca,	Hamilton,	McLaughlin,	Rovansek,
Breth,	Hankins,	McNally,	Rubin,
Capano,	Hartley,	Meholchick,	Rudisill,
Capitolo,	Heavey,	Mihm,	Scarcelli,
Cauley,	Irvis,	Mills,	Schaaf,
Cianfrani,	Jenkins,	Monroe,	Schuster,
Cioffi,	Jim,	Morley,	Shelton,
Clarke,	Jones,	Muldowney,	Shupnik,
Comer,	Kamyk,	Mullen,	Stank,
Cooley,	Kelly,	Munley,	Stone,
Crossin,	Klein,	Murray,	Sullivan, J. A.,
Curwood,	Kornick,	Musto,	Taylor,
Doughten,	Kramer,	Needham,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. A.,	Trusio,
Farabaugh,	Lawson,	O'Donnell, J. P.,	Verona,
Filo,	Leonard,	Parlante,	Walsh,
Fineman,	Limper,	Pashley,	Wargo,
Flynn,	Long, Wm. Jos.,	Perry,	Welsh,
Foerster,	Lutty,	Petrosky,	Yetter,
Frascella,	Maxwell,	Polaski,	Andrews,
Gailey,			Speaker

NOT VOTING—22

Dengler,	Heffner,	Murphy,	Sakulsky,
Dougherty,	Kernaghan,	Odorisio,	Sherman,
Down,	Kessler,	Piper,	Sullivan, T. F.,
Eshleman,	Lee, A. M.,	Reidenbach,	Wescott,
Fry,	Long, Wm. Jas.,	Rutherford,	Whittaker,
Gibbons,	McInroy,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The title was read.

On the question,

Will the House agree to the title?

Messrs. POLEN, STRAUSSER and WILLARD offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "taxation": "and continuing an existing conditional appropriation for the calendar years 1962 and 1963."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreably to order,

The House proceeded to the second reading and consideration of House Bill No. 93, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) imposing the tax permanently.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 94, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) increasing the power of the Authority to borrow money and issue evidence of indebtedness therefor.

The first section was read.

On the question,

Will the House agree to the section?

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, I offer the following amendments, and at the proper time I would like to give a brief explanation as to what they are.

The SPEAKER. Does the gentleman desire the amendments read at length or for us to wait until he explains the amendments.

Mr. POLEN. If it is agreeable with the Minority, I will explain the amendments.

The SPEAKER. Does the Minority desire the amendments to be read at length?

Mr. AGNEW. I think you had better—they are not that long—for the benefit of the membership.

On the question recurring,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend Section 1 (Section 4), page 4, lines 15 to 19, and page 5, lines 1 and 2, by striking out all of said lines and inserting: "In order that the Commonwealth of Pennsylvania may avail itself of the provisions of the act of August 27, 1958 (72 Stat. 885), Title 23, providing for the acceleration of the construction of the Interstate System the Authority is hereby empowered to borrow an additional sum of money not in excess of three hundred million dollars ($300,000,000) at a rate not to exceed fifty million dollars ($50,000,000) in any one year and to make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority for the construction of the Interstate System and the Authority is empowered to secure the payment of such bonds or any part thereof by pledge."

Amend the bill, page 7, by inserting after line 18: "Section 2. This act shall take effect immediately."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Polen.

Mr. POLEN. Mr. Speaker, the proposed amendment ties the increased borrowing under the Highway and Bridge Authority to the construction of the Interstate System as indicated in the Governor's message.

Section 2 is added to make the Act effective immediately. The purpose of this is that after it is passed and if the gas tax is passed that immediately bids could be taken for the construction of various projects.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, may I interrogate the gentleman from Washington, Mr. Polen?

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. LIPPINCOTT. I will, Mr. Speaker.

The SPEAKER. The gentleman from Delaware will proceed.

Mr. LIPPINCOTT. Mr. Speaker, will the gentleman please explain what change is made by the proposed amendment over the amendment in the bill as it appears now on our calendar, disregarding the effective date?

Mr. POLEN. If the gentleman will turn to page four, he will see that lines 15 to 18 on the next page are changed.

Mr. LIPPINCOTT. I see that. I just do not understand exactly what the change is.

Mr. POLEN. The change is in order to tie it completely into the Interstate System.

Mr. LIPPINCOTT. In what respect is it different from the bill as it now appears on our calendar?

Mr. POLEN. We will take the part where it says, "in order that the Commonwealth of Pennsylvania may avail itself of the provisions of the Act of August 27, 1958." That is not in the bill as it now stands. Also, for the acceleration and the chief construction of the Interstate System.

Mr. LIPPINCOTT. The bill on our calendar now seems to say that you can borrow $50 million a year for six years and there is an overall limit in the proposed amendment of $300,000, rather than having it spelled out in the bill itself. What is the reason for that change?

Mr. POLEN. That is the $300 million increase, at the rate of $50 million a year.

Mr. LIPPINCOTT. Well, it is still not clear to me. Perhaps by this evening the gentleman will be able to explain the difference between the two proposals. I wish the gentleman could do that this evening.

Mr. POLEN. All right.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 95, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), eliminating the provision for commissions for collection and remittance of the tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 96, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594), making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 97, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 98, entitled:

An Act amending the act of June 13, 1907 (P. L. 640), entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 99, entitled:

An Act imposing a State tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights powers and duties of the Department of Revenue the taxpayers and officers thereof and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 100, entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 101, entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and changing the date for the determination of the base of the tax.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendments:

Amend bill, page 7, by inserting between lines 16 and 17: "Section 2. Section 27, Act of June 1, 1889 (P. L. 420), entitled 'A further supplement to an act entitled "an act to provide revenue by taxation," approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine,' as amended, is repealed insofar as it imposes a tax upon savings banks without capital stock."

On the question,

Will the House agree to the amendment?

Mr. POLEN. Mr. Speaker, the purpose of this amendment is to repeal the act of 1889 which placed a tax of three per cent on mutual savings banks. With this amendment, all types of these institutions would be on the same tax basis.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLEN offered the following amendment:

Amend Section 2, page 7, line 17, by striking out "2"" and inserting "3."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. POLEN offered the following amendments:

Amend title, page 1, next to last line of title, by striking out "and" where it appears the third time.

Amend title, page 1, last line of title, by inserting after ""tax" and making certain repeals.

They were agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

The first section was read.

On the question,

Will the House agree to the section?

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to interrogate someone from the Majority side in regards to this bill. I understand that the gentleman from York, Mr. Rudisill, is prepared to answer some questions. Will the gentleman permit himself to be interrogated?

The SPEAKER. Will the gentleman from York, Mr. Rudisill, permit himself to be interrogated?

Mr. RUDISILL. Mr. Speaker, before the gentleman from Bucks interrogates me, I wonder if he would be so kind as to let me make a statement?

Mr. A. D. WILLIAMS. Certainly, Mr. Speaker.

Mr. RUDISILL. The gentleman from Bucks kindly and graciously gave me just a minute ago the question which he intended to ask me. I would like a few minutes to check on it before he interrogates me. I believe that would be perfectly satisfactory to him.

Mr. A. D. WILLIAMS. It will be perfectly satisfactory to me, Mr. Speaker.

BILL PASSED OVER

There being no objection,

Senate Bill No. 1, Printer's No. 1,

was passed over at the request of Mr. A. D. WILLIAMS.

Agreebly to order,

The House proceeded to the second reading and consideration of Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

On the question,

Will the House agree to the bill on second reading?

Mr. M. H. GOLDSTEIN. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I will, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is the gentleman from Washington the Chairman of the Appropriations Committee of the House?

Mr. POLEN. I am, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, as such is the gentleman familiar with the 1961-1962 budget presented to the General Assembly last week?

Mr. POLEN. Mr. Speaker, I have reviewed the budget briefly. I will be frank to say that I am not as familiar with it today as I expect to be within the next two weeks when we will have hearings.

Mr. M. H. GOLDSTEIN. Mr. Speaker, does the Chairman of the Appropriations Committee now state that he is unable to give me a detailed explanation of this budget?

Mr. POLEN. Mr. Speaker, a detailed explanation of the budget would be the amount that is contained in it. I, at this time, have no figures or anything I could say as to whether we are going to make any change until after we have our hearings.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I ask the Chairman of the Appropriations Committee to look at page 14 of the Governor's message.

Mr. POLEN. I have page 14, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I mean the 1961-1962 budget, Summary of Apppropriations by Purpose.

Mr. POLEN. I have that, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I call to the gen-

tleman's particular attention the first column which is $152,564,000 contemplated for General Government, which is substantially payroll. Is that not true?

Mr. POLEN. Mr. Speaker, I would say generally that is correct.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have divided $152,564,000 by 24 and then multiplied that by 13. Therefore, on an annual basis I get $82,647,000, which would be the corresponding cost for 1959-1961.

In the second column for 1961-1962 the cost for General Government is $96,014,000, or a difference of $13.5 million.

Does the Chairman have any idea, however vague, as to the basis for this increased cost of General Government other than the five percent horizontal increase for State employes, which would amount to $4 million? In other words, there is $9.5 million to $10 million left over. Where is that money going to be spent?

Mr. POLEN. Mr. Speaker, the 1961-1962 budget is for 13 months.

Mr. M. H. GOLDSTEIN. That is correct, Mr. Speaker, and I have tied it in with 13 months for the year before and there is a gap of $13.5 million, appproximately. I would like to know, since you are asking me to vote on a tax revenue bill tonight, what is the basis for the increase of $13.5 million other than approximately $4 million for the horizontal increase for state employes, which I have calculated on the basis of that $80 million payroll per year?

Mr. POLEN. Mr. Speaker, it would be pretty hard for me to take all these departments of the Executive branch, and others, and give you at this time what the increase covers. I will say, however, that we do have increases in the State Police. That is one that I recall. There will be an increase in expenditures for mental health. I believe the largest area in which we will have an increase in expenses will be in mental health.

Mr. M. H. GOLDSTEIN. Mr. Speaker, this page 14 has nothing to do with the increase for mental health. This has to do with payroll. The page covering mental health and expanded services to the needy is covered on page 13. This contemplates an increase in the payroll of the Governor's Office, the Secretary of Internal Affairs and the Milk Commission. I would like to know whether the increased payroll is going to be for 1,000 employes, 500 employes, or 800. Do you not think I am entitled to this knowledge before I vote on the revenue measure?

Mr. POLEN. Mr. Speaker, it is very hard for me to take this large number and explain where the increases are. We intend to start appropriation hearings next Monday and we will develop what these figures cover. As I stated frankly, I have only reviewed the budget briefly.

Mr. M. H. GOLDSTEIN. I thank the gentleman, Mr. Speaker. I always am grateful to the Chairman of the Appropriations Committee for a frank answer.

May I continue, Mr. Speaker?

The SPEAKER. The gentleman may proceed.

Mr. GOLDSTEIN. Mr. Speaker, we have a situation in this Commonwealth where the Chairman of the Appropriations Committee has little, if any, knowledge as to the basis for the increase in the cost of General Government. Is that sound government? Are we here to protect the taxpayers? I am entitled to know. I can say parenthetically that the gentlemen on the other side have received my support at times when I thought they were right, but they cannot ask me to vote carte blanche on an unknown, indefinite, unestimated revenue measure. The Chairman of the Appropriations Committee does not know whether there is going to be 50 more employes in the Governor's office, 100 more in the Secretary of Internal Affairs and 5 or 6 in the Milk Commission. As a matter of fact, we were told when the Secretary of Internal Affairs campaigned that the office of Secretary of Internal Affairs was an archaic office and should be eliminated.

Why are we asked for more money? I am not contesting anything about more money for schools, nor money for the mental health program. I am protesting the padding of the payroll and I say it is a sad state of affairs in this Commonwealth when we vote tax measures and we do not know how we are going to spend the money and for what purpose. For that reason and for that reason only, I intend to vote against these tax measures, although some of them are sound.

The SPEAKER. Does the gentleman from Washington desire to be recognized?

Mr. POLEN. I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Washington.

Mr. POLEN. Mr. Speaker, after thinking over the situation, I was rather taken off guard when Mr. Goldstein brought this matter up. I recall now that the greater part of the taxes that we are voting on today is to pay off a deficit and not for new expenditures.

Getting back to the increase which he mentioned, I think his figures are correct so far as the totals are concerned. I want to say as to these increases for state employees, I believe he mentioned it was $4 million. It is actually a little over $10 million. So that would take up a good part of the funds.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. GOLDSTEIN. Mr. Speaker, I claim a lot of that was in reference to salaries because the total payroll is $80 million, approximately. And five per cent of $80 million, including the executives, is only $4 million.

Now Mr. Polen has the figures. If he can break it down in detail with the aid of the office of administration by midnight, I will be glad to study it.

We have in this budget some matters which I think are very unsound, and I make a statement which may displease people on both sides of the House. We have a contemplated appropriation which needs additional legislation for $520,000 extra expenses for the House Members.

I am glad you are for it and you may have an opportunity to vote on the bills for it, if you care to. But I think the basic proposition here is this: that we are voting on a tax measure and we have no idea whether we are overestimating our needs or underestimating our needs.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Mr. McCANN. Mr. Speaker, I call up Senate Serial No. 102 for the benefit of the Speaker and the Members of this House who will participate in this great event.

The resolution was read by the Clerk as follows:

COMMEMORATION OF LINCOLN'S VISIT TO THE GENERAL ASSEMBLY

In the Senate, January 23, 1961.

Whereas, The General Assembly of the Commonwealth of Pennsylvania by joint resolution adopted on January 28, 1861, appointed a committee to invite Abraham Lincoln to visit Harrisburg on his way to Washington to be inaugurated as President of the United States; and

Whereas, The President-elect graciously accepted the General Assembly's invitation and arrangements were made for his visit to coincide with a celebration of Washington's Birthday; and

Whereas, At the appointed hour the Speaker and the members of the Senate were introduced into the House of Representatives, and a committee of reception introduced Abraham Lincoln, President-elect of the United States, and the Governor and heads of departments of this Commonwealth; and

Whereas, The Speaker of the Senate and the Speaker of the House of Representatives greeted the President-elect with speeches promising the support of Pennsylvania for his efforts to save the Union from disruption, and were thanked by Lincoln for their generous words; and

Whereas, This occasion one hundred years ago marked the beginning of Pennsylvania's strenuous efforts to preserve the Union; therefore, be it

Resolved (if the House concur), That a committee of three members from each body be appointed to arrange for a suitable commemoration and re-enactment on February 21, 1961, of the reception of Abraham Lincoln a hundred years before, in which re-enactment the Speaker of the House of Representatives and the President pro tempore of the Senate shall deliver the speeches of welcome addressed to Lincoln, and in which the part of Lincoln shall be impersonated; and be it further

Resolved, That the committee shall invite the Governor and the heads of departments to attend these ceremonies, the better to re-enact the event of a century ago.

On the question,

Will the House concur in the resolution of the Senate?

Mr. McCANN. Mr. Speaker, there is no objection to this resolution by anyone. I assume it is a unanimous vote. I ask the Minority Leader how he desires to have the vote.

Mr. AGNEW. Mr. Speaker, we are glad to hear that all the Members of the Majority are for Abraham Lincoln. We certainly are, and I would like to point out that the Members of the House will be interested in this commemoration, which I believe is February 20th or 21st. I know the officers of the House are going to be attired in the dress of 100 years ago.

Please don't miss that day if you want to see Hi Andrews and Steve McCann in a so-called stove pipe hat, and, Mr. Speaker, I might comment that there is only one way a Speaker can get out of this and that is to resign his commission.

We want the Speaker of the House to be dressed up on February 20th just like the rest of us. That's all there is to it.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. BRETH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. VARNER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. CAPITOLO, MULLEN and ESHBACK.

RESOLUTION No. 13.

In the House of Representatives, January 26, 1961.

The "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), specifies two groups of State employes having membership in the Pennsylvania State Employes' Retirement System and/or the Federal Social Security System as follows:

(1) Joint coverage group having integrated membership in the retirement system and the Federal Social Security System with reduced retirement contributions and consequent reduced retirement benefits.

(2) Single coverage group having membership in the retirement system only.

There are members of the single coverage group who are not excluded from Social Security coverage under the provisions of the Federal Social Security Act, together with various members presently in the joint coverage group who would elect to enter a dual coverage group, defined as having separate and complete membership in the retirement system and the Federal Social Security System with full contributions to both and without reduction in benefits from either system, if such optional group were created; therefore be it

Resolved, That the Joint State Government Commission be directed to ascertain, with the assistance and cooperation of all the departments, boards and commissions of the State government, the individual choice of each and every State employe if such options were granted.

Referred to the Committee on Rules.

Mr. McCANN. Mr. Speaker, I have no other requests to bring before the House except that all the Democrat Members will be here at midnight tonight, on the dot.

QUESTION OF PERSONAL PRIVILEGE

Mrs. KERNAGHAN. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Mrs. KERNAGHAN. Mr. Speaker, I have been informed by my colleagues that in a roll call vote on the amendment on House Bill 92 I was not registered on the board at my left. I would like to know, Mr. Speaker, how I am registered as voting. I voted "yes," Mr. Speaker.

The SPEAKER. The remarks of the lady on the question of personal privilege will be spread upon the record.

Mr. McCANN. Mr. Speaker, may I ask the Minority Leader a question about tonight's schedule?

The SPEAKER. Will the Minority Leader permit himself to be interrogated about tonight's schedule?

Mr. AGNEW. Mr. Speaker, this is a twist, but I am ready to be interrogated.

Mr. McCANN. Mr. Speaker, since we do consider the wellbeing of all the Members of this House, there was a time not too long ago when I was informed in an unofficial manner that the bills on final passage at the midnight session could possibly go for many hours. I am considering whether we should have debate before we vote on each of these bills, pass certain hours, and provide some coffee for the Members. If it went on to other hours, to provide the necessary breakfast. I was wondering if the gentleman would care to assist me in determining what I should do in that field.

Mr. AGNEW. Mr. Speaker, I understood that the Majority Leader had made preparations not only for coffee during the night, but for breakfast at the usual hour in the morning, and I thought the only question to be determined

was whether or not provision should be made for a late lunch tomorrow.

Mr. McCANN. We can be prepared, Mr. Speaker, if necessary, for the lunch also, if that is the situation. I was meaning this in a serious manner and I was hoping the debate would end by three or four o'clock in the morning. Each bill is being debated separately or interrogated separately. Should we finish at four o'clock, five, six or seven—I eat breakfast at seven—I thought we would provide breakfast.

Mr. AGNEW. Mr. Speaker, we are always interested to hear the personal habits of the Majority Leader, particularly that he usually eats breakfast at seven o'clock in the morning. Frankly and seriously, we have no idea how long tonight's session will take. In the first place, we did not call it for post-midnight. We suggested in plenty of time that it be called for the usual hour of ten o'clock in the morning. All we are doing is having the usual third reading debate and interrogation for each bill. I think you will have to admit that this is the Administration's major tax program. We do not want to run these bills through without adequate debate, without protecting the rights and interest of the people. We will have an interrogation and debate, perhaps on each bill. We have the convenience of our own Members in mind certainly, as much as the Majority has the convenience of its Members, but we want to make sure that each bill is adequately debated and sufficient interrogation is made.

We Members of the Minority feel that we have an obligation to our constituents to try to find out what these bills are all about. Now there has been an attempt to pass these bills finally through the House before anybody has had a chance to study them. We have made an almost superhuman effort during these past two days to acquaint our membership with what is in the bills. We feel it is their obligation as representatives of their constituents to find out what these bills are all about before we vote on them finally tonight. I think the fact that we have an electric roll call, if it works, will save us considerable time tonight, Mr. Speaker. I have no idea how long tonight's session will take. I personally hope that we can get it over between 3:30 or 4:00. If it takes any longer than that in the interest of knowledge concerning the bills, then it will have to take its usual course. I hope we can all have breakfast, not in the Hall of the House, at the usual hour, whether it be seven or eight o'clock. I would suggest that those of you who have plans to go back home tomorrow morning make other arrangements. I do not think you will be able to stay here and vote on these bills and get back home and be in court or be in your office or perform your usual business or domestic chores tomorrow.

May I repeat that we had nothing to do with calling a post-midnight session this January 25th or thereabouts. We see no reason for such hasty ill-conceived action. As far as we are concerned, the Majority can take the blame and bear the shame.

Mr. McCANN. I thank the Minority Leader very kindly. We are prepared then, according to what you have indicated, and we shall abide accordingly from 12:01 o'clock on.

ADJOURNMENT

Mr. CAULEY. Mr. Speaker, I move that this House do now adjourn until Thursday, January 26, 1961, at 12:01 a. m. EST.

The motion was agreed to, and (at 5:40 p. m. EST) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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HOUSE OF REPRESENTATIVES

THURSDAY, January 26, 1961

The House met at 12:01 a. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

As the lengthening shadows of evening begin to lessen and the hope of a new day appears on the horizon, help us, O God, with steadfast trust and assurance in the days which lie ahead, to move with the confidence of those who work earnestly for the accomplishment of Thy goal for mankind. Make known to these Thy stewards the things which Thou wouldst have them do, and guide them with Thy presence in the accomplishment of the same: through Jesus Christ, Thy dear Son our Lord. Amen

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, January 25, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. WARGO, Mrs. MUNLEY, Messrs. CROSSIN and SHUPNIK. HOUSE BILL No. 231.

An Act amending the "Anthractic Strip Mining Law," approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

Referred to the Committee on State Government.

By Messrs. PRICE, HORST and MAXWELL. HOUSE BILL No. 232.

An Act amending "The Fish Law of 1959", approved December 15, 1959 (P. L. 1779), providing for issuance of lifelong free resident fishing licenses to persons sixty-five years of age or over.

Referred to the Committee on Fisheries.

By Messrs. PRICE, HORST and MAXWELL. HOUSE BILL No. 233.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the granting of free licenses to residents over sixty-five years of age.

Referred to the Committee on Game and Conservation.

By Messrs. PRICE and BRETH. HOUSE BILL No. 234.

An Act limiting landowner's liability for personal injuries suffered by persons while hunting or fishing on the landowner's property.

Referred to the Committee on State Government.

By Messrs. HORST, A. M. LEE and GAILEY. HOUSE BILL No. 235.

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), changing the tax rate on property transferred to the husband or widower of the daughter.

Referred to the Committee on State Government.

By Messrs. DAVIS, A. W. JOHNSON, BOWMAN and DONALDSON. HOUSE BILL No. 236.

A Joint Resolution proposing an amendment to article four, sections four and eight of the Constitution of the Commonwealth of Pennsylvania, providing for the election of the Attorney General.

Referred to the Committee on Judiciary Special.

By Messrs. DAVIS, A. W. JOHNSON, BOWMAN and DONALDSON. HOUSE BILL No. 237.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the office of Solicitor General and the Department of the Solicitor General, and prescribing their powers and duties; removing certain powers and duties of the Attorney General and the Department of Justice.

Referred to the Committee on State Government.

By Messrs. GRAMLICH, SCHAAF, POLASKI and DAVIS. HOUSE BILL No. 238.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuing of resident fishing licenses to persons sixty-five years of age or over and to certain disabled veterans.

Referred to the Committee on Fisheries.

By Messrs. GRAMLICH, SCHAAF, POLASKI and DAVIS. HOUSE BILL No. 239.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for the issuance of resident hunting licenses to persons sixty-five years of age or over, and to certain disabled veterans.

Referred to the Committee on Game and Conservation.

By Messrs. HELM, ANDREWS and BOIES.

HOUSE BILL No. 240.

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

Referred to the Committee on Judiciary Special.

By Messrs. KORNS, HAMILTON, BUCHANAN and POLASKI.

HOUSE BILL No. 241.

An Act providing for the creation and appointment of a Fire Safety Commission and the appointment of a Fire Safety Commissioner.

Referred to the Committee on State Government.

By Messrs. BRETH, WARGO, Mrs. MUNLEY, Messrs. PRICE, JIM, SHUPNIK, FARABAUGH, CURWOOD, FILO and BONNER.

HOUSE BILL No. 242.

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies, * * *," further providing for the distribution of amounts received from tax on foreign fire insurance companies.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. WILLAREDT and R. P. JOHNSON.

RESOLUTION No. 14.

In the House of Representatives, January 25, 1961.

Be it resolved by the House of the Commonwealth of Pennsylvania (the Senate concurring) that the General Assembly of the Commonwealth of Pennsylvania respectfully request the Congress of the United States to propose to the people an amendment to the Constitution of the United States or to call a convention for such purpose as provided by law to add to the Consttiution an article providing that:

Article .....

Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

Section 2. The Constitution or laws of any state, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall within a period of three years from the date of ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

Section 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts.

Resolved, That a certified copy of this Resolution be forwarded by the Secretary of the Commonwealth to the President of the United States Senate, the Speaker of the House of Representatives, and to each member of Congress from the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

BILLS ON FIRST READING

The House proceeded to the first reading and consideration of House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 46, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949, authorizing the assistant secretary or the assistant treasurer to sign certain papers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 51, entitled:

An Act repealing Section 528 of "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), eliminating the requirement that cotton fabrics used in State institutions be flameproofed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 54, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing departments, boards and commissions to purchase certain film strips, recordings and tests.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 70, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 71, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 72, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828), making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 73, entitled:

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government," making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 74, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 42, entitled:

An Act repealing the act of March 9, 1771 (1 Sm. L. 313), entitled "An act to prevent the destruction of rockfish and oysters."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 43, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Commonwealth of Pennsylvania, changing the procedure on the passage of bills.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, changing residence requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 77, entitled:

A Joint Resolution proposing an amendment to article four of the Constitution of the Commonwealth of Pennsylvania, repealing section 20 thereof which prescribes certain powers and duties of the Superintendent of Public Instruction.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 78, entitled:

A Joint Resolution proposing an amendment to article four, section one of the Constitution of the Commonwealth of Pennsylvania, removing the Superintendent of Public Instruction as a constitutional officer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 79, entitled:

A Joint Resolution proposing an amendment to article four, section eight of the Constitution of the Commonwealth of Pennsylvania, removing the requirement that the appointment of the Superintendent of Public Instruction be confirmed by two-thirds of the members of the Senate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 80, entitled:

A Joint Resolution proposing an amendment to article six, section four of the Constitution of the Commonwealth of Pennsylvania, providing for the removal of the Superintendent of Public Instruction from office.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 127, entitled:

An Act amending the "Optional Third Class City Charter Law," approved July 15, 1957 (P. L. 901), providing for the compensation of the controller and the treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 132, entitled:

An Act relating to the establishment, operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania, amending, revising, consolidating and changing the laws relating thereto, imposing duties upon public officers, providing for State and local cooperation and assistance in the establishment and maintenance of libraries, prescribing penalties and repealing existing laws.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 1, Printer's No. 1,

was passed over at the request of the SPEAKER.

CALL OF THE HOUSE

Mr. AGNEW. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. The gentleman from Allegheny, Mr. Agnew, suggests the absence of a quorum.

The Sergeant-at-Arms will close the doors of the House. Only Members will be admitted during the calling of the roll.

The roll was called and was as follows:

PRESENT—199

Adams,	Fulmer,	Lee, K. B.,	Riley,
Agnew,	Gailey,	Leonard,	Rovansek,
Anderson, J. H.,	Gallagher,	Limper,	Royer,
Anderson, S. A.,	Gelfand,	Lippincott,	Rubin,
Arlene,	George,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Lutty,	Sakulsky,
Bachman,	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Markley,	Schuster,
Boies,	Gramlich,	Marsh,	Seltzer,
Bonner,	Gray,	Maxwell,	Shelton,
Bossert,	Gremminger,	May,	Sherman,
Bower,	Gross,	McCandless,	Shupnik,
Bowman,	Guesman,	McCann,	Simmons,
Branca,	Guthrie,	McCormack,	Slack,
Breth,	Hamilton,	McDevitt,	Snare,
Buchanan,	Hankins,	McDonald,	Stank,
Bush,	Hartley,	McKeever,	Steckel,
Capano,	Haudenshield,	McLaughlin,	Stimmel,
Capitolo,	Heavey,	McNally,	Stiteler,
Cauley,	Heffner,	Meholchick,	Stone,
Cianfrani,	Helm,	Merry,	Strausser,
Cioffi,	Henzel,	Mihm,	Sullivan, J. A.,
Clarke,	Hocker,	Miller,	Taylor,
Comer,	Holliday,	Mills,	Thompson,
Cooley,	Holman,	Monroe,	Tomascik,
Crossin,	Horst,	Morley,	Tompkins,
Curwood,	Irvis,	Muldowney,	Trusio,
Davis,	Isaacs,	Mullen,	Ujobai,
Dengler,	Jenkins,	Munley,	Varner,
Dennison,	Jim,	Musto,	Verona,
Donaldson,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, A. D.,
Fetterolf,	Klein,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Price,	Wynd,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews,
Fry,	Lee, A. M.,	Renwick,	Speaker

ABSENT—9

Dougherty,	McInroy,	Murray,	Sullivan, T. F.,
Down,	Murphy,	Odorisio,	Wescott,
Kessler,			

The SPEAKER. One hundred and ninety-nine Members being recorded as present, a quorum is present.

Mr. AGNEW. Mr. Speaker, I move that further proceedings under the call of the House be dispensed with.

The motion was agreed to .

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Murray.

Mr. MURRAY. Mr. Speaker, I wish to be recorded as being present.

The SPEAKER. The gentleman will be recorded as being present.

Mr. McCANN. Mr. Speaker, I assume at this point we are ready to vote and debate on the first bill on third reading, House Bill 82. I ask the Minority Leader if he will permit himself to be interrogated.

The SPEAKER. Does the Majority Leader desire Leaves of Absence recorded?

Mr. McCANN. I would like to do this before Leaves of Absence. Mr. Speaker, will the Minority Leader permit himself to be interrogated?

Mr. AGNEW. I will, Mr. Speaker.

Mr. McCANN. Mr. Speaker, before we finish the debate on the first bill, House bill 82, and vote on the first bill, Mr. James J. Dougherty is here and will come into the House. I ask now if, when he casts his vote of "Aye" on Bill 82, that vote will be acceptable on the other bills up to 101 on page 9, or will he have to be brought back each time into the House to vote each bill?

Mr. AGNEW. Mr. Speaker, the humanitarian instincts of the Minority are equally as strong as those of the Majority. We want to do everything we can to accommodate any Member of this House. I must ask the Parliamentarian if we can permit absentee voting in this manner.

The SPEAKER. The Chair begs the pardon of the Majority Leader. He did not catch the point under discussion.

Mr. McCANN. Mr. Speaker, before I would vote on the first bill, I would like to know if Mr. Dougherty of Philadelphia, who will come into the Hall of this House to vote on bills beginning with House bill 82, the first bill, will have to be brought back here to vote on every bill to each time, or will the Minority, with the full consent of this House, permit him to cast his vote so that I will not have to bring him in a total of 19 times? He is voting "Aye" on every bill beginning with 82 to 101 on page 9.

The SPEAKER. Has either of the Leaders asked the Chair's opinion?

Mr. AGNEW. The Majority Leader has asked a question, which, in effect, is a Parliamentary Inquiry. I have asked the Chair for an opinion as to whether or not, under the Constitution, we can permit such a form of absentee voting.

RULING BY SPEAKER

The SPEAKER. The Constitution would not be governing in this particular situation because it does not cover this particular point. In the past this procedure has been sanctioned by the House, and the Chair is very distinctly of the opinion that this procedure can be sanctioned by the House. It would require, I believe, either unanimous consent or suspension of the Rules to permit him to vote in that manner. If they have the votes they can suspend the Rules which would require the Member to be present. It has been done.

Mr. AGNEW. If it has been done and there is precedent for it and the Chair so Rules, the Minority is more than willing and agreeable that such an accommodation be made.

Mr. McCANN. Mr. Speaker, I thank you very kindly for the ruling, and I was referring the question to the Chair with the Minority Leader's discussion. I would ask then, at the right time do I make a motion, Mr. Speaker,

or what do I do to permit this to carry properly from the first bill and to count for all of them?

The SPEAKER. The gentleman has asked the unanimous consent of the House, and, apparently, from where this Chair stands that unanimous consent has been accorded.

Mr. McCANN. Mr. Speaker, then it has been granted and it is in order in that manner?

The SPEAKER. The Chair would have to designate someone to cast the ballot and would suggest either the Minority Leader or the Majority Leader to cast that ballot for Mr. Dougherty.

Mr. AGNEW. I would like to have the honor but I think, under the circumstances, it should be the Majority Leader, Mr. Speaker.

The SPEAKER. The Chair therefore designates for and on behalf of Mr. Dougherty the Majority Leader as his proxy.

Mr. McCANN. Mr. Speaker, then if I can call up at this point the next bill, House bill 82, which is the first bill in the series. Would there be some estimated time of debate, just on the first bill? I ask this because of bringing Mr. Dougherty up here into the Hall of the House from the hotel room.

The SPEAKER. Since we took the call of the House, would the Floor Leaders now permit the Chief Clerk to read the absentees so they may be recorded? We will then follow with requests for Leaves of Absence, if that is desired.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. T. F. SULLIVAN because of illness.

Mr. Eilberg for Mr. MURPHY because of illness.

Mr. Tompkins for Mr. ODORISIO because of illness.

Mr. Tompkins for Mr. DOWN because of illness.

Mr. Tompkins for Mr. McINROY because of illness.

Mr. AGNEW. Mr. Speaker, I yield to the Majority Leader.

Mr. McCANN. Mr. Speaker, I ask this question before I even know if we are ready on House bill No. 82, could you possibly give me a period of time, 20 minutes, 30 minutes, whatever it may be, for the timing for Mr. Dougherty?

Mr. AGNEW. Mr. Speaker, I would say we would be ready to vote on it in 10 or 15 minutes. If we have to kill five or ten minutes we are perfectly willing to bide the time of the House.

I might say at this time, and it might be appropriate, I think it is a shame that a sick man has to be brought into the Hall of House under these circumstances. A more orderly process would have called for consideration of these bills for perhaps a minimum of two weeks, when we might have studied them as Legislators should and let the people of the Commonwealth know what they are all about. Then this spectacle of bringing a sick man into the Hall of the House and asking the Minority to waive the Rules, which under the circumstances we are more than willing to do, would not have to have been done at all, especially at one o'clock in the morning.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 82, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) making certain changes in the fiscal period.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, in the interest of saving time, I have asked for permission to make some general remarks at this time which might apply to all the bills on third reading tonight. We apparently will have to wait for a short period of time for Mr. Dougherty to be brought to the Hall of the House. My remarks have not been prepared so as to be lengthy. However, under the circumstances, I may indulge myself and the Members of the House by extending them from my usual two minutes to three or four. I do not think that under the circumstances the Majority Leader or any of the members of the Majority might object.

First, Mr. Speaker, the Members of the minority, being proud of their positions as Members of this House, Representatives of the people of Pennsylvania, would like to apologize to our constituents and the people generally for the sorry legislative spectacle that we are witnessing tonight. It seems that everytime the Majority has a tax program to pass they call a post-midnight session. It is sort of a psychological thing, like sweeping their collective conscience under a rug. They are passing the bills under the cover of darkness; they have taken the position that we must shed no daylight on any of these proposals.

Mr. Speaker, we are not angry with the Majority. We are saddened by what we consider to be an improper perversion of the legislative process. We view the Majority much as parents might view a prodigal son or a wayward daughter. We know, at least we hope, because we are brothers, that there is much good in you. We can only wait patiently for you to grow up and start acting as Legislators and not as rubber stamps for the front office. Since we are all Members of this House, which we feel is a great fraternity of the Representatives of the people, we are sorrowful that our brothrs in the Majority have seen fit to become rubber stamps for Governor Green—Governor Lawrence.

We feel that you as individuals have demeaned your positions as Legislators and have prostituted yourselves before the people of Pennsylvania in a naked display of legislative irresponsibility.

If there was some way we could test this, we would be willing to put it to a test. I believe the average Member of the Miniority knows a lot more about what is in these bills than the average Member of the Majority. We have made an honest effort in the last two days, and that is all we have had; we could not get some of these important bills until Monday morning. We have made an honest effort to study these bills, to learn all that we could about them, to learn about their impact on industry in Pennsylvania and upon the people of Pennsylvania.

The Majority Leader pretends, and with some justification—he is proud and I do not blame him—that his troops are all heroes. We do not think you ar heroes; you are our friends. We think you are more like toy soldiers who are marching under orders.

We are disturbed about one thing. We would like to

know what effect the acceleration of these business taxes will have on business and industry in Pennsylvania. What will be the effect on ecomonic development, the industrial growth in the Commonwealth?

There is one thing that the Members of the Majority and the Members of the Minority have in common. We are not interested in business as such; we are not interested in appropriate balance sheets. We are interested in jobs for the people of Pennsylvania. There is only one way that we can provide jobs for the people of Pennsylvania, and that is to create and maintain a healthy economic climate in this Commonwealth.

Now industry generally, apparently, is not too much disturbed by this acceleration. There has not been any great wave of protest. Perhaps they have not had sufficient time to realize the impact of the bills. You could not blame them for that. However, this is just one example of punishing, harrassing, business in Pennsylvania.

You have a responsibility, as do we. The state government has the major responsibility of creating a healthy business climate in this State so that the people in this State who want a job can get a job and can support themselves and their families. It seems to me that the whole approach of the Democratic Party is to provide ways to give public assistance to people who are out of a job. It is a negative approach. We want you to do something positively by creating an industrial climate in this state so the people who are out of work can get work and support themselves and their families.

I do not think anybody in this Commonwealth has anything but a vague idea of the impact of these bills on Pennsylvania generally. Whose fault is it? A tax program has been submitted; the tax program has come out of committee without any consideration or study by these legislative committees or by the Legislators who are members of the committees. We could not get copies of the bills until Monday, and now you are asking us to vote on them tonight. We Republicans are not opposing this program or any part of it as such. We are very definitely opposed to the methods you have used, which might be smart politics, but, Mr. Speaker, it is not good government.

On House bill No. 82, Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polen.

Mr. AGNEW. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. AGNEW. Will the gentleman explain, for the benefit of the Members of the House, the purpose of this bill?

Mr. POLEN. Mr. Speaker, the purpose of the bill is to change the present fiscal year so it will commence on the first day of July of each calendar year and then the thirtieth day of June of the next calendar year in order to provide for an interim in the fiscal period of June 1, 1961 to June 30, 1962. I might state, Mr. Speaker, that this is to bring it into conformity with the fiscal periods which the majority of the states have, which the Federal Government has, and which the school districts of this Commonwealth have. I might state there are only three other states besides Pennsylvania that have a fiscal year different from the one we propose, and in two of those states they are proposing to change their fiscal years to make them the same as we are proposing in House bill 82.

Mr. AGNEW. I thank the gentleman for the explanation. We have no general objection to this bill and we are prepared for a roll call vote on it at this time.

If the Majority Leader would like to take a short recess, we are perfectly willing.

Mr. McCANN. Mr. Speaker, I would at this time like to use a minute or two for a general statement dealing also with House bill No. 82 and the entire program.

Mr. Speaker, on the entire package of revenue raising measures before this House tonight, there is certainly one thing we have been mindful of and that is the industries of Pennsylvania. We certainly have to have the industrial climate to help employ people, to create jobs so that these people, in turn, will not be on the unemployment rolls and the public assistance rolls.

Concerning the industrial climate in Pennsylvania as far as taxes are concerned, it is wonderful to be able, under the Democratic administration in Pennsylvania, to read such papers as the Cleveland Plain Dealer, where they speak of the tax climate in the Commonwealth of Pennsylvania as being more favorable than that in Ohio.

In the last Democratic administration and the present this has occurred under the revenue raising measures which have been enacted and are being proposed here tonight. Yes, industry and all the people of Pennsylvania have carefully been consulted. We can say for the record, a great number of major industries in Pennsylvania—and you know it to be a fact because they have spoken to you—will say that they have absolutely no objection to any revenue raising measure now on the House calendar here tonight.

I also say to you, Mr. Speaker and Members of this House, that these are the things we also believe in and we speak of them factually because we support them, that here in Pennsylvania we are always mindful of this situation.

Mr. Speaker, I will eliminate my debate and I ask that Mr. Dougherty be given the Floor for a minute.

The SPEAKER. The Majority Leader yields to the gentleman from Philadelphia, Mr. Dougherty.

The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Mr. Speaker and Members of the House, someone tried to get my family to hold me back tonight in Philadelphia. I do not know who it was, but nothing could stop me from getting up here to cast a vote for a program for road construction that I think is second to none. I am speaking now as a former general superintendent of road construction and I think the Governor has more knowledge of the needs for roads and the upkeeping of roads than any man in this House. For that reason I would have crawled here if I had to in order to get here to cast my vote for the Governor's program. Thank you.

Mr. AGNEW. On behalf of the Minority we would like to welcome Mr. Dougherty, Jim, to the Hall of the House. It is good to see him. We are sorry he had to come.

I have about thirty seconds of remarks, Mr. Speaker.

The SPEAKER. The Chair begs the pardon of the Minority Leader. We thought he had finished. The gentleman will proceed.

Mr. AGNEW. I would like to point out that this House

bill No. 82 is the bill we should be rushing through with haste this week. The rest of these bills are predicated upon a thirteen-month fiscal year. House Bill 82 gives the Commonwealth the legal authority to change the fiscal year basis. What will happen to the rest of these bills we pass tonight, if pass them we do, if the other Chamber does not pass House Bill 82, for the life of me I cannot tell you. The rest of these bills, the Governor's real budget, means absolutely nothing unless House bill No. 82 becomes law. It is the bill we should be pushing through, the bill we should be rapidly passing, so we will know what our fiscal year will be. Then we should take a good, cold, sober look at the rest of the budget. That is why we were not opposed to haste on this bill. We are ready for a vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the porvisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Fry,	Lee, A. M.,	Renwick,
Agnew,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Galley,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenshield,	McLaughlin,	Stimmel,
Cauley,	Heavey,	McNally,	Stiteler,
Cianfrani,	Heffner,	Meholchick,	Stone,
Cioffi,	Helm,	Merry,	Strausser,
Clarke,	Henzel,	Mihm,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tomascik,
Curwood,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Muldowney,	Trusio,
Dengler,	Isaacs,	Mullen,	Ujobai,
Dennison,	Jenkins,	Munley,	Varner,
Donaldson,	Jim,	Murray,	Verona,
Dougherty,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Wynd,
Foerster,	Korns,	Price,	Yetter,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reibman,	Andrews,
Frascella,	Lawson,	Reidenbach,	Speaker

NAYS—2

O'Dell,	Williams, A. D.,

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 83, entitled:

An Act transferring money from the Banking Department Fund to the General Fund.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The gentleman from Lehigh desires to interrogate the gentleman from Washington, Mr. Polen.

The gentleman will proceed.

Mr. BACKENSTOE. Mr. Speaker, in the interest of saving time and with the permission of the Speaker and Mr. Polen, I would like to interrogate at this time on House bills Nos. 83, 84, 85, 86 and 87, which I believe deal with the same issues.

The SPEAKER. The Chair can see no objection to that.

Mr. POLEN. No objection, Mr. Speaker.

Mr. BACKENSTOE. Mr. Speaker, what is the nature of the Banking Department funds which are to be transferred?

Mr. POLEN. Did I understand the question to be, what was the nature, Mr. Speaker.

Mr. BACKENSTOE. Mr. Speaker, the policy has been for many years that the excess funds earned by the Department of Banking, which is on a fee basis, are returned to the General Fund.

Mr. BACKENSTOE. Mr. Speaker, was this figure known on January 3, 1961, when House bills Nos. 1 and 2 were introduced?

Mr. POLEN. Mr. Speaker, I could not say whether it was known or not, but I believe it would have been known.

Mr. BACKENSTOE. If it was known, why were these monies not used to decrease the amount borrowed from the State Teachers' Retirement Fund?

Mr. POLEN. We did not need it for that purpose because the amount that we did transfer was sufficient. This is effective for the next biennium, as you will notice. It has been the custom to transfer it in the next biennium.

Mr. BACKENSTOE. May I ask the gentlemen if it would not save the State money and expense by paying these monies into the Retirement Fund now and thus reduce our debt?

Mr. POLEN. The amount at issue would be so small that I do not believe it would make any saving and at the same time it would disrupt the way it has been handled of transferring it effective in the new biennium.

Mr. BACKENSTOE. These bills under the lapses that were appropriated over to take care of the Public Assistance Fund, would they not normally, if that had not been the case, have been transferred into the General Fund?

Mr. POLEN. I do not understand the question, Mr. Speaker.

Mr. BACKENSTOE. Mr. Speaker, would not the lapses that were appropriated to the deficiency appropriations

for Welfare Assistance have gone normally into the General Fund?

Mr. POLEN. The lapses that were made were from the General Fund. They were General Fund lapses.

Mr. BACKENSTOE. In regard to House bill 84, would you explain to the House the nature of these monies?

Mr. POLEN. On House bill 84 there was a sum remaining of $152,107.19 from the Unemployment Relief Fund. This is just a static fund, it cannot be used, and this bill is to close this fund and to transfer this money into the General Fund to meet existing appropriations for general assistance.

Mr. BACKENSTOE. Mr. Speaker, may I ask the gentleman why these funds were not used to reduce the amount that was borrowed from the Teachers' Retirement Fund?

Mr. POLEN. Again I would say that the amount was insufficient to make any appreciable change in the amount that we would have had to transfer. Really, the purpose now is to get these funds, these various funds, which are inactive and cannot be used, into the General Fund as given in the Governor's Budget. This is one of those items. In other words, we are going to close the fund out and use it for general purposes in the General Fund.

Mr. BACKENSTOE. In regard to House bills 85 and 86, does the gentleman from Washington have any idea as to the amount which would be transferred over to the General Fund from the Toll Bridge Fund and the Veterans' Compensation Fund?

Mr. POLEN. Yes, Mr. Speaker. The estimated amount that will be transferred under House bill 85 is $159,000. The reason it is not shown in the bill is because, as you will note, the act is effective November, 1961. For that reason no amount is shown in the bill, but the amount remaining will be transferred and it is estimated at $159,000. In House bill 86, which is the same type of bill, to close out the fund, it is estimated that there will be $115,089 available to transfer to the General Fund from this special fund, which is no longer active.

Mr. BACKENSTOE. Again, Mr. Speaker, I would like to ask the gentleman if it would not have been possible to use these monies to reduce the State debt?

Mr. POLEN. I would presume that these monies could be used for any general purpose and the reduction of the State debt would be a purpose for which they could be used, if appropriated.

Mr. BACKENSTOE. Mr. Speaker, in regard to House bill 87, could the gentleman explain the purpose of this bill, please?

Mr. POLEN. House bill 87 raises the limit which can be transferred from the General Fund to the State Stores Fund from $15 million to $30 million. This, in effect, is to make it possible to pay for the large purchases on time.

Under the present system, when these purchases are made it is impossible to pay them on time at certain times with only the $15 million limit. With this limit it will make it a revolving fund wherein purchases can be made and paid for and the money returned to the General Fund and it can go up as high as $30 million. In other words, this is to expedite the payment of invoices, to make the whole situation more flexible and to permit discounts to be taken. In other words, it is to expedite the entire system of purchases and payments in connection with funds which must be transferred from the General Fund to the State Stores Fund because all the profit from the State Stores is returned to the General Fund.

Mr. BACKENSTOE. The speaker mentioned possible savings. Does he have any idea of the amount of the savings by reason of this transfer?

Mr. POLEN. It would be hard to figure on anything where there are discounts. I would not have the amount. If you are able to take the discounts and the discount is one percent on $100,000, you would save $1,000. I could not say the extent to which this might work other than if you have the funds available and you can transfer them. We have these invoices to be paid, and, in all fairness to the people that sell to the State Stores Fund, we should be able to pay their invoices promptly. That is one of the main purposes of this bill, to create a fund sufficiently large that the invoices can be paid and not have to be held.

Mr. BACKENSTOE. Mr. Speaker, does the gentleman have any idea of how long a period the General Fund money would be tied up in this?

Mr. POLEN. It is the intention, Mr. Speaker, to make this a revolving fund. In other words, if there is $20 million advanced and the fund can pay back $15 million, or the entire $20 million, or if it runs to $25 million, there is no date except that it must be paid back in thirty days after the end of the fiscal year.

Mr. BACKENSTOE. I thank the gentleman.

Mr. Speaker, as a new Member of this Body, I have heard the Majority proudly proclaim their business astuteness and their belief in fiscal resposibility. I do not believe there is fiscal resposibility when the State is heavily in debt and has an opportunity to reduce its debt easily and at little cost by an amount of $436,000 and does not.

This might be considered minor by certain individuals, but, certainly, I do not consider it minor, nor do my constituents in Lehigh County consider it minor, especially at this time when we have enough money that we can invest $30 million in liquor.

Thank you, Mr. Speaker.

Mr. McCANN. Mr. Speaker, just one minute on these points. We are not going to debate the situation. I would sincerely suggest that the men who are speaking on fiscal matters have a pretty good knowledge of the situation. As to the $30 million investment in liquor, this is a peculiar situation. This is the money they operate with in making purchases and payments and which the State Store Fund must pay. This is actually good fiscal responsibility in creating more profit for the liquor fund, which goes into the General Fund, to which all profit must go, by law.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams,	Fulmer,	Lee, A. M.,	Renwick,
Agnew,	Gailey,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gallagher,	Leonard,	Rovansek,
Anderson, S. A.,	Gelfand,	Limper,	Royer,
Arlene,	George,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jas.,	Rudisill,

Auker,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman,	Goldstein, J. H.,	Lutty,	Sakulsky,
Blair,	Goldstein, M. H.,	Magee,	Scarcelli,
Boles,	Goodrich,	Markley,	Schaaf,
Bonner,	Gramlich,	Marsh,	Schuster,
Bossert,	Gray,	Maxwell,	Seltzer,
Bower,	Gremminger,	May,	Shelton,
Bowman,	Gross,	McCandless,	Sherman,
Branca,	Guesman,	McCann,	Shupnik,
Breth,	Guthrie,	McCormack,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald,	Snare,
Capano,	Hartley,	McKeever,	Stank,
Capitolo,	Haudenshield,	McLaughlin,	Steckel,
Cauley,	Heavey,	McNally,	Stimmel,
Cianfrani,	Heffner,	Meholchick,	Stiteler,
Cioffi,	Helm,	Merry,	Stone,
Clarke,	Henzel,	Mihm,	Strausser,
Comer,	Hocker,	Miller,	Sullivan, J. A.,
Cooley,	Holliday,	Mills,	Taylor,
Crossin,	Holman,	Monroe,	Thompson,
Curwood,	Horst,	Morley,	Tomascik,
Davis,	Irvis,	Muldowney,	Tompkins,
Dengler,	Isaacs,	Mullen,	Trusio,
Dennison,	Jenkins,	Munley,	Ujobai,
Donaldson,	Jim,	Murray,	Varner,
Dougherty,	Johnson, A. W.,	Musto,	Verona,
Doughten,	Johnson, R. P.,	Needham,	Wall,
Edwards,	Jones,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Wargo,
Elvey,	Keiser,	Ogilvie,	Weidner,
Eshback,	Kelly,	Parlante,	Welsh,
Eshleman,	Kernaghan,	Pashley,	Whittaker,
Ewing,	King,	Perry,	Willard,
Farabaugh,	Kistler,	Petrosky,	Willaredt,
Fetterolf,	Klein,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Price,	Wynd,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews,
Fry,			Speaker

NAYS—3

Backenstoe,	O'Dell,	Williams, A. D.,

NOT VOTING— 8

Down,	Manbeck,	Murphy,	Sullivan, T. F.,
Kessler,	McInroy,	Odorisio,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 84, entitled:

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I desire to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. The gentleman from Cameron will proceed.

Mr. TOMPKINS. Mr. Speaker, this bill provides for the transfer of money from the Federal Unemployment Relief Fund to the General Fund. My inquiry is whether or not there are any restrictions in the Federal law under which this money came to us which forbid the transfer of this money for the use which the bill provides?

Mr. POLEN. There is not, Mr. Speaker. The money actually will be used for the same purpose as was originally enacted.

Mr. TOMPKINS. I would like to ask the gentleman another question generally on this series of bills.

As I understand it, all of these bills, Nos. 82, 84, 85 and 86 are all special funds and not part of the General Fund, is that right?

Mr. POLEN. That is correct.

Mr. TOMPKINS. The purpose of this is to eliminate completely these particular funds?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. These funds, under the special funds, are not reflected anywhere in the General Budget?

Mr. POLEN. No, these are reflected.

Mr. TOMPKINS. In the General Budget?

Mr. POLEN. I believe I am in error. They were in the Governors' message, but they are not reflected in the budget. Mr. Speaker, I might state that they, of course, are shown as revenue. Presently, as they stand now, they will be in the General Budget as a receipt or revenue.

Mr. TOMPKINS. That is what I am talking about. Nowhere in the entire budget are these amounts reflected —in the General Budget, that is what I am talking about.

Mr. POLEN. Yes, they are reflected as a receipt or as revenue in the General Budget.

Mr. TOMPKINS. That is just in the current proposed budget?

Mr. POLEN. Beg your pardon?

Mr. TOMPKINS. In the current proposed budget?

Mr. POLEN. That is correct.

Mr. TOMPKINS. Just for a little information—do I understand there are about 63 of these special funds that are in being in the Governor's . . .

Mr. POLEN. I believe the gentleman is correct and a study is being made to eliminate every one that is no longer necessary, although they have served their purpose, such as the ones we are appropriating to the General Fund today.

Mr. TOMPKINS. Do I understand that it will take legislation to eliminate any of those funds?

Mr. POLEN. I believe there is one fund that does not take legislation as shown in the Governor's message, but there are others which are being studied which will require legislation.

Mr. TOMPKINS. May I interrogate—perhaps this is outside of the bills on the calendar, but it is in general line with this series of bills which we are considering. In the special funds to be eliminated which was handed to us at the time of the briefing on this budget, there is an item of Public Building and Construction Fund of $2,562,674.86, and you state there that it is going to be reappropriated to some other sources. Will that not have to be done by legislation?

Mr. POLEN. I believe that item does not require legislation.

Mr. TOMPKINS. It is not before us now, but I certainly want to ask at the appropriate time, why?

Mr. POLEN. That is the item of Public Building and Construction Fund?

Mr. TOMPKINS. That is right, $2.5 million.

Mr. POLEN. This is a balance left over from the bond issue authorized in 1947 for $50 million. The full amount of the bond issue has been appropriated. The balance

remaining consists of premiums and interest earned on these bonds. The bond is being eliminated by appropriating $1,926,260 to the Public Building Construction Sinking Fund and $636,415 for Capital Improvements to the Department of Forests and Waters. The original bond issue was allocated between the Department of Public Welfare and the Department of Forests and Waters. No legislation is required in connection with it.

Mr. TOMPKINS. I would like to know how and why it can be reappropriated, a sum of money of this kind, without legislative action?

Mr. POLEN. Mr. Speaker, these particular amounts are being appropriated by new appropriation bills. They go into specific funds. They are for specific appropriations and the ones that we have handled here tonight, the previous bills, are going into the General Fund.

Mr. TOMPKINS. Mr. Speaker, do I understand, then, that there will be legislation in the form of the appropriation bills, reappropriating these funds?

Mr. POLEN. That is correct, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Adams,	Fry,	Lee, A. M.,	Renwick,
Agnew,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gailey,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenshield,	McLaughlin,	Stimmel,
Cauley,	Heavey,	McNally,	Stiteler,
Cianfrani,	Heffner,	Meholchick,	Stone,
Cioffi,	Helm,	Merry,	Strausser,
Clarke,	Henzel,	Mihm,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tomascik,
Curwood,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Muldowney,	Trusio,
Dengler,	Isaacs,	Mullen,	Ujobai,
Dennison,	Jenkins,	Munley,	Varner,
Donaldson,	Jim,	Murray,	Verona,
Dougherty,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, A. D.,
Fetterolf,	Klein,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foerster,	Korns,	Price,	Wynd,
Foor,	Kramer,	Pursley,	Yetter,
Fox,	Lamb,	Reibman,	Zimmerman,
Frascella,	Lawson,	Reidenbach,	Andrews, Speaker

NAYS—1

O'Dell,

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. AGNEW. Some of the Members have called to my attention the fact that we have some distinguished visitors on the Floor of the House. No other visitors are on the Floor of the House but the shock troops from the Governor's office who are over there behind the gentleman from Washington, Mr. Polen. We are not objecting specifically to their being there, except we want to call the Chair's attention to the fact that they are present. We thought the Rule was that nobody not a Member of the House, or an Officer or Page of the House, would be permitted on the Floor of the House during a Session.

The SPEAKER. The distinguished visitors are members of the press gallery.

Mr. AGNEW. Mr. Speaker, I want to see their press cards.

Mr. McCANN. The gentlemen are from the publication Office of the Administration from which is published and furnished every month to every Member of this General Assembly a publication known as the Fiscal Accounts of the Commonwealth of Pennsylvania.

Mr. AGNEW. Mr. Speaker, I am just calling attention to the fact that they are on the Floor of the House. We are not objecting; we are calling it to the attention of the Chair. The Chair can take whatever action the Chair sees fit.

The SPEAKER. For the benefit of the Members and visitors, Rule 81 says:

"Persons admitted to the House floor, other than Members and attaches, shall not be permitted to stand while the House is in session, but shall be seated in chairs provided for them.

"Visitors will not sit at the desks of the Members, or confer with them while the House is in session."

As long as there are chairs in the Hall of the House available for visitors, visitors can sit in them.

Mr. AGNEW. We feel discriminated against. We would like to have some of them over here advising us. I do not know why they are over there if they are not conferring with the gentleman from Washington.

The SPEAKER. The Chair might observe that probably that side of the House is impervious to advice and is a hopeless case.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 85, entitled:

An Act amending the act of April 22 1949 (P L 711) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Adams,	Fry,	Lee, A. M.,	Renwick,
Agnew,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gailey,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	George,	Long, Wm. Jas.,	Rudisill,
Auker,	Gibb,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibbons,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Magee,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Markley,	Schuster,
Bonner,	Gramlich,	Marsh,	Seltzer,
Bossert,	Gray,	Maxwell,	Shelton,
Bower,	Gremminger,	May,	Sherman,
Bowman,	Gross,	McCandless,	Shupnik,
Branca,	Guesman,	McCann,	Simmons,
Breth,	Guthrie,	McCormack,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenshield,	McLaughlin,	Stimmel,
Cauley,	Heavey,	McNally,	Stiteler,
Cianfrani,	Heffner,	Meholchick,	Stone,
Cioffi,	Helm,	Merry,	Strausser,
Clarke,	Henzel,	Mihm,	Sullivan, J. A.,
Comer,	Hocker,	Miller,	Taylor,
Cooley,	Holliday,	Mills,	Thompson,
Crossin,	Holman,	Monroe,	Tomascik,
Curwood,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Muldowney,	Trusio,
Dengler,	Isaacs,	Mullen,	Ujobai,
Dennison,	Jenkins,	Munley,	Varner,
Donaldson,	Jim,	Murray,	Verona,
Dougherty,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, E. S.,
Fetterolf,	Klein,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Prendergast,	Wynd,
Foerster,	Korns,	Price,	Yetter,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reibman,	Andrews,
Frascella,	Lawson,	Reidenbach,	Speaker

NAYS—2

O'Dell,	Williams, A. D.,

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 86, entitled:

An Act amending the act of January 5 1934 (1933-34 P L 219) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General, respectively.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. To make a brief statement regarding these bills and what transpired before on the last bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, in light of what the Minority Leader, Mr. Agnew, said with respect to members of the Governor's staff being on the floor, I think the real significance of that was lost in that here we have two members of this Administration before us on the floor. There has been a serious question raised about the Democrats trying to push through something which we have not had the opportunity to read. I know that these gentlemen are personally acquainted with all the provisions of all these bills that we are called upon to vote on tonight. I know they are standing ready, and they are willing and are able and quite capable of answering any question by any Member of the House. I think it is a real fine thing when you can get high Administration officials to come into this House at such a late hour and stand ready and willing to serve all the Members.

The SPEAKER. If the Chair was not such a sincere friend and admirer of the gentleman from Philadelphia, the Chair would have had to remind him that his remarks were out of order and not pertinent to the subject before the House.

Mr. AGNEW. Does the Minority Leader have the privilege of commenting on the gentleman's remarks briefly?

The SPEAKER. Since the gentleman has opened the door, I presume that the Minority Leader can walk in.

Mr. AGNEW. I am already inside, Mr. Speaker.

I would like to say that we think it is above and beyond the call of duty that these gentlemen would be willing to come out in the middle of the night, particularly since they are not Members of the House. What districts do they represent, Mr. McCormack? We only want Members of the House to be on the floor and participating during legislative debate. I agree with the gentleman from Philadelphia that I also thought the significance of my remarks was lost.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN.

The remarks of the gentleman from Philadelphia, Mr. McCormack, only accentuate the interrogation I had yesterday of the Chairman of the Appropriations Committee. His remarks would indicate that nobody, nobody, has any knowledge of these bills, including the leaders on the Majority side and they must go to the source to find out what they mean. That is a travesty as far as the passage of revenue measures is concerned.

The SPEAKER. For what purpose does the gentleman from Delaware, Mr. Isaacs, rise?

Mr. ISAACS. To make some remarks on the subject under discussion, Mr. Speaker.

The SPEAKER. Do I understand that the gentleman intends to speak about the bill or about other matters?

Mr. ISAACS. About the subject the gentleman from Philadelphia, Mr. McCormack, spoke about and the subject the gentleman from Allegheny, Mr. Agnew, spoke on.

I could not think, Mr. Speaker, of a poorer reason than that advanced by the gentleman from Philadelphia, Mr. McCormack, to abrogate a Rule of this House. Insofar as the gentlemen sitting in their seats, I have no objection, but the gentlemen were conferring with the Chairman of the Appropriations Committee, Mr. Polen, as I observed it. I thank you.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Fulmer,	Lee, K. B.,	Reidenbach,
Agnew,	Gailey,	Leonard,	Renwick,
Anderson, J. H.,	Gallagher,	Limper,	Riley,
Anderson, S. A.,	Gelfand,	Lippincott,	Rovansek,
Arlene,	George,	Long, Wm. Jas.,	Royer,
Ashton,	Gibb,	Long, Wm. Jos.,	Rubin,
Auker,	Gibbons,	Lutty,	Rudisill,
Bachman,	Goldstein, J. H.,	Magee,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Blair,	Goodrich,	Markley,	Scarcelli,
Boies,	Gramlich,	Marsh,	Schaaf,
Bonner,	Gray,	Maxwell,	Schuster,
Bossert,	Gremminger,	May,	Seltzer,
Bower,	Gross,	McCandless,	Shelton,
Bowman,	Guesman,	McCann,	Sherman,
Branca,	Guthrie,	McCormack,	Shupnik,
Breth,	Hamilton,	McDevitt,	Simmons,
Buchanan,	Hankins,	McDonald,	Slack,
Capano,	Hartley,	McKeever,	Snare,
Capitolo,	Haudenshield,	McLaughlin,	Stank,
Cauley,	Heavey,	McNally,	Steckel,
Cianfrani,	Heffner,	Meholchick,	Stimmel,
Cioffi,	Helm,	Merry,	Stone,
Clarke,	Henzel,	Mihm,	Strausser,
Comer,	Hocker,	Miller,	Sullivan, J. A.,
Cooley,	Holman,	Mills,	Taylor,
Crossin,	Horst,	Monroe,	Thompson,
Curwood,	Irvis,	Morley,	Tomascik,
Davis,	Isaacs,	Muldowney,	Tompkins,
Dengler,	Jenkins,	Mullen,	Trusio,
Dennison,	Jim,	Munley,	Ujobai,
Donaldson,	Johnson, A. W.,	Murray,	Varner,
Dougherty,	Johnson, R. P.,	Musto,	Verona,
Doughten,	Jones,	Needham,	Wall,
Edwards,	Kamyk,	O'Donnell, J. A.,	Walsh,
Eilberg,	Keiser,	O'Donnell, J. P.,	Wargo,
Elvey,	Kelly,	Ogilvie,	Weidner,
Eshback,	Kernaghan,	Parlante,	Welsh,
Eshleman,	Kistler,	Pashley,	Willard,
Ewing,	Klein,	Perry,	Willaredt,
Farabaugh,	Knecht,	Petrosky,	Williams, E. S.,
Fetterolf,	Kooker,	Piper,	Wilt,
Filo,	Kornick,	Polaski,	Wood,
Fineman,	Korns,	Polen,	Worley,
Flynn,	Kramer,	Prendergast,	Wynd,
Foerster,	Lamb,	Price,	Yetter,
Frascella,	Lawson,	Pursley,	Zimmerman,
Fry,	Lee, A. M.,	Reibman,	Andrews, Speaker

NAYS—8

Bush,	Fox,	O'Dell,	Whittaker,
Foor,	King,	Stiteler,	Williams, A. D.,

NOT VOTING—8

Down,	Kessler,	Murphy,	Sullivan, T. F.,
Holliday,	McInroy,	Odorisio,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 87, entitled:

An Act amending the Act of May 25 1939 (P. L. 191) entitled "An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for returns of such funds.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Lee, K. B.,	Reibman,
Agnew,	Gailey,	Leonard,	Reidenbach,
Anderson, J. H.,	Gallagher,	Limper,	Renwick,
Anderson, S. A.,	Gelfand,	Lippincott,	Riley,
Arlene,	George,	Long, Wm. Jas.,	Rovansek,
Ashton,	Gibb,	Long, Wm. Jos.,	Royer,
Auker,	Gibbons,	Lutty,	Rubin,
Bachman,	Goldstein, J. H.,	Magee,	Rudisill,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Rutherford,
Blair,	Goodrich,	Markley,	Sakulsky,
Boies,	Gramlich,	Marsh,	Scarcelli,
Bonner,	Gray,	Maxwell,	Schaaf,
Bossert,	Gremminger,	May,	Schuster,
Bower,	Gross,	McCandless,	Seltzer,
Bowman,	Guesman,	McCann,	Shelton,
Branca,	Guthrie,	McCormack,	Sherman,
Breth,	Hamilton,	McDevitt,	Shupnik,
Buchanan,	Hankins,	McDonald,	Simmons,
Capano,	Hartley,	McKeever,	Slack,
Capitolo,	Haudenshield,	McLaughlin,	Snare,
Cauley,	Heavey,	McNally,	Stank,
Cianfrani,	Heffner,	Meholchick,	Steckel,
Cioffi,	Helm,	Merry,	Stimmel,
Clarke,	Henzel,	Mihm,	Stone,
Comer,	Hocker,	Miller,	Sullivan, J. A.,
Cooley,	Holliday,	Mills,	Taylor,
Crossin,	Holman,	Monroe,	Thompson,
Curwood,	Horst,	Morley,	Tomascik,
Davis,	Irvis,	Muldowney,	Tompkins,
Dengler,	Jenkins,	Mullen,	Trusio,
Dennison,	Jim,	Munley,	Ujobai,
Donaldson,	Johnson, A. W.,	Murray,	Varner,
Dougherty,	Johnson, R. P.,	Musto,	Verona,
Doughten,	Jones,	Needham,	Wall,
Edwards,	Kamyk,	O'Donnell, J. A.,	Walsh,
Eilberg,	Keiser,	O'Donnell, J. P.,	Wargo,
Elvey,	Kelly,	Ogilvie,	Weidner,
Eshback,	Kernaghan,	Parlante,	Welsh,
Eshleman,	Kistler,	Pashley,	Willaredt,
Ewing,	Klein,	Perry,	Williams, A. D.,
Farabaugh,	Knecht,	Petrosky,	Williams, E. S.,
Fetterolf,	Kooker,	Piper,	Wilt,
Filo,	Kornick,	Polaski,	Wood,
Fineman,	Korns,	Polen,	Worley,
Flynn,	Kramer,	Prendergast,	Wynd,
Foerster,	Lamb,	Price,	Yetter,
Frascella,	Lawson,	Pursley,	Andrews, Speaker
Fry,	Lee, A. M.,		

NAYS—11

Bush,	Isaacs,	Stiteler,	Willard,
Foor,	King,	Strausser,	Zimmerman,
Fox,	O'Dell,	Whittaker,	

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills on the calendar out of order.

Mr. AGNEW. May I request the Majority Leader to list the bills in the order he intends to call them. I would like him to do it slowly and distinctly and I request the Members of the Minority to mark their calendars, particularly those of you who are going to debate or interrogate on each one of the bills. The Majority Leader will now indicate whether or not he will call the rest of the third reading calendar.

Mr. McCANN. Mr. Speaker, I ask now that the Majority Members mark on their calendars the bills in order as I start.

House Bill No. 93 will be No. 1. No. 2 on page 6 will be House Bill 88. No. 3 will be House Bill 89 on page 6. No. 4 on page 7 will be House Bill 90. No. 5 on page 7 will be House Bill 91. No. 6 will be House Bill 92. No. 7 will be House Bill 94. No. 8 will be House Bill 98. No. 9 on page 9 will be House Bill 101. No. 10 on page 8 will be House Bill 99. No. 11 on page 9 will be House Bill 100. No. 12 on page 7 will be House Bill 95. No. 13 on page 8 will be House Bill 97. No. 14 on page 8 will be House Bill 96.

Mr. Speaker, these are the 14 bills that will be called out of order in that manner to be voted on tonight. Each bill, I understand, is going to be debated.

Mr. Speaker, I call up on page 7, House Bill No. 93 for the first bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 93, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) imposing the tax permanently.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, I want to inform the Members of the House that I do not think they are going to be here tonight quite as long as some might have anticipated. We have no plan of delay or anything of that sort. We want to debate and interrogate, as briefly as possible, most of these bills. They are important bills and there are some things we would like to get into the record.

If the Majority Leader has plans for breakfast for the Members, I think he might as well cancel them unless he would like to invite us all to be his guests at one of the hotels later today. I do not think we will be here too late. It is very difficult to say but I do not think we will be here too late tonight.

I will ask the Members of the Minority who have asked to speak, debate and interrogate on these bills and those who have been assigned to these bills, to cover the subject but do it as briefly as you possibly can. None of us are accustomed to staying up all night and we have a job to do. It is too bad we have to do it in the wee hours of the morning, but we have been called into session for that purpose.

Now, I would like permission to comment briefly at this time on the rest of the bills on the calendar. I think we can save time because then I will not be up here too much the rest of the night and I know the Members of the Majority will be glad to hear that.

I would like to say, in answer to some earlier remarks of the Majority Leader, I do not quite understand his comments relative to Ohio. Anybody who reads the newspapers knows that Ohio has a pretty good business situation with relatively low unemployment, and that is more than you can say for Pennsylvania, which has had Democratic Governors for the last six years.

I might also comment, perhaps it is true that the business leaders in Pennsylvania presently do not have any general opposition to this acceleration of business taxes. The Majority Leader indicates that they have been consulted and they have approved and he indicates by his comments what we have long suspected, that the Democratic Party is the Party of big business in Pennsylvania. I will admit that things have changed in the last twenty years but change they have.

I might also say that the Governor's program seems to take care of everything else but shoves the big problem facing the Commonwealth, education, finances and so forth, into the background. He wants to pass this program and then he wants a special committee on Education to make its report, and I predict—I repeat, I predict—that the Governor will not make a recommendation, but that the Governor will merely submit his program to the Legislature and say, if you want to take this, you will probably have to raise some tax money to pay for it.

I do not believe the Governor is in any position to take the lead as he has not taken the lead on any single subject since he has been in office, with the exception of Highway Safety. We give him credit for having a program there: we give him no credit for having a program anywhere else.

Now, there will be another tax program proposed by the Majority, if not by the Governor's office, sometime later this Session. That is a prediction. Whether we have a short businesslike Session or whether we are here for the best part of the year, I want you to remember my remarks. I am taking a calculated risk. You may be able to throw them back at me later on, but, on the other hand, I am on the record right now with my prediction and I can assure you and I will remind you of my remarks tonight when additional taxes are proposed later in the Session. We have an idea that the Governor, "the silver fox from the Golden Triangle," has a few legislative proposals up his sleeve which may be of some interest to the Members of this House later on this year.

Now we are ready to have you roll your bills tonight. We have Members slated to debate and to interrogate. I repeat, I ask them to be as brief as possible although we want the subjects covered and we hope we can be out of here within a reasonable time.

House bill No. 93, as I understand the bill, merely makes the realty transfer tax of one percent, a State tax, permanent. Now, the people have a saying that when their Representatives impose taxes on them there is no such thing as a temporary tax. All our taxes have a habit

of becoming permanent and I notice that several of the bills tonight impose what are now temporary taxes on a permanent basis. I think the Democrats are proving the saying of the people to be true and they are making the taxes permanent in six or eight instances tonight.

I would like to interrogate the gentleman from Washington, Mr. Polen on House bill No. 93.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated once again?

Mr. POLEN. I will, Mr. Speaker, but I would like to ask permission of the Chair and the Minority Leader to make a brief statement explaining my role in this House tonight.

The SPEAKER. The gentleman is at liberty to make a brief statement at any time he desires.

Does the Minority Leader yield to the gentleman from Washington?

Mr. AGNEW. I yield to the gentleman.

Mr. POLEN. Mr. Speaker, the Majority Leader, Mr. McCann, asked me if I would get as many of the facts together as I could for the information of the House on this particular series of bills. I want to say I have done that in no partisan nature. I have attempted to get the facts in connection with these bills so they are available for all the Members of this House. And it is no partisan debate so far as I am concerned. I am attempting, to the best of my ability, to give you the facts. I will say that it was quite a difficult job to assemble them. I certainly do not know all the answers. I have had to call on many people to help me get them, and I think the Minority Leader recognizes I am just a poor farm boy down here in the city trying to make good, and, if he will, I ask him to be as lenient as possible with me.

The SPEAKER. The Chair now recognizes the Minority Leader, who desires to interrogate the gentleman from Washington.

Mr. AGNEW. Mr. Speaker, we know the role of the gentleman from Washington. He may not know too much about this budget but he knows more about it than anybody in this House. We give him credit for that. We sympathize with his predicament. Nobody, not even the gentleman from Washington, can absorb this budget or these tax proposals in 8 hours. Ordinarily he would have had three or four weeks or more to study them and, with his knowledge of the subject, he would have been more adequately prepared at a more normal time. We do give him credit, though, for knowing more about the subject than any other Memebr of the House.

Mr. POLEN. I thank the gentleman, Mr. Speaker.

Mr. AGNEW. The simple interrogation I have for the farm boy from Washington County is merely to ask him to explain the purpose of the bill. I am sure he can do that.

Mr. POLEN. Mr. Speaker, this bill makes permanent the present one percent tax on realty transfers. The tax has been reenacted on a temporary basis since 1951. The estimated yield of this tax during the '61-'62 fiscal period, thirteen months, is $23 million.

Mr. AGNEW. The gentleman's answer took care of my second and third questions and I thank the gentleman. I believe we are ready to vote on this bill at this time.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I am sorry to see this type of tax made permanent. It is a special tax upon special transactions and there are many, many instances where this kind of a tax works a very distinct hardship on widows and orphans who have to sell their properties which they have inherited and are penalized by paying a tax to the Commonwealth.

A specialized tax of this kind is never a good tax, in my estimation. I had hoped to see the time, sometime, when this particular tax could be repealed and the revenue dervied from it to be assimilated in a more broad-based tax structure, or into our broader-base tax structures which are now on the books of this Commonwealth and which went on under the Republican administration of 1953, when we were the Party who initiated the broad-base tax and eliminated the posibility of any increased taxes, properly, on business in this state.

That was initiated and instituted by the Republican program when we passed the sales tax in 1953, and for which we received not one vote from the Democratic Party in the State. I thought I had it licked in the '53 Session. I was in a position where I was fairly sure we were going to get this particular tax repealed since we were passing the broad-based sales tax, but, unfortunately, "there is many a slip between the cup and the lip," and something slipped there. So we did not get it done.

I regret that this tax is being made permanent. I think it ought to be repealed. It is a poor tax and it certainly works a hardship on many individuals in this Commonwealth who ought not to be taxed or have their estate taxed by a special tax under this kind of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boies,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,

Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 6 of today's calendar, House Bill No. 88.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 88, entitled:

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), increasing the rate of the tentative and the annual tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. I yield to the gentleman from Cumberland, Mr. Kistler.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, Governor Lawrence, speaking before the Joint Session of the General Assembly on January 16, said, and I quote: "The final deficit . . . will be substantially reduced from its beginning total, in spite of the effects of business recession and growing unemployment.

"It will be approximately $86,000,000 as estimated on our present judgment of revenues and expenditures to the end of the biennium. That is $56,000,000 less than the deficit with which the fiscal period began and, consequently, represents a substantial improvement in our position.

"We are confronted, however, with necessity of paying off this accumulated deficit in one fiscal year, instead of in the twenty-four months of a biennium, and of doing this over and above all the operating requirements of the General Fund.

"I now suggest to the Legislature that it take what we consider appropriate measures to prevent the deficit from actually occurring. This can be substantially accomplished without the imposition of additional taxes. We recommend, instead, that a major group of present business taxes—specifically, the corporate net income tax, the tax on bank shares, the utilities gross receipts taxes and the tax on foreign life insurance companies—be accelerated to a base of 80 per cent prepayment before the new fiscal period begins on June 1.

"The increased yield in revenue to the Commonwealth will be $82,000,000—an amount which approximates the remaining deficit which must otherwise be carried over and discharged in the new budget period.

"No increase in rate, or in total tax burden is involved. It is simply a matter of timing, in which the anticipation of the taxes ultimately due gives the Commonwealth the opportunity to wipe out a non-recurring deficit with a non-recurring tax payment advantage."

Mr. Speaker, may I respectfully state, no administration that claims to be fiscally responsible should predicate the expenditures of this Commonwealth upon 80 per cent of anything so illusive as a tax based on estimated corporate net income. This is not sound, nor is it fiscally responsible.

Under this proposal corporate net income may be paid that may never come due. Should this occur on a large scale, as it could in a marked recession, this Commonwealth would accumulate a deficit in its anticipated revenue that would make the current $82,000,000 deficit look very good, indeed.

For example, let us suppose that a corporation incurs an estimated State income tax liability of $5,000. Under the Governor's proposal the corporation would pay $4,000 towards its 1961 estimated State income tax liability. At the end of the year, let us suppose, the final State tax liability is only $2,000. The Commonwealth of Pennsylvania will receive no further revenue from that corporate taxpayer in subsequent years until the $2,000 tax credit, thus earned, has been absorbed.

Extend this figure to millions, for we speak in terms of millions and hundreds of millions when we discuss the State budget, and then ask yourself, is this administration fiscally responsible when it asks this Legislature to enact House Bill 88, or is it playing Russian roulette with the State's finances while it prayerfully hopes that we will suffer no substantial recession until this administration reposes in the history books?

You cannot meet State payrolls nor any other form of State obligation with corporate taxpayers' credits, no matter how many, many millions of dollars they may be.

Mr. AGNEW. Mr. Speaker, I desire to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, I ask the gentleman under House Bills 88 and 89, will the passage of these bills bring in any additional revenues during this current biennium?

Mr. POLEN. They will, Mr. Speaker.

Mr. AGNEW. Approximately how much?

Mr. POLEN. The amount under House Bill 88 is very small, but, under House Bill 89, during this biennium it is estimated that it will bring in $35 million. That is due to the additional acceleration from 50 to 80 per cent.

Mr. AGNEW. I thank the gentleman and I would like to point out that the bills we are passing tonight are not entirely for the next fiscal year. They are bringing in additional revenue during the present biennium.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I hear some voices from the

other side. Maybe they do not live in a depressed area like I do. Maybe they are not concerned with people having jobs, like I am. That is why I am up here speaking.

I live in a labor-depressed area of eleven per cent, and we have been trying to lift ourselves by our own bootstraps. We did make a considerable start before the State intercepted with their Industrial Redevelopment Program, and we were recognized by the State for so doing in the Blair County-Altoona area.

Here is a fact that has been made prominent again on the increased one per cent. I had hoped to see the time when that one per cent could be dropped, and that the industrial tax upon business and corporations in Pennsylvania could not be made just equal, possibly, with other states, but be put in such a position that we would be more than favorable as compared to other states to attract new industries into this State. What we need in Pennsylvania, as I believe anybody recognizes, is more employment and more opportunities for employment. Otherwise we would not have 412,000 people on the relief rolls, and would have possibly only 200,000 people on the relief rolls. Now let us consider the matter just for a minute. If we would have such a favorable business climate in Pennsylvania that corporations expanding in other states that do not now do business in Pennsylvania, and our business climate and tax climate in Pennsylvania would be so favorable that they would like very much to come in here, there would be a good possibility, probably not a probability but at least a good possibility, that half of that relief roll could be wiped out. That would not only help the State from a fiscal standpoint by not having to appropriate millions and millions of dollars to carry those 200,000 but it would likewise bring in considerable annual revenue from the purchasing power of those 200,000 that were gainfully employed. That is the problem in the State today, to get these 212,000 people employed, and not keep them permanently on the relief rolls.

I possibly could be prodigious and backed up by the remarks made by our Floor Leader, Mr. Agnew, that possibly there is a trend to keep these people on the relief rolls by this administration. I do not know. It seems to me sometimes that the trend is leading that way. I hope not; I hope that is not the situation.

Here is a tax that is making it permanent now at six per cent. I still say that while we are getting fairly competitive with other states taxwise on business in Pennsylvania, we still are not in a position to really be in a good biddable condition to attract industries into Pennsylvania. Certainly we are not getting as many into Pennsylvania in the same way as other big industrial states are getting them into their states. That is a foregone conclusion and, I believe, a basic fact.

What we should try to do, as I said before, is to make our industrial climate and our tax climate so favorable that it would be a comparatively easy matter to attract industry into this State. I am not talking now about industry expanding in Pennsylvania, those industries that are already situated here. I believe we have created and are gradually creating a climate whereby they are not moving out as fast as they did for a while. That was the case during some of the past years. But, I want to say, Mr. Speaker and Members of this House, when you are trying to help an unemployment situation in a depressed-labor area, it is not just a matter of approprating money and saying, here is money, go ahead and get industries into your area. It is not that easy. It is not as easy a matter as growing a head of green lettuce, in an area that is a depressed-labor area and saying, here it is, go ahead. Now you are all fixed up and industry has got to come in, and that is going to solve your unemployment proposition. It is not that easy. It takes a lot of know how. It takes a lot of plans. It takes a favorable labor climate. It takes a favorable tax climate. It takes a favorable industrial climate. It takes a favorable social one. It takes all of these things in order to get new industries into an area.

We must remember that attracting industry into an area is a very, very highly competitive proposition today. One area is doing it and every other area is trying to do the same thing, all over these United States. So we have very stiff competition.

I do not believe for a minute that by passing this kind of legislation the depressed areas of this State are made happy in their efforts to attract new industry into the State. Not inside the State, but to get new industry in from outside the State and get them to expand in our local depressed labor areas. That is the point. I do not believe, and I am firmly of the conviction, that this kind of legislation is not good insofar as our overall industrial development program is concerned. There was talk last Session of dumping this extra one per cent, that is only temporary, but it did not come to pass. And here we are now in this fiscal period making it permanent. That means it will never be taken off. I am sorry to see it; I do not like to see it. I would rather have had it stay temporary, at least, and maybe in another biennium we could have seen fit to drop this extra one per cent. Certainly that would have created a more favorable tax-wise and industrial climate for new industry to come into our State and settle in these depressed labor areas. Right now in Altoona we have a building, as I think some other depressed areas have. We are ready to put a new industry into that building if we can get it in, but we have got to get these industries from other states to move in here first, and they have to be satisfied on all these counts before we do that. Here we accelerate corporation taxes.

I am wondering about a corporation, perhaps a business, that is thinking of coming into Pennsylvania to settle from another state, and I am going to preface my remarks on that by saying that I do not believe there are very many, if any, there may be a few of the states in this Union that have as high an acceleration of corporation taxes as you propose under these present bills, these two bills that we are now considering, 88 and 89. I am wondering what they are going to say when they come in and say, what is your tax climate here? And they ask around and find out that they are going to have to eccelerate their taxes by 80 per cent, where they do not have to now. Can you tell me that will not be a distinct deterrent to bringing corporations and business from another State into this State? I say that it will, and I say that this hasty legislation you are passing here now is ill-conceived and ill-thought out on a long-range program on your overall development program. I say that it is a disadvantage to attracting industry into this State. I say it is a disadvantage to developing your industrial program—development program—in this State, and I believe if there had been time to think it out and it had been somewhat delayed and business in general could have been consulted

about this type of tax as to how it would affect the industrial development program, that if the Administration had been sincere in what they are trying to do, to put these people back to work, they would not have proposed this kind of a tax. I certainly hope it will not pass, but I suppose it will.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 89, entitled:

An Act amending the "Corporate Net Income Tax Act" approved May 16, 1935 (P. L. 208) increasing the rate of the tentative and the annual tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107.

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94.

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7.

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 90, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent rate of tax and eliminating the temporary tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, the other day I was talking to Chairman Dean Polen. I said "You won't hear very much from me this Session from the microphone." He said, "Oh, you are just like a horse at the starting gate. You will be out there at that microphone before we know it." So here I am tonight and I am going to say a few words about House bill 90 and I might just as well say something about House bill 91, too.

First of all, I am sorry Representative Dougherty has left the House. Everybody has made a little speech tonight, and I think I can indulge for the moment.

I am amazed at the tremendous zeal and alacrity with which he risked his health to come here and vote these taxes. I am sorry he has left. I would like to address myself to him.

Let us talk about the tax program as a whole. That, in effect, is what is being done.

Here we are tonight on this gasoline tax. Personally, I would like to have been able to interrogate the Secretary of Highways about this program. Why? Because it is an important thing to the people of Pennsylvania. That goes without saying. Roads are an important thing. Earlier this week we were told there would be no hearings this week on the Highways budget, so, therefore, we would not know just what the gasoline tax would bring in, how you are actually going to spend the money, and so forth.

So tonight we are being asked to vote on this gasoline tax. the innuendo again being, you vote the tax in now and we will tell you later how we are actually going to spend it. Now, folks, that is not right. That is not the way you should do things. Our Minority Leader has said you have a thing going on here which has never been seen before in the history of Pennsylvania, early in January putting these taxes on the people of this State without any thorough preparation by any of us as to what the real impact is. Sure, it is $82 million you are asking business to pay now. It is $82 million. That is going to be a tremendous blow to the economy of this State, plus the $102 million that business will pay anyhow in normal taxes now before April 15 and May 15. It is going to be a big blow to the economy of Pennsylvania. I can see why you probably need the money, but it is too bad that good bookkeeping and good husbandry has made it necessary to accelerate this $82 million.

Let me just tell you quickly something about this Highway budget, about this demand for the two cents. It may be right, I do not know, I do not have the figures, but let me tell you something about the biennium which has just ended. The figures that we got in 1959 showed that there would be $481 million coming in from existing taxes and revenue of the Motor License Fund. How much did come in? Fve hundred two million. Of course, I grant you that we doubled up on the operator's license and made it double the fee, which would bring in more money, but there was $502 million to spend, not counting Federal aid. That total is $20.5 million more than was estimated.

Likewise, Federal aid. You know everybody said last biennium that this coming biennium, unless we went ahead and raised gasoline a penny and put $5 more on the license plates we would lose Federal aid. Did we lose Federal aid? No, we did not. The Administration estimated in the budget that Federal aid would be $197,-280,000, the innuendo then being that if you put on the extra penny and the extra $5 that is what we would get to match the Federal money. What did we get? We got $214,300,000 in Federal aid, or $17 million more than the Governor's Budget called for, and, mind you, without putting on the penny gas tax and without raising the license plates $5, which makes a total of $37.5 million more money that came in than was estimated in the budget that we are working on now for the Highway Department.

Here are some other figures which you will be interested in:

The Governor's Budget estimated that if that new tax went on 100 percent state roads would get $124.2 million. How much money did you spend on 100 percent state roads this biennium? $90.3 million. So we were told, we rural people, that if we did not go for this gas tax and go for the $5 on the license plates, on the 100 percent state roads there would be no money for us. The fact remains that the Highway Department—and I think it very commendable that they did it—spent $90.3 million on 100 percent state roads in this current biennium, actual and estimated expenditures.

I am pointing these things out because I tried to analyze the present budget, cut it down to 12 months, so we could get a comparison, and it has been quite a job. You must first divide by 13, then multiply by 12, or arrive at a percentage of 9.23, and you can cut it down. There is not an awful lot of difference in this Highway budget this time and the time before, except I grant you that if the two percent gasoline tax passes you say we will give you $79 million in one year on your 100 percent state roads. There is not an appreciable increase in the other items on roads except the urban roads which would be $20 million more money, which I suppose is what Representative Dougherty is talking about in Philadelphia. We are not able to properly know about this budget, what the revenue is going to be and what counties the 100 percent state roads would be built in. We have not been afforded that opportunity.

I know there are some here who would be disposed to vote for a gasoline tax because of the critical condition, but as it has been thoroughly pointed out here, here we are at now ten minutes of three in the morning, there have been no hearings on this gasoline tax budget, and nobody knows what they are voting for, or just what the impact will be on business or on the community, or just what roads are going to be built.

Therefore, at this point I am not going to vote for this two-cent gasoline tax. I think we should know more about it. We should have a chance to talk to the Secretary of Highways and find out just what he has in mind, just what the program is, just what the plan is, how the rural counties are going to fare.

We would like to know whether there is a plan to take over these roads in the city of Philadelphia, the city roads, and make them state roads. How many do they plan

to take over in the city of Pittsburgh? How much will it cost? What kind of deals have they made with various communities and with various cities?

I do not know what you did in your caucus, you people last night who caucused, what demands were made, what is the situation? Goodness knows what might have happened, but the fact remains we do not know much about this gasoline tax budget and we should know. We should have more facts and should have been able to listen to and interrogate and find out from the people who know what they are doing, just what they have in mind.

I cannot complain of the job they did in the last two years. I think it is commendable that they spent $90 million on 100 percent state roads. I think it is wonderful they were able to get $214 million in Federal aid when they thought they could only get $197 million. And they did it without raising any taxes, mind you. As I say, I think they have done a good job and I assume they will do a good job in the next year, but we do not know. We have not been able to find out and, therefore, that is one reason I am here at this microphone tonight.

Mr. McCANN. Mr. Speaker, on the two bills, House Bill No. 90 and House Bill No. 91, known as the revenue raising measures for the Motor License Fund, these are the proposals that, if enacted into law at this time will ensure to the Secretary of Highways, whom everyone agrees is a man who is doing the job that needs to be done in Pennsylvania, the necessary funds and will give to him and to this adminstration the green light to proceed with contracts in every county on the 100 percent state highways as well as the Federal and Interstate System highways.

Tonight, as we meet here in this House, the major associations, such as the Anthracite Expressway Association, on its AP wire release that came across the teletype endorsed this 100 percent. President William Yoder of Mount Carmel said the Association assumed a fair share of the money allocated, if this program is adopted would be spent on the Anthracite Expressway construction. That assumption is right. If we spend it. The Keystone Shortway Association, has approved this program at its board meeting and, yes, there have been public hearings, over 200 in Pennsylvania, at which the Secretary of Highways has spoken in counties of every Representative in this room, including McKean, the home of Mr. Johnson. He has said before these groups that he cannot build the roads without the revenue, that to do this he must have the revenue measures that will enable the Department of Highways to properly proceed.

By doing this tonight—this is not haste—we are saying to the Secretary of Highways, we like what you have been doing, we want you to proceed in a proper manner to build Pennsylvania's roads and, yes, we approve of the one cent for work on the 20,000 miles of state highways that receive no other funds for repairs or replacement than our own state funds. These you will find in every county in Pennsylvania. I am here tonight as a rural Representative from a small county, and many of you are in the same position as I, in that you know how many bridges there are that need to be replaced, you know how many miles of state 100 percent highway is in your county.

Many of you and your constituents at various times and in various places have met and spoken to the Secretary of Highways and his representatives in asking for these projects, and these are the projects you want. If we proceed in this manner tonight, we are saying that we do believe in this because it will do something for Pennsylvania's industries, the basic home of steel, of cement, that it will do something towards building the roads which we need to bring industrial corporations and companies into Pennsylvania, because many of you have said that we need the highways to locate these plants in our counties. Last, but not least, and most important, the contractors who build these roads, when they have the contracts, do employ people. They do have people working, and this, in turn, you know quite well, is an industry that has not at this point moved at its highest peak.

When this passes tonight, what is ready to go now? In February, $6 million worth of projects; in March, $73.5 million in projects; in April, $28 million worth of projects; in May, $21 million worth of projects; and planned up to June 9th of this year at this point three and some tenth millions, or, roughly, $131 million worth of projects are ready to move in Pennsylvania to the contractural and bidding stage. Then comes the steel and the cement and the employment, and I hope the people will be taken from the UC rolls and the Public Assistance rolls. This is why we are for the program. The Secretary of Highways has outlined, time and time again, the need for these funds. He has outlined in many cases the programs that you, yourself, have talked about.

Tonight at this hour my memory is not hazy. I can name county by county projects for which people of your county, organizations of your county, Chambers of Commerce of your county, industrial development groups of your county, county organizations of many names and titles are seeking help for, and they have met with that man called the Secretary of Highways regarding their projects. Always the answer has been honest and factual, "I can only build it if I have the revenue to pay for it." This you cannot deny.

Here is a man whose fiscal responsibility is bound by a separate fund under our Constitution. Each of you are aware of that. This is a proper tax because it is we, the users of the highway, who pay this tax, including all who travel, whether they be Pennsylvanians or not. If you say this tax increase is out of line, you have in your possession the record which shows from the Budget on January 16th what the tax is in other states, the present tax, and where there is proposed an increase in any state, whether you talk about New York, New Jersey, Delaware, Maryland, West Virginia, Ohio or California. I have always liked the theory that is advocated by many people. Sometimes it makes the most remarkable answer, when a man will speak to you, as they have often spoken to each of you and say, "You are a Representative. You can help us get this road." You have heard that many times. You have always stated that you will try, because it is in your legislative district. That is a very logical answer. And you have tried to help, there is no question about that. But tonight you have your choice as rural Members, as I am. To all Representatives in this room who have no controlled access highways program in their areas, I say there are counties in which there are none,

and then there are in each of those counties the 100 percent State highways and bridges. This revenue raising measure covers the rural areas, which I say has long been needed to be taken care of because the last man who did the most for this highway program in Pennsylvania was a Governor by the name of Gifford Pinchot, and the next man will be one whose name is David Lawrence.

I am only speaking in general terms. Your papers back home, in many small areas, have taken editorial positions and have been working hard for highway projects that they want. They have spoken openly of their position. We have them here and so do you. You read your own newspapers. That is the first thing you do as a Representative. I read it after you do to see what position they take, because you generally know ahead of time what that position is going to be.

I say to the people of Pennsylvana, to all the people of Pennsylvania, that there is no haste to this program, only sincerely in getting it accomplished and getting the green light to proceed, because what you do now in winter affects your construction period which starts in the spring. Our goal is that in this spring construction period the projects will move and they will move in every county of this Commonwealth, including those counties for which you have asked for these projects.

Mr. Speaker, I, of course, had hoped that there would be far greater expression regarding support of these tax measures, revenue raising measures, on which so many people have asked you to help, which you want to give and which we want to give, because each of those counties is a part of our great Commonwealth and we want roads to be built in this Commonwealth. Therefore, I say to you honestly and sincerely, this is the tax measure that you yourself have in the palm of your hand to move in the direction you want, it to move, and you can do it.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS. Mr. Speaker, I want to make just a few remarks regarding this proposed two cent increased tax on gasoline embodied in House Bill Nos. 90, 91 and 92. My remarks will partially cover all three bills and I hope that is in order.

Before I do, I would like to make just one comment. I would like to be consistent in my advocacy of economy. However, whoever installed these microphones forgot that some of us grew over six feet. There is not enough bar and there is not enough wire to get it up where it should be. I would appreciate the Chief Clerk looking into it.

I would like to ask a few questions and these are rhetorical questions and I doubt if we are going to get any answers that we have not gotten so far this evening.

Is the immediate doubling of construction work on the rural roads necessary to be accomplished in the space of a single year? Can the Highway Department, in fact, actually spend in one year the enormous amount allocated to it in the Lawrence Budget, particularly the almost $80 million earmarked for the feeder roads?

Is the Governor not, in fact, trying to get a two-year budget in a one-year budget, in a first one-year budget?

These are not my questions. Most people recognize these questions already having been printed on the editorial pages of one of the leading papers of this State, a paper in a city represented by, I think, 38 Members of this House, the Philadelphia Inquirer. Excuse me, 38 Members of the other side. Mr. Lee reminds me he is here as well.

I would just like to quote one other sentence from that editorial and then I would like, for brevity, to have this article reproduced in the Legislative Journal. This is the quotation that I think is most important to the people of Pennsylvania:

> This—what we are participating in tonight—"exhibition of contempt for the public has not made the gasoline tax rise look any better. It is being jammed down the consumer's throat, without any proof of its necessity."

It looks like, regardless of what I or any of us say here tonight, we are going to get a two-cent gasoline tax if they can get it through the Senate. Most intelligent prognosticators indicate that there will probably be a cent and a half increase at the Federal level. As far as I am concerned, this is going to be a boon to only a very few people. The foreign car maker and perhaps those of you of the public who were smart enough to buy or operate Larks, Ramblers, Corvairs and Valiants will be able to smirk. However, the vast majority of us who are still driving old Chevrolets and Fords are going to suffer.

Another question I would like to ask, I wonder if the Majority has checked with their friends of organized labor to consider the effect of this levy on automobile manufacturing in Pennsylvania.

Because I come from the fastest growing county in this state where the road problem is fantastic, I cannot describe it in figures. I was one of those, quite frankly, who was thinking seriously of voting for increased funds for the Highway Department. In fact, I would like in good conscience to be able to do so if I had some facts on which to base my vote. The people of my county, Bucks, and of most other sections of Pennsylvania, need better highways and they need increased maintenance and repair of existing highways. However, Governor Lawrence would have us believe that on his word alone that an increased gasoline tax of two cents per gallon is the answer and, apparently, the only answer.

He has provided us no facts and he has showed us no program, regardless of what the gentleman from Greene, Mr. McCann, may say tonight. I, for one, refuse to participate in this railroading of new taxes upon the citizens of my county and of this State.

Before voting for an increased gasoline tax, I think both the public and this House are entitled to know how the funds are to be spent. At the present time, as Mr. Johnson has so eloquently explained, we just have no information.

The Highway Department in this State, so far as I am personally concerned, is the refuge for thousands of faithful Democratic party workers rewarded for political prowess rather than professional skill.

In my personal opinion until some form of civil service is enacted to remove our Highway Department and our highway system from the political football arena, I, for one, cannot vote to allow Governor Lawrence to fulfill his political obligations. I have in the past and will continue in the future to introduce bills to enact a civil service program so that our Highway Department can be operated on a twentieth century basis.

Finally, I believe this is going to be a shock to the

borough councilmen and township supervisors all over Pennsylvania when they learn that they are going to be robbed or have stolen from them approximately $7,400,000 per year if these three bills pass.

These bills, 92 specifically, will deny these boroughs and townships, the small municipalities in this state, their customary twenty percent of one cent of this additional two-cent levy. I think that these, among many other reasons, are reasons why we in good conscience cannot vote for this program at this time. I would appreciate it if the clerk would have this printed in the Legislative Journal.

Mr. A. D. WILLIAMS submitted the following editorial for the record:

NO RAILROADING OF STATE 'GAS' TAX!

"It is a good rule for any legislative body when it receives a budget program from the executive branch, to establish the need of the appropriations requested, before approving them. This is all the more desirable in the public interest when the budget proposals call for additional taxation.

The rule has been thrown to the winds by the Democratic leadership at Harrisburg in its attempt to railroad to passage Governor Lawrence's plan to raise the State tax on gasoline from five to seven cents a gallon. This abrupt increase of nearly 50 percent in the State levy would mean a total tax on the motor fuel in Pennsylvania of 11 cents—with further Federal increases on the way.

The need for this boost has never been satisfactorily explained, although it would be grossly unfair to an already heavily taxed industry and would add new burdens to the operators of motor vehicles. No luxury, but an indispensable product, gasoline has been continuously picked on as a subject of added taxation, without regard to equity.

Total highway requirements in the two-year 1959-61 fiscal period were $715,000,000. Yet for the one-year 1961-62 period for which the new budget is to operate, Governor Lawrence places total highway requirements at $473,102,026.

In order to produce that amount, he says that an additional income of $73,100,000 must be furnished to the motor license fund, and his recommended 2-cent boost in the gasoline tax would conveniently raise $74,000,000.

A large part of this additional revenue would be used to support a Lawrence project for "doubling" highway department work on the 20,000 miles of rural roads for which the State receives no Federal aid.

Now it would seem obligatory for the Legislature to ask Governor Lawrence and highway revenue aides some pertinent questions about his proposals. Is the immediate doubling of construction work on the rural roads necessary, to be accomplished in the space of a single year? Can the Highways Department, in fact, actually spend in one year the enormous amount allocated to it in the Lawrence budget, particularly the $79,900,000 earmarked for the feeder roads?

A corollary question may be pressed as to whether the Governor, in this and other portions of his budget, is seeking to obtain a two-year supply of funds in a one-year budget.

What has happened in Harrisburg, instead of any legislative scrutiny of the budget or public hearings on it, has been an exhibition of railroading almost without parallel. The Governor submitted his budget on January 16. The next day the gas tax bill was introduced in the House. Back in session this week, the House Ways and Means Committee quickly cleared the bill and reported it to the floor. The party leaders in their hurry to pass the measure may call it for final action at a special aftermidnight session of the House on Wednesday. Holding a majority in that chamber, they hope to override a Republican-backed amendment cutting the tax rise from two cents to one cent.

This exhibition of contempt for the public has not made the gasoline tax rise look any better. It is being jammed down the consumer's throat, without any proof of its necessity.

If the House persists in its reckless speed on this bill, we can still hope that the more closely divided Senate will call a halt to the railroading and act only after getting all the facts."

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, I would like to direct a few questions to the Floor Leader, Mr. McCann.

Mr. Speaker, I yield to the gentleman from Bucks, Mr. Gallagher.

The SPEAKER. The gentleman from Allegheny, Mr. Walsh, yields to the gentleman from Bucks, Mr. Gallagher.

Mr. GALLAGHER. Thank you, Mr. Speaker.

I am amazed at the remarks of my colleague from Bucks County, especially when he prefaces those remarks by saying that Bucks is one of the fastest growing counties in the state, which it is, when we are in such dire need of highway improvements, that he can get up here on the Floor and say that he opposes this tax because it does not give us what we are after.

I have here in my hand a list of eight primary highways that are in dire need of reconstruction, which I have been assured by the Highway Department and by the Governor that under the new program they will be taken care of.

I am amazed, also, that he can get up there and say that he is opposed to this program because we have not had this type of road program in the past, and then because of civil service and because of an antiquated Highway Department that we are away behind the times.

I asked the gentleman if he would care to be a cosponsor to a resolution I introduced this evening calling for the removal of the district engineer of District 6, who happens to be a member of his party, appointed eight years ago by predecessors in his party and who has failed to recognize the problem in Bucks County through these six or seven years of great expansive growth.

I think the gentleman should clear up his own reasoning on these matters. Possible, the newspapers will overcome this. In our county we happen to have a newspaper that likes to take his side of the story and not the practical side of things.

We have a tremendous problem in Bucks County and that problem is one of reconditioning, rehabilitating and rebuilding the 100 percent state roads. We cannot do it without money. I think the first thing, and the first honest obligation of any Legislator in Bucks County, is to recognize this problem and to provide the money necessary to do the job. Then, if that is not the answer, if that is futile, he should get up here and criticize the Administration and the Highway Department, and not try to hang his hat on some type of proposed civil service for the Highway Department. I think the gentleman is much in error, Mr. Speaker.

Mr. WALSH. Mr. Speaker, I think I have the floor. I yielded to Mr. Gallagher. I would like to direct a few questions to the Majority Leader.

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. WALSH. Mr. Speaker, it is my understanding that on these 100 per cent State roads, the 100 per cent financed State roads, that Pennsylvania labor, Pennsylvania cement and Pennsylvania steel would be specified in the contracts?

Mr. McCANN. Mr. Speaker, under the 100 per cent State road program the Secretary of Highways has and will do everything possible to bind into each contract wherever possible the Pennsylvania labor clause, which you find in some contracts now, and the Pennsylvania products, however it can be worked in.

In fact, may I say to the gentleman from Allegheny that the Secretary of Highways and the Governor also appeared in Washington dealing with the Bureau of Public Roads decision on the use of foreign products which set aside the order dealing with that very item, cement and steel, in trying to help Pennsylvania's industry, the major home of cement and steel being here in Pennsylvania, and through the testimony that was given that order was set aside at that time. I assure the gentleman that the Secretary of Highways has indicated that he will do everything humanly possible in this direction.

Mr. WALSH. I thank the gentleman.

My reason for asking these questions, I am a former road contractor and I know in competitive bidding the contractor is going to go out and buy his supplies wherever he can get them the cheapest. When I was in the game, I know there was cement brought in here from Belgium. I know there was steel brought in from other countries.

I do not like to vote for this two-cent gasoline tax any more than anyone else does. But I feel, and I come from a steel town, that it is going to bring some work to our men, it is going to build these roads and I think it is worthwhile.

I thank you.

The SPEAKER. For what purpose does the gentleman from Bucks, Mr. Williams, rise?

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to reply to the remarks of the gentleman from Bucks, Mr. Gallagher.

The SPEAKER. The gentleman is in order.

Mr. A. D. WILLIAMS. Mr. Speaker, the gentleman is obviously privy to certain agreements which I do not have the contact to be privy to. He apparently has an agreement with Governor Lawrence and the Secretary of Highways, Park H. Martin. I wonder if the gentleman from Bucks, Mr. Gallagher, would permit himself to be interrogated?

The SPEAKER. Will the gentleman from Bucks, Mr. Gallagher, permit himself to be interrogated?

Mr. GALLAGHER. I will, Mr. Speaker, although the hour is late.

Mr. A. D. WILLIAMS. Mr. Speaker, I wonder if the gentleman from Bucks, Mr Gallagher, would be so kind as to read into the record the list of the eight highway improvements which we in Bucks County can expect under this agreement which he has achieved with Governor Lawrence and Secretary of Highways Park H. Martin? I think it will be of great interest to my county and to my constituents.

Mr. GALLAGHER. Mr. Speaker, I would like to say this in answer to the gentleman from Bucks, Mr. Williams, that I have been assured that the 100 per cent state roads in Bucks County and all over Pennsylvania will be improved under this program. Included in this are the main problems that we have in Bucks County. We who are Legislators from Bucks County have a duty to our county, very true, but we have a duty to the State of Pennsylvania and we should not be looking narrowly or parochially to just one county. I am satisfied, Mr. Speaker, that my county will be well taken care of under this program, as well as the rest of the State. I am sure, Mr. Speaker, that the roads that we have problems with in Bucks are those that are going to be considered as part of the program by the Secretary of Highways under this proposed tax program.

Mr. A. D. Williams. Mr. Speaker, is it my understanding from the gentleman from Bucks that he then has no written or oral agreement with the Governor and the Secretary of Highways regarding our road situation in Bucks County?

Mr. GALLAGHER. Mr. Speaker, as a single Representative of this great Body, it would be very derelict on my part, I think, to try to extract from anybody a written agreement as to thus and so in any tax program.

Mr. A. D. WILLIAMS. Mr. Speaker, is it then my understanding that when the gentleman stated earlier in the evening that he had the promise of eight projects in Bucks County that he was in error?

Mr. GALLAGHER. No, Mr. Speaker.

Mr. A. D. WILLIAMS. Then is it my understanding that he refuses to disclose those projects for the people of Bucks County?

Mr. GALLAGHER. No. I would like to say that the Secretary of Highways at the proper time, when the tax measure is passed and the money is available, will disclose to our constituents in Bucks County those roads which so sorely need repairing that will be repaired.

Mr. A. D. WILLIAMS. Mr. Speaker, I have finished my interrogation of the gentleman. I would just like to say that I am as much in the dark about the road situation in Bucks County as I was when the gentleman first rose.

Mr. TOMPKINS. Mr. Speaker, perhaps in line with the interrogation on the Floor, I received in my mail tonight, and I think maybe most of the Members did, because I have seen a great many others who have had this sheet from the Secretary of Highways indicating the 1960 allocation of money to boroughs and townships and the proposed increase under this bill. I did not receive and I have not talked to anybody who has received names of the roads that are promised to be built with this money, where they are, the kind of roads they are and how much of the roads will be built.

I think that is a very essential element of any information necessary to convince me that we should vote for this gasoline tax. I do not know why we have the secrecy of holding up where these roads are going to be built. If there are to be roads built, let it be known where they are to be built and when they are to be built.

Mr. SPEAKER, I want to read into the record and to

interrogate, after I read this letter. Under date of January 17, 1961, I wrote to Andrew M. Bradley, Secretary of Property and Supplies in Harrisburg: "Dear Secretary Bradley: In January of 1960 you said the State was going to test fifty compact cars to see if any money could be saved. You stated, 'a maintenance and cost record will be kept on each compact car. We plan to assign these cars to as many state uses as possible. This will be done to get the best results.'

"I am writing to inquire the result of your experiment and study to date. How much money, if any, has been saved? How does the maintenance and operation cost of a compact car compare to a conventional car?"

Mr. Speaker, I have had no reply to that letter as yet upon which I can base any information, but it is indicative to me of some of the statements that have been made from this Floor tonight. I wonder if we are reaching the point of diminishing returns in our gasoline tax by the increased use of the compact cars on our highways? If we are, then we are at a point where we are not going to get increased revenues by the imposition of an increased tax, we are going to level off revenues where they are because of the decreased sales because of the increased use of compact cars. When you do that, you also level off the steel industry, which manufactures the steel for the building of the larger cars, and you set off a chain reaction affecting all industry in the State of Pennsylvania.

I would like very much if the Majority Party would get for me the result of that study. This is merely another in the series of information we ought to have before us for consideration of a measure of this kind. We do not have it and it has not been furnished to us, even though I requested this as much as ten days ago.

I would like to interrogate the gentleman from Washington, Mr. Polen, but, first of all, from the gentleman from Greene, Mr. McCann, there is one point I want to clear up.

The SPEAKER. Will the gentleman from Greene permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, the Majority Leader stated that due to efforts on behalf of governmental officials in Pennsylvania a ruling of the United States Department of Commerce was set aside which would have authorized the use of foreign materials in the construction of Pennsylvania highways. Is that ruling still in effect?

Mr. McCANN. Mr. Speaker, I believe I am correct when I give these facts. The date had been set by the Bureau of Public Roads at which it would go into effect that when you are using foreign products under our Highway Rules and Regulations there is no source of inspection. That date was set and then the hearing was held in Washington. At that hearing the date was set aside as the date on which it would go into effect. To answer you, if it is to come up again at another date, I would not know that answer. It was at that moment when this ruling came out that particularly the cement and all of the steel industry combined in support in this meeting in asking that it be set aside, and it was done at that time. Whether it is to come again at some future date, I could not answer. But to clear the point, Mr. Speaker, this had to do with the bidding in which the Bureau of Public Roads funds were involved, where you bid with one figure dealing with American products and, if you used foreign products, the bid had to show both and, therefore, the bid could go to the one using the foreign products, had the order been made effective at that date.

Mr. TOMPKINS. Mr. Speaker, the gentleman confuses me a little right now. Do I understand that on roads constructed with Federal aid funds they still can bid with the use of foreign materials?

Mr. McCANN. Mr. Speaker, I believe there are still situations in which they can bid, particularily—I will be frank—with the situation that confronted us in Pennsylvania, to help enlighten you.

Cement arriving from Israel and Belgium could be delivered to projects at a lesser cost than the purchase price of cement per barrel at factory source in the United States. This then confronted us with this problem: We in Pennsylvania, of course, have our own basic rule about inspection of material at its source, which means that the inspectors can inspect the steel at the steel plant or the cement at the cement plant in Lehigh County. I am not trying to confuse you to say to you that at that point, when this effective date was set aside, it can place them right back in the position they were in before, which was what the cement and steel industry asked, was seeking and did receive.

Mr. TOMPKINS. Mr. Speaker, let me put it this way: Must a contractor on Federal aid loans bid with the use of foreign materials if they are available, or may he bid today. You say the thing was set aside. Is that order still in effect or can a person on Federal aid roads today go out and bid with the use of foreign cement, foreign steel, and so forth?

Mr. McCANN. Mr. Speaker, I believe I am correct in this when I say he can today bid with the use of the foreign-made products.

Mr. TOMPKINS. Then what was the effect of setting it aside?

Mr. McCANN. Because I believe the order specifically said that if the bid was lower, the use of foreign material was to be awarded in that manner.

Mr. TOMPKINS. I take it, Mr. Speaker, that Federally-aided highways can still be constructed with the use of foreign materials? I think that is a simple answer, yes or no?

Mr. McCANN. Mr. Speaker, I do not believe the answer would be that simple. This is where you are taking a positive approach under the order at that time that this is what shall be and will be done. That order was set aside by which, at this time, in many states, including our own, contracts go to American-made products.

Mr. TOMPKINS. I am going to take the gentleman's summation that they can still bid with the use of foreign-made products on Federally-aided highways.

Mr. McCANN. Mr. Speaker, I believe I am correct on the actual percentage. I was going to quote it, to be sure, when the bid with foreign products was six percent less than with American products, in which both had to be computed, you then had to use that product—six per cent. It was that which was set aside, sir. That affected the steel and cement industry. I am specific now about it, I was afraid to quote the percentage. Six is the correct percent.

Mr. TOMPKINS. Then, if they have a bid below that

six percent they can still use foreign-made products, do I understand that to be correct?

Mr. McCANN. The other way, sir; the other way around.

Mr. TOMPKINS. They can use the foreign-made products.

Mr. McCANN. The other way around; they cannot use it.

Mr. TOMPKINS. Does the Majority Leader know of any instances on the construction of Federally-aided roads in Pennsylvania today in which foreign-made products are being used?

Mr. McCANN. Mr. Speaker, I know of no road projects in Pennsylvania in which Federal money is used in which foreign-made products are used, and on the 100 per cent state, the answer is emphatically, no.

Mr. TOMPKINS. We have complete control of that. I am talking about the Federal-aid program now which this order affected.

Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, in the Governor's Budget Message, on the top of page 9, the Governor stated that they would get Federal matching funds this year of $106,-360,000. The Highway budget, however, indicates that we will get $124 million.

Mr. POLEN. Mr. Speaker, could I ask the gentleman on what page that is? I presume he is referring to special fund budget. Is that what you are referring to?

Mr. TOMPKINS. Yes, I am. I will have it for you in a minute. No, on page 8 of the budget—$124,800,000 is indicated as the Federal matching fund that will come in this year, and the Governor said it would be $106 million. I wonder if the gentleman can explain that discrepancy of $18 million?

Mr. POLEN. Mr. Speaker, I cannot explain that discrepancy but I have the budget here before me. I do not have the message and I cannot reconcile that at this time.

Mr. TOMPKINS. Would it not be a substantial amount of money? I do not know which figure is correct.

Mr. POLEN. If it would be $18 million, certainly, that is a substantial sum. I will be glad to develop this for the gentleman though and advise him later.

Mr. TOMPKINS. On page 8 of the Governor's message this $124,800,000, and the Governor's message on page 9 says $106,360,000, I certainly think that is a discrepancy large enough that we ought to have an answer on it. That is all I have, Mr. Speaker.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. I yield to the gentleman from Delaware, Mr. Isaacs.

The SPEAKER. The Minority Leader yields to the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I, along with Representatives Gibbons, Lippincott and Odorisio represent the Third Legislative District of the County of Delaware. In that County is located one of the great oil refineries of this nation—the Sun Oil Company. This evening I received three telegrams, as did the other Members, from three different unions representing different classes of employes of th Sun Oil Company, which I would like to read into the record.

The first one. "Our 250 members urge you to vote against the proposed additional two cents gasoline tax. Sun Refinery Salaried Employes Association."

Another one. "The proposed two cent gasoline tax increase is unwise, unneeded and unwanted. We wish for you to vote against this increase. We believe that this tax will decrease our job opportunity. Sun Oil Accounting Employes as representing 325 members. Oliver R. Long, Secretary."

A third one. "In reference to House bills Nos. 90 and 91 the Refinery workers Union of Marcus Hook representing 2600 employes at the Sun Oil Refinery protest any additional tax on gasoline. We think this product is already taxed to the breaking point. Further tax may reduce employment in an industry that is already curtailing job security. Gene Degioris, president, William Greener, vice president, Harold Cawley, Secretary."

Mr. Speaker, and I particularly direct these remarks to the other side of the aisle where we have ladies and gentlemen who, and I say this with considerable reservation, have advocated they are friends of labor. Of course, this House has passed a number of ridiculous bills. I have heard some of these ladies and gentlemen say, the other House will kill them. This morning you are not in this position. You are in a position to prove your point.

Now, Mr. Speaker, I have heard some praise, and I am glad to hear it, for the Pennsylvania Department of Highways this morning. I wish I could make similar remarks representing the County of Delaware. Unfortunately that is not the case. The Pennsylvania Department of Highways in my county is a disgrace to the county, to the State and to the Nation.

Just recently I received a protest from the Rose Tree Union School District about a clover-leaf intersection connected with a State highway, where one week after the snow storm, December 9th and 10th, it had only one lane of traffic. Late in December, Hook road which is within a mile of my home, froze over at a place where traffic during the morning and evening hours is bumper to bumper. The people were stranded for hours with not even the benefit of a cinder truck, and I received numerous protests at that time which I directed to Secretary Martin with the recommendation that he abolish the highway department in our county and start rebuilding it from scratch.

Now, I, too, like other Members who have spoken here this evening, might be inclined to vote for an increase in the gas tax if I believed we were going to get something for it. However, in my own borough we have a State highway where pot holes have been patched and hills made out of them year after year to the extent that it is questionable at times whether you are going to cross it at an intersection without your bumper hitting the rise in the highway.

Last June, a year ago, I believe, June 1959, I interrogated the Chairman of the Appropriations Committee concerning the amount of money which has been spent for outside engineering services in the last decade. I asked to have an answer on the Floor of this House, which I did not receive, but I received it by letter. I do not have it before me but, as I recall, the figures were something like $1 million to $12 million.

I understand today we are spending about $20 million for outside engineering services. If I am incorrect I will be glad to be corrected. However, I do know we have increased the deputy secretaries of highways from one to six or seven receiving salaries in five figures. I do not think the Department is doing much, if any, engineering on their own and I wonder, should we vote for this package, just what we would be paying for. As to what we are receiving in my county, ladies and gentlemen, we would be wasting our money.

Mr. AGNEW. Mr. Speaker, I will have to be brief, I realize that, but I do have a few remarks that I would like to make. I am almost willing to ask the Majority Leader to reorder the breakfast.

The Secretary of Highways press release dated January 25, this was probably yesterday, on page 3 says and I quote: "If we know by the first of February that the revenue requested will be enacted, we can being advertising for construction on the 100 percent state system as well as on the Federally-aided projects on February 10." Well now, if the Secretary of Highways is ready to advertise in the next two weeks, certainly he not only has his program ready, project by project, but he has the specifications ready.

What is the matter with letting the Members of the Legislature know what the program is? I think that as Members of the Legislature we have abdicated our responsibilities in this respect. When the gentleman from Bucks, Mr. Gallagher, cleverly said, "We give the Secretary of Highways the revenue, and then he will tell us what the program is," there was a smattering of applause from the other side. I say those of you who applauded have not only abdicated your responsibilities as Legislators, but you do not even know that you have done it.

You are asking us to buy a pig in a poke—two cents gas tax—two more cents on every gallon of gas that the people of Pennsylvania buy. We are not talking about the rich people; we are not talking about the poor people; we are talking about everybody in Pennsylvania. That is about $20 a year to the average motorist if he drives 1,000 miles a month and gets 12 miles to the gallon—that is $20 a year additional tax you are putting on the average motorist in Pennsylvania. Now if you were asked to increase the license fee by half of that you would scream, but you have no hesitancy to put $20 a year on the average motorist in Pennsylvania.

Now we are not opposed to this program. We could go for two cents. Everybody is tired of traffic jams in Pennsylvania. I live in a metropolitan area. I am tired of traffic jams. If we were absolutely certain that all this money from this new revenue would go into the construction and maintenance of highways, we could vote for the program. But what is this program? We do not know what the program is. You have not extended us that courtesy.

Perhaps the gentleman from Bucks has been told what eight roads in his district are going to be taken care of. I would suggest he is being a little naive if he believes that he will be taken care of. I understand other Legislators have been promised that they would be taken care of in the past and it just has not occurred.

In the Governor's Budget Message, in a rather grandiose maner, he said, and I quote from page 9, "I am personally unwilling to wait for a decade or for 15 years or more for highways which can physically be designed and completed in half that time or less."

Well, Governor Lawrence, we are not willing to wait that long either. Continuing to quote:

"We urge this session to permit us to go forward full speed ahead on such projects as the following which are of tremendous importance to our economy."

Now I would ask the Majority generally, I am going to repeat these five or six projects which are of great interest to everybody in Pennsylvania, and particularly to Members of this House. If you have any information on it, why did you not give it to us tonight? Why did not we, as Legislators representing the people of the Commonwealth, have some of this information before tonight? What has been done? What money has been spent? Where are your plans? What do you plan to do this year on the following projects listed in the Governor's Budget Messege on page 9: the Anthracite Expressway, from Scranton to Harrisburg; the Cumberland Valley Freeway from Harrisburg to Hagerstown; the Delaware Expressway from Morrisville through philadelphia; the Keystone Shortway from Sharon to Stroudsburg; the Erie-West Virginia Freeway?

Why don't you tell us what the plans are? Are we Legislators just a bunch of dummies, stooges, rubber stamps, who are to give the Governor another $75 million in the gas tax on his word that these projects are going to be completed? Why do we not know what your plans are for the rest of the year? I think as Legislators we are entitled to know and I say it is to your everlasting shame that you have not bothered to give us any information on it. You just say, put another $20 a year on every motorist in the Commonwealth of Pennsylvania.

We could vote for this tax if we knew for a fact that all the money was going into the construction and maintenance of highways and for other necessary things like snow removal. And I might comment here, that on maintenance of highways and snow removal, the Commonwealth of Pennsylvania has been extremely lax in recent years.

We could vote for it if we knew the money was going to be used for highways, but we greatly fear that the "Silver Fox from the Golden Triangle" and the smiling Irishman from the city of Brotherly Love will use it to further pad the political payroll. That is the way you have operated in the past, and we have no reason to believe that you will not operate that way in the future. The burden of proof is on you to prove to us that you need the money and that you are going to use it for the construction and maintenance of highways and you have not done it, but you ask us to put $20 a year more on the average motorist in Pennsylvania. We are not prepared to do it.

Mr. McKEEVER. In the brief talk of Representative Isaacs, he appeals, I recall, to the union laboring class on the Democratic side, to kill the present bill. Although I have been a labor official for 23 years, I have not to date received one telegram, one telephone call, nor one letter from any union objecting to this bill. He also, as I recall, read the name of William Green. I hope he is not confusing that with our William Green, the Congressman.

Secondly, if I did, and thank God I did not, receive a telegram from the Sun Oil, I would vote twice for this bill.

Mr. A. M. LEE. Mr. Speaker, I just wanted to observe that if that was THE William Green's name on that telegram, we could lick this bill pretty good.

Mr. POLEN. Mr. Speaker, I have the answer to Mr. Tompkins' question regarding the discrepancy between the $124 million shown in the budget and the $106 million mentioned in the Governor's message. If you refer to it, starting on page 8 and continuing on page 9, the $106 million is for construction. The difference of $18 million covers right-of-way acquisition, engineering and administration.

Mr. EILBERG. Mr. Speaker, a little while ago the gentleman from Bucks, Mr. Williams, had occasion to refer to an editorial in yesterday morning's Philadelphia Inquirer. This, I suppose, is intended as great authority for the proposition that he represented. I would like to call to his attention and the attention of all the Members of this House that the position of the Philadelphia Inquirer has been exactly wrong in four out of the last five elections in Philadelphia.

I would like to say, further, Mr. Speaker, that Mr. Wililams evidently did not read the entire editorial page because right under the editorial he referred to, in which Governor Lawrence was castigated for the so-called hasty program, the very next editorial was on the subject of unemployment and what are we going to do about it. The point of that particular editorial, if Mr. Williams recalls reading it, was, let us study the situation.

It seems to me, Mr. Speaker, that the Inquirer is confused and wrong and I think the Inquirer is hardly any authority on the very important subject before us.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reidenbach,
Arlene,	Gallagher,	McCormack,	Renwick,
Bachman,	Gelfand,	McDevitt,	Riley,
Boies,	Gray,	McDonald,	Rovansek,
Bonner,	Gremminger,	McKeever,	Rubin,
Branca,	Guesman,	McLaughlin,	Rudisill,
Breth,	Hamilton,	McNally,	Sakulsky,
Capano,	Hankins,	Meholchick,	Scarcelli,
Capitolo,	Hartley,	Mihm,	Schaaf,
Cauley,	Heavey,	Mills,	Schuster,
Cianfrani,	Irvis,	Monroe,	Shelton,
Cioffi,	Jenkins,	Morley,	Sherman,
Clarke,	Jim,	Muldowney,	Shupnik,
Comer,	Jones,	Mullen,	Stank,
Cooley,	Kamyk,	Munley,	Stone,
Crossin,	Kelly,	Murray,	Sullivan, J. A.,
Curwood,	Klein,	Musto,	Taylor,
Dougherty,	Kornick,	Needham,	Tomascik,
Doughten,	Kramer,	O'Donnell, J. A.,	Trusio,
Eilberg,	Lamb,	O'Donnell, J. P.,	Verona,
Farabaugh,	Lawson,	Parlante,	Walsh,
Filo,	Leonard,	Pashley,	Wargo,
Fineman,	Limper,	Perry,	Welsh,
Flynn,	Long, Wm. Jas.,	Petrosky,	Yetter,
Foerster,	Long, Wm. Jos.,	Polen,	Zimmerman,
Frascella,	Lutty,	Prendergast,	Andrews,
Fry,	Maxwell,	Reibman,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Seltzer,
Agnew,	George,	Knecht,	Simmons,
Anderson, J. H.,	Gibb,	Kooker,	Slack,
Ashton,	Gibbons,	Korns,	Snare,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stimmel,
Blair,	Goodrich,	Lippincott,	Stiteler,
Bossert,	Gramlich,	Magee,	Strausser,
Bower,	Gross,	Manbeck,	Thompson,
Bowman,	Guthrie,	Markley,	Tompkins,
Buchanan,	Haudenshield,	Marsh,	Ujobai,
Bush,	Heffner,	May,	Varner,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	Merry,	Weidner,
Dennison,	Hocker,	Miller,	Whittaker,
Donaldson,	Holliday,	O'Dell,	Willard,
Edwards,	Holman,	Ogilvie,	Willaredt,
Elvey,	Horst,	Piper,	Williams, A. D.,
Eshback,	Isaacs,	Polaski,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Price,	Wilt,
Ewing,	Johnson, R. P.,	Pursley,	Wood,
Fetterolf,	Keiser,	Royer,	Worley,
Foor,	Kernaghan,	Rutherford,	Wynd,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. KING offered the following reasons for his vote on House Bill No. 90:

Mr. Speaker, I wish to make the statement that I am not in opposition to good roads, but I am opposed to the lack of legislative scrutinizing and of public hearings on the Governor's budget. My "no" vote here this morning represents my opposition not to progress, but to the high handed tactics which are being employed in ramming legislation through this House.

Under present procedure we from the rural counties have no assurance of receiving any new roads.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 91, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reidenbach,
Arlene,	Gallagher,	McCormack,	Renwick,
Bachman,	Gelfand,	McDevitt,	Riley,
Boies,	Gray,	McDonald,	Rovansek,
Bonner,	Gremminger,	McKeever,	Rubin,
Branca,	Guesman,	McLaughlin,	Rudisill,
Breth,	Hamilton,	McNally,	Sakulsky,
Capano,	Hankins,	Meholchick,	Scarcelli,
Capitolo,	Hartley,	Mihm,	Schaaf,
Cauley,	Heavey,	Mills,	Schuster,
Cianfrani,	Irvis,	Monroe,	Shelton,
Cioffi,	Jenkins,	Morley,	Sherman,
Clarke,	Jim,	Muldowney,	Shupnik,
Comer,	Jones,	Mullen,	Stank,
Cooley,	Kamyk,	Munley,	Stone,
Crossin,	Kelly,	Murray,	Sullivan, J. A.,
Curwood,	Klein,	Musto,	Taylor,
Dougherty,	Kornick,	Needham,	Tomascik,
Doughten,	Kramer,	O'Donnell, J. A.,	Trusio,
Eilberg,	Lamb,	O'Donnell, J. P.,	Verona,
Farabaugh,	Lawson,	Parlante,	Walsh,
Filo,	Leonard,	Pashley,	Wargo,

Fineman,	Limper,	Perry,	Welsh,
Flynn,	Long, Wm. Jas.,	Petrosky,	Yetter,
Foerster,	Long, Wm. Jos.,	Polen,	Zimmerman,
Frascella,	Lutty,	Prendergast,	Andrews,
Fry,	Maxwell,	Reibman,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Seltzer,
Agnew,	George,	Knecht,	Simmons,
Anderson, J. H.,	Gibb,	Kooker,	Slack,
Ashton,	Gibbons,	Korns,	Snare,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stimmel,
Blair,	Goodrich,	Lippincott,	Stiteler,
Bossert,	Gramlich,	Magee,	Strausser,
Bower,	Gross,	Manbeck,	Thompson,
Bowman,	Guthrie,	Markley,	Tompkins,
Buchanan,	Haudenshield,	Marsh,	Ujobai,
Bush,	Heffner,	May,	Varner,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	Merry,	Weidner,
Dennison,	Hocker,	Miller,	Whittaker,
Donaldson,	Holliday,	O'Dell,	Willard,
Edwards,	Holman,	Ogilvie,	Willaredt,
Elvey,	Horst,	Piper,	Williams, A. D.,
Eshback,	Isaacs,	Polaski,	Williams, E. S.,
Eshleman,	Johnson, A W.,	Price,	Wilt,
Ewing,	Johnson, R. P.,	Pursley,	Wood,
Fetterolf,	Keiser,	Royer,	Worley,
Foor,	Kernaghan,	Rutherford,	Wynd,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. KING offered the following reasons for his vote on House Bill No. 91:

Mr. Speaker, I wish to make the statement that I am not in opposition to good roads, but I am opposed to the lack of legislative scrutinizing and of public hearings on the Governor's budget. My "no" vote here this morning represents my opposition not to progress, but to the high handed tactics which are being employed in ramming legislation through this House.

Under present procedure we from the rural counties have no assurance of receiving any new roads.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 92, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes * * *" making an additional appropriation conditioned upon an increase in the rate of taxation and continuing an existing conditional appropriation for the calendar years 1962 and 1963.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, it seems our only objection to this bill is that there is no provision on the six cents for a refund to the municipalities. If it were not for that we could easily vote for it, of course. I just point that out. We feel that consistency demands that there be the usual refund to the municipalities of the liquid fuels tax. You have left it out of the six cents: you have put it on the seventh cent. That means that we back home get the refund on the first 4½ cents and on the 7th cent, should this finally become law. I think perhaps we are ready to vote on it now.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—93

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gross,	Magee,	Thompson,
Bower,	Guthrie,	Manbeck,	Tompkins,
Bowman,	Haudenshield,	Markley,	Ujobai,
Buchanan,	Heffner,	Marsh,	Varner,
Bush,	Helm,	May,	Wall,
Davis,	Henzel,	McCandless,	Weidner,
Dengler,	Hocker,	Merry,	Whittaker,
Dennison,	Holliday,	Miller,	Willard,
Donaldson,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Price,	Wilt,
Eshleman,	Johnson, R. P.,	Pursley,	Wood,
Ewing,	Keiser,	Royer,	Worley,
Fetterolf,	Kernaghan,	Rutherford,	Wynd,
Foor,	King,	Seltzer,	Zimmerman,
Fox,			

NOT VOTING—8

Down,	Kessler,	Murphy,	Sullivan, T. F.,
Gramlich,	McInroy,	Odorisio,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 94, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I should like to inquire as to what the present authorized borrowing capacity is of the Highway Bridge Authority.

Mr. POLEN. One hundred and twenty million, Mr. Speaker.

Mr. TOMPKINS. How many bonds have been issued pursuant to that authorization?

Mr. POLEN. All of the bonds of the Authority have been used. Bonds have been issued for the entire $120 million.

Mr. TOMPKINS. How many of the bonds are still outstanding?

Mr. POLEN. I do not have that information, Mr. Speaker,

Mr. TOMPKINS. What is the annual rental on the outstanding bonds today?

Mr. POLEN. It is approximately $10 million, Mr. Speaker.

Mr. TOMPKINS. Ten million dollars a year?

Mr. POLEN. That is correct.

Mr. TOMPKINS. Could the gentleman get me the information as to the number of bonds still outstanding?

Mr. POLEN. I will, Mr. Speaker.

Mr. TOMPKINS. How much estimate would the annual rental be on the $50 million annually authorized under the provisions of this bill?

Mr. POLEN. I would say it would be approximately $5 million.

Mr. TOMPKINS. Then with each succeeding year that would add another $5 million until you reached your $300 million, is that right?

Mr. POLEN. It would depend somewhat on the interest rate, Mr. Speaker.

Mr. TOMPKINS. I appreciate that. I said the estimated amount, having that in mind.

Mr. POLEN. I would add at least that amount, I would say, Mr. Speaker.

Mr. TOMPKINS. These bonds, I understand, are issued for a thirty-year period?

Mr. POLEN. I think the longest term for these bonds is intended to be 20 years.

Mr. TOMPKINS. No, I am speaking about the current bonds outstanding. Is it 30 years?

Mr. POLEN. I think they have different maturities, but it is anticipated that the bonds issued under the increase of $300 million will be 20-year bonds.

Mr. TOMPKINS. Do I understand that there are different maturity dates on the bonds presently outstanding?

Mr. POLEN. I believe that is correct, Mr. Speaker.

Mr. TOMPKINS. They might have been issued at different times, but is the length of the bonds now outstanding the same, 30 years, or is there a variation in the length of the bonds?

Mr. POLEN. There are various maturities on the bonds, Mr. Speaker. They mature serially over a period of years.

Mr. TOMPKINS. Then what is the life of the bonds outstanding, 30 years?

Mr. POLEN. That would be the average life. Is that what you are referring to? You see, for instance, in an issue of bonds of this nature, some would mature one year, some in two years, it could be.

Mr. TOMPKINS. Yes, but what is the life of the bond issue?

Mr. POLEN. I do not believe there is any limitation on this.

Mr. TOMPKINS. I am talking about the bonds that are presently outstanding.

Mr. POLEN. Under this legislation, the life of the longest bond to be issued is expected to be twenty years.

Mr. TOMPKINS. What is the life of the bonds now outstanding?

Mr. POLEN. I do not have that information, Mr. Speaker. I believe the gentleman is correct when he states 30 years.

Mr. TOMPKINS. Eventually then, the rentals, on an estimated basis, would reach $30 million under this program, is that right? I am just speaking about an estimate now. I know some bonds will be retired at different interest rates and so forth in each $50 million issue.

Mr. POLEN. It is anticipated that the rental after the sixth year will be approximately $23 million plus.

Mr. TOMPKINS. Twenty-three million plus?

Mr. POLEN. Yes, it would be the smaller sums in the year before that—

Mr. TOMPKINS. Well now, is that not just about the amount that a one-cent gasoline tax would produce annually?

Mr. POLEN. It would produce more than that, Mr. Speaker. Well, no, not annually. You are correct. That is approximately right.

Mr. TOMPKINS. Am I right in my assumption then that that is perhaps the reason why you would not allocate the six cents of the gasoline tax for distribution to your townships and boroughs?

Mr. POLEN. No, Mr. Speaker, it is the intention that the Federal money will reimburse for this, that they will be used for this purpose.

Mr. TOMPKINS. How much Federal money do you expect to get annually to apply toward these bonds?

Mr. POLEN. You are familiar with the amount we are getting, and to accelerate this program we would issue these bonds and retire them out of the rentals paid, using the money that is received by it from the Federal Government. Mr. Speaker, I might say that could be used as far as that is concerned, or any other moneys in the Motor License Fund.

Mr. TOMPKINS. How much a year do you anticipate will be received from the Federal Government that can be applied toward the liquidation of these bonds?

Mr. POLEN. I believe the Federal program is now set up to extend for approximately 13 years, and, of course, the amount that we receive will depend upon the amount

that is allocated by the Federal Government and by the amount of maximum money that we have available.

Mr. TOMPKINS. Now as I understand it, these bonds will be issued only on the Interstate System on which we have to match 10 percent, is that right?

Mr. POLEN. That is correct.

Mr. TOMPKINS. Now, can you tell me what the Governor meant in his budget message on this subject when he said "We do not anticipate any ultimate expenditure by the State in this program beyond its normal 10 percent matching requirement, except the sum that it will pay in interest for short-term borrowings made in anticipation of Federal repayment"? Now, what did the Governor mean by "short-term borrowing"?

Mr. POLEN. Mr. Speaker, I, of course, do not know his definition of the term "short-term borrowing," but I would say that the borrowing we would make from one to twenty years would be short-term borrowing.

Mr. TOMPKINS. Now, Mr. Speaker, I would like to ask this question: you say that all of the $120 million authorized at the present time is outstanding in bonds or the entire issue has been sold?

Mr. POLEN. The ceiling of $120 million has been used, the authorization.

Mr. TOMPKINS. Do not your leases between the Commonwealth and the Highway Bridge Authority provide to have and to hold under the Commonwealth for terms commencing on blank and ending on blank, provided however that the Commonwealth may, at its option, cancel this lease at any time after all the bonds of the Authority outstanding on the date of execution hereof shall have been paid and discharged. Now I ask you if that provision in the lease is not made in pursuance of Section 8.04 of the bond resolution under which the present bonds are outstanding?

Mr. POLEN. I believe the gentleman is correct.

Mr. TOMPKINS. Then do I understand Mr. Speaker, that you can issue bonds for 20 years when you have this provision in your present leaseholds and your present bond resolutions that are in force? How could you issue bonds to retire ahead of any outstanding bonds on the $120 million that are now outstanding?

Mr. POLEN. Mr. Speaker, if the Commonwealth, the Department of Highways, would have the funds available to pay off all the bonds the lease could be cancelled and the roads then revert to the State with no further payment.

Mr. TOMPKINS. I agree with the gentleman there, but where will you get that money? Will you use any part of the Federal funds for the purpose of retiring any of the presently outstanding bonds?

Mr. POLEN. I have no knowledge of any such intention. I do not think that is the intention. The intention of this bill is to authorize it in order that we can preceed with the program and be reimbursed with Federal funds to pay the rentals to retire the bonds.

Mr. Speaker, as a matter of fact, if you read the bill as now amended, the basic issue is confined to the interstate system.

Mr. TOMPKINS. That is very true, but the point I am trying to make is, you have $120 million of bonds outstanding that have not been redeemed under the issue. There are presently $120 million of bonds outstanding. How can we by legislation destroy the security of the outstanding bonds by passing legislation here to issue bonds of a shorter term duration and to be paid from other sources, contrary to the leaseholds in existence and contrary to your bond resolutions under which your bonds are presently outstanding?

Are we not, in effect, destroying the security and violating the provisions of the present bond resolutions and the present leases when we do something like this?

Mr. POLEN. Mr. Speaker, I do not think that we in any way do that. The bonds that have been issued have been secured by the pledge of the rentals from the Highway Department for those bonds and issuing more bonds, which we do in the General State Authority and the Public School Building Authority, which does not in any way destroy the effectiveness of the lien of the bond issue.

We have increased the General State Authority bonding limitation many times and we have also increased the Public School Building Authority's borrowing capacity. And when we issue new bonds we do not destroy in any manner the bonds that have been previously issued or in any way affect their liens.

Mr. TOMPKINS. I agree with the gentleman there as long as they are issued on the same par basis as the outstanding bonds are, but here you are setting up under the same Authority $300 million over a six-year period which you intend to issue on a short-term proposition, which you say is 20 years.

Mr. POLEN. To not exceed 20 years. And this $300 million would be against additional projects, new projects, for which the rentals would be pledged for the payment of the bonds. The Highway Department could pay that out of the funds received from the Federal Government or they could pay them out of Motor License revenues.

Mr. TOMPKINS. Does the Federal Statute authorize money to be used for this purpose?

Mr. POLEN. The Federal Statute does.

Mr. TOMPKINS. I thank the gentleman.

QUESTION OF PERSONAL PRIVILEGE

Mr. GRAMLICH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. GRAMLICH. Mr. Speaker, I am very tired but I certainly was not asleep. I pressed my button over on the red side, meaning I voted for the previous bill, 92. I am advised now that I am not recorded. I wish to be recorded and spread upon the record that I voted "no." I pressed my button over here and I thought I was recorded.

The SPEAKER. The gentleman is now recorded.

Mr. GRAMLICH. Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,

Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 8 of today's calendar, House bill No. 98.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 98, entitled:

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BOWMAN. Mr. Speaker, I would like to interrogate the gentleman from Washington, Mr. Polan.

The SPEAKER. The gentleman will proceed.

Mr. BOWMAN. Am I correct in assuming that the acceleration provisions of this bill will accelerate monies into the current biennium?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. BOWMAN. Then how much?

Mr. POLEN. Approximately—the yield is estimated at $10 million.

Mr. BOWMAN. What allocation has been made of that $10 million?

Mr. POLEN. That is contained in the Governor's message which will reduce the $86 million, approximately the $86 million deficit. Those are the items that reduce it to $4 million.

Mr. BOWMAN. Is there any estimate of revenues for the thirteen-month period ensuing with respect to uncollected taxes for the 1959-1960 biennium?

Mr. POLEN. They are included in the budget.

Mr. BOWMAN. At what amount?

Mr. POLEN. I would have to refer to my budget and look that up for you.

Mr. BOWMAN. Please do.

Mr. POLEN. That would be approximately $12.4 million.

Mr. BOWMAN. And does that estimate represent 100 per cent of the uncollected taxes for the 1959-1960 biennium?

Mr. POLEN. It anticipates full collection.

Mr. BOWMAN. Then it anticipates the success of the current litigation as to the liability of the banks for this tax?

Mr. POLEN. Yes, Mr. Speaker, we feel that with the passage of House Bill 101 it will eliminate the objection as it has been raised by the national banks.

Mr. BOWMAN. In the future, you mean it will eliminate it for the years 1959 and 1960?

Mr. POLEN. We believe so, Mr. Speaker.

Mr. BOWMAN. Have you been advised by any of the banking interests to that effect?

Mr. POLEN. I have been advised by fiscal experts to that effect.

Mr. BOWMAN. Fiscal experts?

Mr. POLEN. That is right.

Mr. BOWMAN. I thank the gentleman for taking the word of fiscal experts in legal matters. It shows great perspicuity.

Mr. POLEN. Mr. Speaker, I might say that I think the fiscal experts were advised by the legal experts.

Mr. BOWMAN. Then do I understand that to be the—are you still consenting to be interrogated?

Mr. POLEN. Certainly. I thought you were through.

Mr. BOWMAN. If you are tired, you may sit down. I have no objection.

Then do I understand that the legal expert in this case is the Attorney General?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. BOWMAN. If the Attorney General is then incorrect in her position, we would then immediately have a $12.4 million deficit built right into the budget, is that correct?

Mr. POLEN. Mr. Speaker, if for any reason the tax would not be paid, it certainly would create the deficit for that amount that we had anticipated.

Mr. BOWMAN. Well, then we would have a built-in deficit of that amount, is that correct?

Mr. POLEN. That is correct.

Mr. BOWMAN. And based on the legal opinion of the Attorney General, without any court decision in this matter, the Governor has assumed that the Attorney General is correct and that we will have no problem in the ensuing biennium with that fully allocated as a receipt?

Mr. POLEN. We have been advised that it is the belief that the passage of House Bill 101 will eliminate the difficulty and the objection of the banks who have not made payment.

Mr. BOWMAN. Well, I agree with you 100 percent as to the future, but I certainly do not agree with you with respect to the fiscal year of 1959-1960. I thank the gentleman for his answers.

This is another example, in my opinion, Mr. Speaker, of the fiscal magic which we have been subjected to here tonight. The Governor, in effect, now tells us that we have a possible over $12 million built-in deficit right in his budget today.

I certainly must disagree with the opinion of the Attorney General. This is more fiscal magic, as I said. It is just another example, in my opinion, of this Legislature accepting carte blanche all these statistics and figures without any substance or proof behind them whatsoever of the entire tax program and presumably the budget program of the Governor.

It would seem to me that if the Governor of Pennsylvania stopped talking so much about snow in Harrisburg and stopped snowing the people of Pennsylvania, we would be a lot better off.

Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams.	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 9 of today's calendar, House bill No. 101.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 101, entitled:

An Act amending the act of July 15, 1897 (P. L. 292) entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and federal and state savings and loan associations changing the date for the determination of the base of the tax and making certain repeals.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, on this particular bill, House bill 101, we are taking a step here in taxing funds that have long been immune from taxation in this State. I do not know for how long. Certainly longer than 20 years, if my memory serves me correctly.

This is a tax on savings and building and loan associations of people who put their money in there. The ordinary average wage earner put in five, ten, fifteen, twenty dollars a month. I think if you will look over the records of the building and loans and the savings associations of this State, you will find that that is where the bulk of their money comes from.

At the present time it is paying interest rates possibly from three, three and a half, some of them possibly as high as four or five percent. There may be one or two that are paying four and a half percent. Some small associations that do not have big overheads are paying higher than that. Of course, they are in the very small minority.

I can see, Mr. Speaker, by putting this 8 mill tax on this particular class of savings that there is a big probability, not a possibility, but a probability, that money is

going to be drained out of these sources and go into tax free bonds and other tax free savings. There are plenty of bonds such as the different Authority bonds that are being floated now that are paying 3.8, 4, 4¼, some of them 4½, that are absolutely free of state tax and also free of Federal Income Tax.

Naturally these people are going to seek where they can get their best investments. They are not foolish. They are looking things over very carefully.

Now you take the ordinary association that pays the 3½ percent dividends, and if you put an 8 mill tax on it, you are going to drop that person's income down to about 2.8 percent. They will take that money out of building and loan and put it into authority bonds, and more and more and more of them are being floated every day. We just had a sample here tonight of $300 million worth of highway bonds of our own being floated over the next six years. And constantly there are new authorities being formed and new bonds being floated that will pay 3.8 and as high as 4.25.

I can see a very heavy drain by this kind of legislation draining the resources of these building and loans and savings associations which have been a bulwark and a very big fortress in the matter of savings in communities throughout this State, for years and years and years.

And then I was wondering, Mr. Speaker, whether that would not have a greater impact because, if this supposition holds true, then we are going to lack funds for loaning and mortgages for erecting private residences and, in some cases, many cases, combinations of residential and business buildings. And that could probably and possibly dry up sources for mortgage money in this Commonwealth, and that could slow up the labor market very considerably.

I say again, Mr. Speaker, that here is a piece of legislation that I charge the Democratic Administration has not thought out, has not thought through and has not given any kind of due consideration as to the impact upon our people here in Pennsylvania when we pass legislation of this kind. I think it is ill-advised. I think it is poor legislation and I do not think it should be passed. I think we will regret it in the years to come.

That is all, Mr. Speaker, and I am sorry that there has not been more time. I still say that it is a case, as my colleagues have said here on the floor tonight, of fiscal irresponsibility on the part of this Democratic Administration, a lack of responsibility and a lack of sincerity for the welfare and the employment conditions in this Commonwealth by the party in power in this State today.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to speak in regard to this bill.

If you do not examine this bill and read the title very carefully you are liable to think that this is a tax on the big banking and lending institutions in this state. But if you know what a savings and loan association is, if you know what a building and loan association is, if you know what a mutual savings bank is, you know that this is a tax, in this instance, on savings and loan associations—and I am going to speak mainly for them or about them, but the same things apply to the other two types of institutions.

This is a tax in Pennsylvania on the people who are saving money, who have put that money in almost two million accounts in Pennsylvania. Most of these accounts are husband-wife accounts, so we are going to be taxing approximately four million Pennsylvanians.

There are, in Pennsylvania, 835 of these savings and loan or building and loan asosciations. As I understand it, this tax is going to raise approximately $4 million. That means that the average savings and loan association in your township, your county, or you town, is going to pay a tax bill of approximately $5,000.

Now this is a first in Pennsylvania. This is the first time that savings and loans have been taxed. This is a principle that we are violating that was never violated before. We are taxing the mutual associations. There is no stock in these associations. There is no income to entrepreneurs of any sort. It is a tax on thrift. It is a tax on savings.

It will be unfair because they will not even receive the same advantages that the stock companies receive when they are allowed to reserve for future loss. Excuse me, let me say that again. The savings and loan would be taxed on large incomes. Now this income is income to the people who put their money in the savings and loan. It is for payment to them to cover future losses. This is a Federal direct tax on people with coverage savings of only $1,700.

Many of these savings and loan associations back in the thirties failed because they did not have sufficient reserves. Now today the reserves on an average are only 7.5 percent. Yet we are going to tax these very reserve funds which provide the safety margin for the savings of four million Pennsylvanians.

Fifty percent of the mortgage home loans on homes over $20,000, and even more than 50 percent in Allegheny County and Philadelphia County, come from savings and loan associations. It would appear to me that a tax detriment will act as a stimulant to the flow of mortgage bonds out of Pennsylvania.

One thing I want to point out is that in Pennsylvania we have an interest ceiling on mortgages of 6 percent. It would make a lot of sense for people to invest their money outside of this State. It will make it much more difficult for savings and loans to compete for the savings accounts of Pennsylvania.

Another thing it will do is to raise the cost of borrowig money from these savings and loan associations. Now another disadvantage to this tax is that the tax does not lend itself to an equal application of the said shares enjoyed by profit-making institutions subject to this tax.

Furthermore, the bad debt reserves of mutual institutions authorized by Congress—that is, the Congress of the United States—would be taxable under this proposal, while we exempt the same reserves for stock companies. Now this is, again, not only are we not treating mutual banks equally; we are treating them worse than we are stock banks, in the State of Pennsylvania.

I think I speak for all the Minority of this House when we say this tax is an unfair tax on the thrifty habits of approximately four million Americans, or Pennsylvanians.

If you pass this act in haste, it is my personal opinion you will repent in 1962.

Mr. POLEN. Mr. Speaker, I may be wrong, but if I understood the remarks of the gentleman from Blair, Mr. Auker, he indicated this is a tax on the deposits of the savings and loans. Now I may be wrong in that assumption but that is the way I understood his discourse.

I want to make it very plain that there is no tax whatever on the deposits of any of the savings and loan or building and loans under this bill. The only thing that is taxed is the surplus, undivided profits and reserves at the rate of 8 mills.

It would not in any way affect the stability or the dividend payments of any institution, I believe, of that category in Pennsylvania. The interest that was paid, or dividends, in 1959, which is the last full year for which I have figures available, was approximately $100 million. There would be no tax whatever upon that. It would be only upon the amount which they pay no tax on and no Federal tax which is put into the reserves.

So this is not going to be any burden on savings; it is not going in any way to have any detrimental effect on the loaning policies of these institutions or upon their financial stability.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams.	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobal,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was detrmined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 8 of today's calendar, House bill No. 99.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 99, entitled:

An Act imposing a State tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights powers and duties of the Department of Revenue the taxpayers and officers thereof and providing penalties.

Mr. DONALDSON. Mr. Speaker, I desire to interrogate the gentleman from Washington, Mr. Polen.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, this is a new tax, so we want to consider it in a little bit of detail here. Would you tell us, is this tax on the gross premiums collected by domestic companies from sales within the Commonwealth only?

Mr. POLEN. Yes, Mr. Speaker, this tax would be on their gross earnings within the Commonwealth of Pennsylvania.

Mr. DONALDSON. The title so indicates that on page two of the bill, in your definition of gross premiums, you talk about "Gross premiums means premiums, premium deposits or assessments received by any insurance company . . . whether collected in this Commonwealth or elsewhere."

I think that would just cover the collection of it.

Mr. POLEN. I am inclined to agree with the gentleman. We want to clarify that part.

Mr. DONALDSON. Mr. Speaker, would this tax apply to the gross premiums of fraternal societies which sell life insurance?

Mr. POLEN. No, it would not, Mr. Speaker.

Mr. DONALDSON. Would it apply, Mr. Speaker, to the gross premiums collected by mutual life insurance companies if they were a Pennsylvania corporation?

Mr. POLEN. Yes it would, Mr. Speaker.

Mr. DONALDSON. Would it be fair then to say that the only exceptions among the domestic life insurance companies would be for those fraternities?

Mr. POLEN. That would be correct.

Mr. DONALDSON. Under the terms of the bill, the tax is retroactive in the sense that it applies to premiums collected since January 1st of this year. Is that correct, Mr. Speaker?

Mr. POLEN. That is correct.

Mr. DONALDSON. And there is an acceleration clause in this tax that is payable, I believe, in March, so that money will be received in this biennium under this tax. Is that right?

Mr. POLEN. That would be correct.

Mr. DONALDSON. Would the gentleman give us that amount?

Mr. POLEN. For the 1960-1961 biennium, with the 80 percent prepayment, there would be an estimated $17 million and it is included in the receipts.

Mr. DONALDSON. And that $17 million like the other acceleration money would be used to reduce the deficit for this biennium?

Mr. POLEN. That is correct.

Mr. DONALDSON. Mr. Speaker, since the insurance companies, these domestic insurance companies, have been selling policies in January of this year, does this tax mean that in computing their actuary tables they will now actually have to consider a ninety-eight cent dollar?

Mr. POLEN. Of course. I think in 40 of the 50 states they now pay that tax. I believe you would be correct, because the tax is effective retroactive to the first of the year.

Mr. DONALDSON. At least that would be so from the first of the year until the effective date of this Act?

Mr. POLEN. That is correct.

Mr. DONALDSON. Mr. Speaker, this money will, of course, affect the status of the policyholders now and those who may buy insurance in the future? Will it not affect the schedules of annuities and life contracts?

Mr. POLEN. No, it would not affect the payment in any way nor the benefits of any of the policies, Mr. Speaker.

Mr. DONALDSON. Well, presumably the insurance companies would have given a better contract with a 100-cent dollar than it can give with a 98 cent dollar. Would that be correct?

Mr. POLEN. Well, of course, the majority of these companies sell insurance all over the United States, the great majority of them do, and they have taxes in 40 of the 50 states and I do not believe it would, in any way, affect the competitive position of the companies nor the financial stability.

Mr. DONALDSON. But it takes away benefits that they had over foreign companies doing business in the Commonwealth.

Mr. POLEN. Yes, that would be correct, Mr. Speaker.

Mr. DONALDSON. Would you call this a new tax?

Mr. POLEN. It is a new tax on the domestic corporations, yes, sir.

Mr. DONALDSON. Would you call it a new tax on business?

Mr. POLEN. No, I would not call it a new tax on business, but it is an extension of the tax that is on the foreign insurance companies and it is now applied to domestic insurance companies as well. It is new to them.

Mr. DONALDSON. Well, I do not want to quarrel over it, but, as far as the domestic life insurance companies of Pennsylvania are concerned, is this a new tax on their books?

Mr. POLEN. It would be, Mr. Speaker.

Mr. DONALDSON. One further question, Mr. Speaker. If it should not have been directed to you I will direct it to the proper source. Was a request made to either the Chairman of the Appropriations or the Chairman of Ways and Means on behalf of the domestic insurance companies for a public hearing in regard to this tax?

Mr. POLEN. There was none made to the Chairman of the House Appropriations Committee, and as a member of the Ways and Means Committee I received no request nor heard of any such request. The Chairman of the Committee would have to answer that so far as Ways and Means is concerned.

Mr. DONALDSON. I thank the gentleman for his forthright answers and, Mr. Speaker, since the Bucks County intramurals are over, I think that we should go into Allegheny County, and I would request permission to interrogate the Chairman of Ways and Means, Mr. Kamyk of Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Kamyk, permit himself to be interrogated?

Mr. KAMYK. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, in his capacity as Chairman of the Ways and Means Committee, was a request made to the gentleman on behalf of the domestic life insurance companies for a public hearing on this measure?

Mr. KAMYK. Mr. Speaker, I did have a verbal request from a gentleman to hold a public hearing on House bill No. 99. However, the written request did not arrive until the bill was reported out of committee.

Mr. DONALDSON. Mr. Speaker, would it not have been virtually physically impossible for anybody to have submitted a written request to the gentleman for a public hearing on this bill between the time the bill was available in print and the time it was reported from your committee? As a practical matter, would it not have been impossible?

Mr. KAMYK. Mr. Speaker, they received the information in the Governor's message and they could have been as speedy as we are for the benefit of the State of Pennsylvania.

Mr. DONALDSON. Certainly none of us here denies how speedy the gentleman is. I thank the gentleman.

Mr. Speaker, I would like to speak on the bill.

The Governor's statement for the administration in the House of Representatives, of course, will admit, if they must, that this must be a new tax on business. The statesmen for the administration when they travel around the State, however, do not say this, and I have a clipping from the Pittsburgh Press of this morning wherein Secretary Davlin, who, incidentally, does a pretty good job in the Department of Commerce says that Governor Lawrence in his recent Budget Message did not propose any new tax on business.

I think in many ways this is perhaps the worst tax bill of the entire package because I think it indicates a great deal of fiscal schizophrenia on the part of this administration. They are going to tax Pennsylvania corporations for the first time to raise a certain amount of money, substantially the same amount of money that they want to give to the Department of Commerce and the Industrial Authority to attract new business into the Commonwealth. And yet you say by this bill, you have said previously, Mr. Majority Leader, that we have adopted a sound business tax climate in Pennsylvania, and your Secretary of Commerce goes all over and insists that you have adopted a sound fiscal tax policy. As a matter of fact, as I recall it, a great deal of that fiscal tax policy was enacted in 1957, the only year of

the Democratic governships that the House and Senate were controlled by the Republican Party. But you say, in effect, that you cannot depend on our promise to maintain a sound business policy because we once gave these life insurance companies that were incorporated here a bit of a break, as soon as we were a little short of money we took the break away from them.

Mr. Speaker, I thought the gentleman from Blair, Mr. Auker, particularly, did an outstanding job, and other Members have spoken of the necessity of doing something at State level to stop unemployment and distressed areas in Pennsylvania. You are familiar with it in the railroad areas, you are familiar with it in the coal areas, and we in Allegheny County and in western Pennsylvania fear it is going to be in the near future a critical problem in the big steel area, if it is not a critical problem right now.

The danger of this tax, as I see it, is not so much its limited impact in this instance, but it is a breaking of faith with those people whom you have tried to bring in here by saying that you are having an effective tax climate. You are not going to bring them in here solely by asking for them in Washington, D. C. You are going to have to get down to business here and sincerely indicate a real desire to bring these people in and to adopt a sensible tax climate.

We have come to a point, it seems to me, in this Commonwealth, that the day is long past when, because of our geographical location and our natural resources, business and industry and employers are going to gravitate here naturally. That day is long past and not likely to return. We must start to effectively compete with other states. The day is going to come when we are giong to have to consider exempting new employers from certain real estate taxes as they do in many states. And yet, in this very instance, limited though it may be, you say, we are not going to give you any advantage, you may as well go wherever you want to go.

You have accelerated so fast and you are accelerating so fast, and you are going through so much so soon, that I am afraid you are going into orbit. Because of the lateness of this hour—I am glad that I spoke so if my wife ever reads the record she will know that at five o'clock in the morning I was really here doing something—I would ask permission, Mr. Speaker, to insert into the record a prepared statement which I will not bother to read.

Mr. DONALDSON submitted the following statement to be inserted in the record:

STATEMENT ON THE PROPOSED PREMIUM TAX ON PENNSYLVANIA INSURANCE COMPANIES

House Bill 99 seeks to depart from the policy long established by the legislature that Pennsylvania insurance companies should be favored in the application of the gross premium tax. This bill would extend the tax to Pennsylvania life insurance companies. It is opposed by Pennsylvania insurance companies for the reasons indicated in this statement, which is submitted on behalf of The Insurance Federation of Pennsylvania and the life insurance companies listed below. These companies account for most of the insurance business done by domestic life insurance companies. A public hearing before the Ways and Means Committee is requested so that Pennsylvania's life insurance companies will have an opportunity to explain the effect this proposal would have on them.

Pennsylvania's Established Policy Should Be Continued—Equal Treatment for All Pennsylvania Companies

Pennsylvania insurance companies oppose H. 99 because of their firm belief that the legislature's pattern of protection and encouragement of Pennsylvania's domestic insurance companies should be continued and because it would further complicate the present discriminatory effect of capital stock, corporate net income and marine profits taxes imposed on domestic stock companies. To hinder domestic companies through enactment of H. 99 is inconsistent with the purpose of economic development of the state. The bill is additionally objectionable because of its discriminatory effect as between competing lines.

The insurance industry means much to our state, and Pennsylvania has taken its place in the forefront of insurance states. To continue this growth and the attraction of additional money to our state through insurance will require the continued development and growth of new and smaller companies as well as the expansion of the larger companies into new fields to keep pace with the growing economy. The proposal would retard this development instead of encouraging it. The proposal would retard this development instead of encouraging it, and we want to stress this strongly because a temporary tax gain could do irreparable damage to the future development of the local insurance industry.

Development of Policy of Encouragement to Pennsylvania Companies

The policy of different treatment of domestic companies in premium taxation extends back over 75 years, culminating in the exemption of all Pennsylvania companies since 1953.

This policy was initiated by the 1877 Act (P. L. 6) which imposed a rate of 8 mills on domestic companies, as compared with 2% for foreign companies, but excluded companies on a "purely mutual" plan without accumulated reserve.

In 1895 (P. L. 408) this was broadened to exempt all companies on a mutual plan without reference to reserves. In 1931 (P. L. 1408) domestic stock life insurance companies as well as mutuals were exempt. The current exemption for all domestic companies followed temporary emergency legislation of 1951.

The basic purpose of the policy developed by this legislation is to offer encouragement to the development and growth of Pennsylvania companies regardless of the type or classification of the company, and the policy has had this desirable effect. This policy is an important factor in the development of a new insurance company formed in Pennsylvania and conducting the bulk of its business in Pennsylvania. It is of great importance also to older established companies which are extending their operations into new lines or branches of the insurance business.

Extension of the Tax to Life Insurance Companies Will Retard Their Growth and Development

The proposed enactment of a premium tax on domestic life companies is of concern to all Pennsylvania insurance companies. Such a premium tax, which increases the cost of accumulating the funds necessary to provide policy benefits, is in effect a tax on thrift. In the case of domestic stock insurance companies this bill would add a burdensome tax on top of the capital stock tax which already taxes funds used to support the company's business in other states as well as Pennsylvania. Thus it is not only a tax on foresight by individuals in making provision against the misfortunes of life without governmental help, but in the case of life insurance companies it can have an adverse effect on the stability of the company itself, since it applies to premiums received on old and new policies alike, fixed by contract for long periods in the future. The greater part of a life insurance premium is required to build reserves behind the insurance policy and to provide reasonable margins of safety to guard against unknown contingencies. When a company has once sold a policy, it may not thereafter increase the premiums on that policy simply because of some new expense or tax. Therefore, while a tax of 2% on the premium might at first seem

small, the fact is that it represents a large proportion of the available margin in the premium after the actual cost of the insurance and the expenses of the business have been taken care of. Its application to premiums fixed by prior contract and not subject to change would impose a serious burden on the companies.

Effect on New Companies

Particularly is this so in the case of a small growing company whose business is largely written on the lives of Pennsylvania residents. A 2% premium tax would really be an extremely large percentage of the margin in its premium receipts over and above the amount required to maintain its insurance obligations. In the case of some smaller companies such a tax would seriously deplete the amounts available to maintain and strengthen their contingency reserves. In other words, what might seem to be a relatively modest premium tax is in reality a tremendous tax on net operating margins.

Effect on Expansion Into a New Line

The imposition of a premium tax at this time will also have a dampening effect on the programs only recently inaugurated by a number of domestic life insurance companies for entry into the field of group life and group accident and health insurance. In this endeavor they are in the same position as "new" companies and have to absorb the initial expense inevitably involved in breaking ground for a new enterprise in which high unit costs must be faced while volume is developed. At the same time they must compete with large out-of-state companies which have long since established their position in this field. Pennsylvania's existing policy of exemption of its own companies is a very important aid to its companies in bringing this business to the state with the attendant benefits which accompany the attraction of funds here and the expansion of home office activity within the state.

Premium Tax Not a Deduction from Taxable Investment Income

It is a common error to assume that only half of any new state tax imposed on a life insurance company will actually be borne by it because of an offsetting deduction under the federal income tax. The fact is that life insurance companies are taxed under a special provision of the Internal Revenue Code which does not permit the deduction of state premium taxes in determining taxable investment income. The bulk of the federal income tax on life insurance companies comes from this source, and for most companies the impact of the premium tax would thus not be tempered by a deduction. Furthermore, life insurance companies have already had to adjust to a greatly increased tax under the Life Insurance Company Income Tax Act of 1959.

The Proposed Tax Will Discriminate as Between Pennsylvania Companies

If H. 99 were enacted certain types of Pennsylvania Insurance companies will be subject to the premium tax while other types are not (an inequitable result in any event) but the result will also be an actual competitive advantage given to one type of insurance operation over another where their fields of operation overlap. Life insurance companies and casualty insurance companies are in active competition in the accident and health insurance field. While only life insurance companies may write life insurance, both life and casualty companies are authorized to write accident and health or accident and sickness insurance and both do so. This bill would tax premiums paid to life insurance companies for this form of insurance but not if paid to a casualty insurance company. It seems clear that the legislature will not intend to pervert the policy of encouragement to Pennsylvania companies into one of favoritism of one type of domestic company (not sought by it) over another competing domestic company.

Effect of Retaliatory Laws of Other States

In considering the taxation of insurance companies it is extremely important to keep in mind the "retaliatory" provisions of the insurance laws of other states. The effect of these unique provisions is that—if Pennsylvania imposes a burden on insurance companies from, for example, State A, which State A does not impose on Pennsylvania companies—then State A will retaliate by imposing the same burden on Pennsylvania companies doing business in State A. Thus if, in addition to the premium tax on foreign insurance companies, Pennsylvania adds to the burden of acceleration of payment of premium tax, this burden may be returned many-fold upon Pennsylvania companies doing business in other states in the form of application of their retaliatory laws to require acceleration of premium tax payments in the other states, since no other state provides for such acceleration.

The Insurance Federation of Pennsylvania

American Penn Life Insurance Company, Phila.
Community Life Insurance Company, Phila.
Continental Life Insurance Company, Upper Darby.
Educators Mutual Life Insurance Company, Lancaster.
The Fidelity Mutual Life Insurance Company, Phila.
Gibraltar Life Insurance Company, Phila.
Great Northwestern Life Insurance Company, Upper Darby.
Industrial Life Insurance Company, Phila.
Life Assurance Company of Pennsylvania, Phila.
Life Insurance Company of North America, Phila.
National Accident and Health Insurance Company of Philadelphia.
Northeastern Life Insurance Company, Upper Darby.
The Penn Mutual Life Insurance Company, Phila.
Philadelphia-United Life Insurance Company, Phila.
Philanthropic Mutual Life Insurance Company, Phila.
Pioneer Life Insurance Company, Phila.
Plymouth Mutual Life Insurance Company, Phila.
Presbyterian Ministers' Fund, Phila.
Provident Home Industrial Life Insurance Company, Phila.
Provident Indemnity Life Insurance Company, Norristown.
Provident Mutual Life Insurance Company of Philadelphia.
Quaker City Life Insurance Company, Phila.
Schuylkill Life Insurance Company, Orwigsburg.
Superior Life Insurance Company, Phila.
Teachers Protective Mutual Life Insurance Company, Lancaster.
Union Mutual Life, Health and Accident Insurance Company, Phila.
Valley Forge Life Insurance Company, Reading.
Philadelphia Life Insurance Co., Phila.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boies,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,

Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 100, entitled:

An Act amending the act of June 1 1889 (P L 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, do I understand that the provisions of this bill make permanent a 14-mill tax on gross receipts of public utilities which heretofore was levied upon by an 8-mill permanent tax and a 6-mill temporary tax?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. And that this bill also accelerates the payment of that tax?

Mr. POLEN. This bill accelerates the prepayment of the 8-percent estimate of the current year's tax.

Mr. TOMPKINS. Heretofore public utilities had none of this gross receipts tax accelerated?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. This is the first time that you are trying to accelerate the payment of taxes on gross receipts of public utilities?

Mr. POLEN. That is correct, Mr. Speaker.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, this bill is typical of so many others we have had before us tonight. I am not going to repeat the arguments regarding this acceleration program.

I do want, however, to point this out. Public utilities are on a little different par than the corporations on your acceleration feature and the other acceleration taxes which have been voted on here tonight.

This tax is made effective as of January 1, 1961. Back in 1959, when they imposed a gross receipts tax on gas companies for the first time, they had it effective as of January 1, 1959. That was amended to make it effective as of January 1, 1960. That was because of the fact that this was on the gross receipts of your public utilities. They cannot pay this tax except out of their own reserve funds or their surpluses or their earnings as it is built into the rate structure. They cannot pass it on to the consumer such as you do on your sales tax, add it on to the price of the product which they deliver.

They have no method particularly on acceleration. They will pay their tax within the required time now this year for last year's gross receipts. But you are now accelerating the tax on the public utilities, which in this case, in my opinion, is not a tax upon gross receipts, but a tax upon their capital assets, because they have had no opportunity to make provisions for any such tax and they have not been able to work it into their rate structures in order to protect themselves from the tax which you, in my opinion, are unjustly burdening the utilities with, which will eventually find itself with very much higher utility rates when they have to adjust the rate structures. I think it is most unfair.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—94

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	George,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Ashton,	Gibbons,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Blair,	Goodrich,	Lippincott,	Strausser,
Bossert,	Gramlich,	Magee,	Thompson,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	Markley,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	Merry,	Whittaker,
Dennison,	Hocker,	Miller,	Willard,
Donaldson,	Holliday,	O'Dell,	Willaredt,
Edwards,	Holman,	Ogilvie,	Williams, A. D.,
Elvey,	Horst,	Piper,	Williams, E. S.,
Eshback,	Isaacs,	Price,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Wynd,
Foor,	Kernaghan,	Seltzer,	Zimmerman,
Fox,	King,		

NOT VOTING—7

Down,	McInroy,	Odorisio,	Wescott,
Kessler,	Murphy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 7 of today's calendar, House bill No. 95.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 95, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) eliminating the provision for commissions for collection and remittance of the tax.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. O'DELL. Mr. Speaker, I think the previous speakers have exhausted Mr. Polen. I am going to ask if the Majority Leader will permit himself to be interrogated.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. McCANN. No, Mr. Speaker, I yield to Mr. Polen. I do not mind admitting that I am absolutely numb. I have only slept about three hours in three nights in a row.

The SPEAKER. The gentleman from Greene yields to the gentleman from Washington, Mr. Polen.

Mr. O'DELL. Mr. Speaker, is the gentleman in the retail business?

Mr. POLEN. I am not, Mr. Speaker.

Mr. O'DELL. Is the gentleman familiar with any of the operations of a retail store?

Mr. POLEN. Yes, I am, Mr. Speaker. I worked in my father's store when I was a boy. It was a long time.

Mr. O'DELL. That was before tax.

Do you have any indea of the work involved in keeping the present four percent State tax records?

Mr. POLEN. Mr. Speaker, I know it would certainly involve some work.

Mr. O'DELL. Mr. Speaker, have you ever read these twelve pages of rules and regulations that the average small merchant as well as the big merchant is compelled to read and abide by in reporting his tax?

Mr. POLEN. I have read the regulations, Mr. Speaker. I am not certain they are the same ones the gentlemen from Erie has, but they would be—

Mr. O'DELL. They are the same ones, twelve pages, on the regulations of the four percent sales tax.

Mr. Speaker, I should like to talk further on the bill.

I am a retail dealer, probably one of the two retailers in the House. I am speaking for probably in excess of 100,000 merchants. I understand there are a little over 100,000 merchants registered with the sales tax bureau.

When this tax was enacted, it was necessary for many, in fact, most of the larger stores, to go to great expense in buying new cash registers on which to keep their tax collection as a separate item. I think a lot of you realize that this is a selective tax; it is not a general sales tax. The point I want to bring out is that the two percent we are allowed for the collection of this tax is little enough. I have had several communications from some of the larger dealers saying the best thing would be the dropping of the two percent and even suggesting that it be increased to three and four percent. This is a big item in many of the larger stores.

The argument is used about other states, but we are not in other states, we are in Pennsylvania. By the way the law is written, thusly, we must report by coded sales, cash and credit. We must pay to the Commonwealth four percent of our total sales, cash and credit. There is no provision made to make a refund to us if any of our credit accounts go sour. I think some of the attorneys here will bear me out that personal bankruptcies are on the increase. There was a time when the only person who went bankrupt was a merchant. Today many young couples are getting so saddled with debt that they are going into personal bankruptcy. At the present time I have one account of $100. I was notified last week that this particular young couple has gone into bankruptcy. I have already paid the State its four percent, and there is no provision made to get that four percent back again.

I have a friend in Erie who is an accountant, and he has over 50 small business people who cannot afford to hire an extra person to do their accounting, keep track of their tax. He does their work for $25 a month. That is a very small amount, but it means a lot to these small merchants.

On the other side of the House the Democrats are always talking about being friends of the little people. You will find the little people, the little merchant, is going to be very, very hard hit if you take away his two percent. It is expense that cannot be passed on to the consumer. That two percent is little enough, and I beg of the other side of the House, The few of you who have some small merchants in your areas, think about it and give us a "no" vote on this bill. I thank you.

Mr. PIPER. Berks County would like to be heard. Representing 500 retail grocers in this Berks County area, we most vigorously oppose passage of House bill 95, eliminating the small retailer's commission on sales tax. I urge you to oppose this measure. I urge you folks to think. This

is the small fellow, the small businessman, who gets his pennies in competition with the big chain stores. I urge you to oppose this tax.

Mr. AGNEW. Mr. Speaker, I do not know why the Members of the Minority are expressing surprise that the Democratic tax program is hurting the little man. Did we not have all this settled earlier this morning that the Democrats are a big business administration?

Mr. LIPPINCOTT. Mr. Speaker, I had rather a long speech prepared on this matter because as the prior speakers have indicated, this bill has received more opposition in the form of communications, I think, than almost any other bill in this package. I have here the Minority Leader's file containing a tremendous number of letters and telegrams from all over the state, in opposition to the bill. I would merely like, instead of giving a speech, to offer for the record a letter from the Pennsylvania Retailers' Association in opposition to the bill, together with a statement giving a breakdown which indicates that in four-fifths of the states having sales taxes, every one permits a commission up to five percent. Every one of the four-fifths of the states. Thank you.

Mr. LIPPINCOTT submitted the following letter for the record:

PENNSYLVANIA RETAILERS' ASSOCIATION, INC.

January 20, 1961

Hon. Willard F. Agnew
House Minority Leader
State Capitol
Harrisburg, Pa.

Dear Representative Agnew:

We are writing to urge your support in opposing the enactment of H. R. 95 which would repeal the 2% commission for collecting the State Sales Tax.

This is wholly unfair to retailers because this commission is more than earned by their services as tax collectors for the State. Most stores, in fact, are out-of-pocket since the present commission does not nearly cover their actual costs of administering this tax.

Many retailers have had to purchase expensive new cash registers and other equipment and have also had to engage additional clerical help merely to maintain the elaborate records of tax collections and of taxable vs. non-taxable sales under our patch-work Selective Sales Tax.

As proof of this, we strongly recommend that you read the enclosed regulation (No. 502a) on record-keeping as promulgated by the Bureau of Sales and Use Tax for a better understanding of what the retailer is up against in collecting and reporting the Sales Tax.

Retailers also sustain substantial losses by being "stuck" with the tax on uncollected credit sales, since the State requires the retailer to remit the tax within 30 days from the date of sale, regardless of when if ever the customer pays his bill.

Aside from the obvious unfairness of this proposal, we submit that it is just plain poor business for the State to eliminate this commission.

This ill-considered proposal can only result in antagonizing the tens of thousands of vendors upon whom the State must rely to collect this tax, who will quite naturally feel that their work and expense in handling the tax has been completely disregarded.

Retailers have always felt that they were bound by a contract with the State to do the best possible job of collecting, reporting and promptly remitting the Sales Tax in order to qualify for the 2% commission.

Without this incentive, it is our firm opinion that great damage will be done to the efficient administration of this corner-stone of the State's revenue program. That the "laborer is worthy of his hire" is just as applicable here as in any other field of endeavor.

All other State and local tax collectors are paid —why single out the retailer and take the cost of collecting over $400 millions annually out of his hide? This is rank discrimination. There is no justification for this proposal and we therefore urge that you use your influence to stop this proposal at the outset—before greater harm is done.

Sincerely,
John E. Means
Executive Vice President

The various States which impose a Sales Tax have two general plans for requiring retailers to remit the tax they collect.

One group of States (14 in number) require the retailer to remit tax collections equalling the rate of tax (2,% 3%, etc.) as applied to his total taxable sales. If he actually takes in more than the rate of tax under the collection bracket provided by law, this is called "breakage" and he is permitted to retain this as an offset to his expense for equipment and employee man-hours in collecting the tax and in maintaining the records required by the State. Also, 4 of these States go further and allow the retailer a discount or commission for prompt payment of the tax.

These States are as follows:

California	Rhode Island
Connecticut	South Dakota
District of Columbia	Washington
Kansas	Alabama —also allows 2% disc.
Maine	Arkansas —also allows 2% disc.
New Mexico	Nevada —also allows 2% disc.
North Dakota	S. Carolina —also allows 1 to 3% disc.

Another group of States (20 in number) require the retailer to remit all of his tax collections. However, 13 of these States (including Penna. up to this time do allow the retailer a collection commission or discount as an offset to his expense in handling the tax. These States are as follows:

	discount		discount
Colorado	5%	Oklahoma	3%
Florida	3%	Penna.	2%
Georgia	3%	Tennessee	2%
Illinois	2%	Arizona	none
Kentucky	2%	Iowa	none
Louisiana	2%	Michigan	none
Maryland	2%	Mississippi	none
Missouri	3%	Utah	none
N. Carolina	3%	W. Virginia	none
Ohio (on prepaid stamps)	2%	Wyoming	none

In summary, 27 (4/5 of total) States do provide some allowance to the retailer for his work, either by permitting him to retain the "breakage" or by a discount or collection commission, ranging from 2 to 5%.

The above information was taken from the "Retailers Mutual of Taxes and Regulations—1960-61," published by the Institute of Distribution, 1441 Broadway, New York City.

Mr. KISTLER. Mr. Speaker, I would like to read into

the record a communication received from Philadelphia on January 25th.

> GUY A. KISTLER, House of Representatives
> State Capitol, Harrisburg, Pennsylvania
> Independent Retail Grocers in this state vigorously protest passage of House bill 95. It is unfair to impose tax collecting burdens on small retailers while compelling them to absorb costs involved.
>
> Signed, William A. Hubbs, Jr.
> Secretary, Pennsylvania Grocers Association
> Philadelphia, Pennsylvania

Mr. HOLLIDAY. Mr. Speaker, I have listened with great interest to all the debates tonight and I would just like to read a letter here along the line spoken of by Mr. O'Dell. This is a letter from the largest concern of its kind in Blair County, the William F. Gable Company, a large department store. He says:

This is a letter of protest over Governor Lawrence's proposal to repeal the 2 percent sales tax collection commission.

> This is discriminatory and unfair and places and additional burden upon the retailer for the unsolicited and involuntary job of serving as chief tax collector for the State of Pennsylvania.
>
> The merchants of this State collected over 400 million dollars a year in sales tax for the State and, certainly, they should not be expected to bear the brunt of this expense entirely, as you do not ask any other taxing agency in the State to do this free. All tax collectors are paid.
>
> Actually, Joe, I don't know how a business like The William F. Gable Company can long endure the constantly increasing burden of taxation. It makes it almost impossible to operate at all. This should be given very serious consideration, as we are big taxpayers in the State of Pennsylvania and all these moves that are being made to increase taxes gradually and insidiously force us out of business, which will mean, of course, no taxes from this company for the State.
>
> Please give this very serious consideration.
>
> Yours very truly,
> George Gable, President.

There is another one, and these are just a couple out of a number I have received.

> We wish to register our protest to the repeal of the 2 percent sales tax collection commission.
>
> First, the two percent does not begin to cover the cost of separate records kept, to say nothing about credit sales on which we must pay the four percent sales tax, whether or not we are able to collect the account at some future date.
>
> We have put forth an effort to be law-abiding citizens, and every report we make has been handled conscientiously and has cost us more than the two percent allowed.
>
> We feel that every person should be paid for their services rendered, and other tax collectors get considerably more than we could ever hope to get, even though all accounts were paid in full.

That is signed by the President of the hardware store.

Mr. ADAMS. Mr. Speaker, I wish to register a protest against the abolition of this commission for collecting this tax on behalf of the small business people. I have received numerous protests through the mail and verbal protests against it. Not only do the merchants receive only 40 measly cents for collecting $20 in taxes, they also have to pay two dollars to the Commonwealth for a license for the privilege of collecting the tax for the Commonwealth. I think this should clearly and unmistakably show the world of business people in Pennsylvania, whether they are large or small, that the Democratic Majority is not for them.

Mr. McNALLY. Mr. Speaker, I heard the gentleman who is a jeweler say he was possibly the only retailer in this House. That is not true. I am a retailer and I did not have to buy two cash registers. I have been collecting the sales tax and collecting two percent for it. I have also been collecting Social Security tax for a good many years for the Federal Government. I have also been collecting the withholding tax for the Federal Government, the income tax. At no time have I ever received any remuneration. We have in our community the tax-everything law in effect. We have 15 political subdivisions with the one-half of one percent for the school board, and the other half for the political subdivision or the township. We receive no remuneration from that. I believe the tax in itself is not a hardship on the retailer. Thank you Mr. Speaker.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Galley,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—93

Adams,	Fulmer,	Kistler,	Simmons,
Agnew,	Gibb,	Knecht,	Slack,
Anderson, J. H	Gibbons,	Kooker,	Snare,
Ashton,	Goldstein, J. H.,	Korns,	Steckel,
Auker,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Backenstoe,	Goodrich,	Lee, K. B.,	Stiteler,
Blair,	Gramlich,	Lippincott,	Strausser,
Bossert,	Gross,	Magee,	Thompson,
Bower,	Guthrie,	Manbeck,	Tompkins,
Bowman,	Haudenshield,	Markley,	Ujobai,
Buchanan,	Heffner,	Marsh,	Varner,
Bush,	Helm,	May,	Wall,
Davis,	Henzel,	McCandless,	Weidner,
Dengler,	Hocker,	Merry,	Whittaker,
Dennison,	Holliday,	Miller,	Willard,
Donaldson,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Price,	Wilt,
Eshleman,	Johnson, R. P.,	Pursley,	Wood,
Ewing,	Keiser,	Royer,	Worley,
Fetterolf,	Kernaghan,	Rutherford,	Wynd,
Foor,	King,	Seltzer,	Zimmerman,
Fox,			

NOT VOTING—8

Down,	Kessler,	Murphy,	Sullivan, T. F.,
George,	McInroy,	Odorisio,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 8 of today's calender, House bill No. 97.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 97, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8 1957 (P L 594) providing that license fees be paid into the general fund.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from Washington, Mr. Polen, consent to be interrogated?

Mr. POLEN. I will, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is not the collection of the cigarette tax sufficient from other taxes in that the wholesale distributors must advance, in many cases, thousands of dollars in order to purchase the stamps initially?

Mr. POLEN. Let me ask first, Mr. Speaker, are you speaking on House Bill 97?

Mr. M. H. GOLDSTEIN. Thirteen and fourteen together. I am speaking about the imposition of the tax and the removal of the collection commission of four persent to a reduction of 1½ percent.

Mr. POLEN. They can buy them in advance or they can use a mechanical stamp and file a bond for the amount of payments to be made.

Mr. M. H. GOLDSTEIN. What is the cost of the bond?

Mr. POLEN. I presume it would be the usual cost of a bond of that nature.

Mr. M. H. GOLDSTEIN. Mr. Speaker, that answer gives me as much information, I am sorry to state, as the Members have received about the budget so far.

Mr. POLEN. Frankly, Mr. Speaker, I am not too familiar—

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am serious about this. Has a study been made as to the actual cost on the part of wholesale cigarette dealers in connection with imprinting stamps upon the packages?

Mr. POLEN. Mr. Speaker, I will try to explain it to the gentleman. When the cigarette tax was two cents and the stamps were all applied manually, the four percent commission was given to cover the expenses of applying the stamps manually by employes or by the man himself, who was a distributor, to the cigarettes. Then it was increased to four cents and five cents and six cents, and the commission still remained the same, but with the labor-saving device that went in actually he is receiving far more than he did. He will still receive more than he did originally and he will have less cost in doing it, because he would get one and one-half percent of six cents, which would be .009 and he was originally receiving .008. As the cigarette tax went up the commission remained stationary. It should have been adjusted long ago.

Mr. M. H. GOLDSTEIN. Well, would you give me an answer to my question? Has a study been made as to the actual cost in opening a carton of cigarettes received from North Carolina, imprinting the stamp upon the individual packages, then resealing the package? Do you have any figures?

Mr. POLEN. I know of no study having been made, Mr. Speaker, and I am not in possession of any figures as to the actual cost.

Mr. M. H. GOLDSTEIN. Do you not think that the people in this industry are entitled to have this information?

Mr. POLEN. Mr. Speaker, I yield to the gentleman from Erie, Mr. Schaaf, who is familiar with the cost of doing this.

Mr. SCHAAF. Mr. Speaker, I have a specific case in mind, if I could use that as an example of how this would work.

Mr. M. H. GOLDSTEIN. Well, Mr. Speaker, is the gentleman from Erie familiar with the actual cost based upon accounting records?

Mr. SCHAAF. Based on one specific vendor, yes.

Mr. M. H. GOLDSTEIN. Well, do you know, Mr. Speaker, that there is a firm in the city of Erie which contends that it actually lays out $60,000—apparently it does not have a bonding setup—and will have to collect this money in due course, ranging from 60 to 120 days, from its various customers.

Mr. SCHAAF. Mr. Speaker, I have a specific vendor in mind in Erie, who, during the month of December purchased $60,000 worth of stamps, and for the affixation of those stamps would receive a commission, I hope my figures are correct, of $2,400 at four percent, and, as proposed here at one and one-half percent, would receive for the month's affixation of these stamps, $900. Now, I also have some figures that would indicate, at least to me, what the costs in connection with this operation are. Would that be acceptable?

Mr. M. H. GOLDSTEIN. I would be glad to be enlightened.

Mr. SCHAAF. Mr. Speaker, this gentleman advises me, and I might say that he asked me to oppose this tax, that he has approximately $3,700 invested in a machine which opens these cartoons as they come from the cigarette manufacturer, exposes the ends of the packed cigarettes to the stamping device, affixes the stamp then seals and pastes the carton. This is all done, as I understood it, by one machine. It is in the nature of a I don't mean to advertise—a Pitney-Bowes postage meter, something on that order, and, as I say, his investment in the machine was approximately $3,700. I would assume it has a normal life expectancy, as do most office machines, of about five years.

He also informed me that attending that machine, and this is essentially an automated device, are two girls whom he pays, and here my recollection is a little bit foggy, either $1.60 per hour or $1.68 per hour. So, Mr. Speaker, on that basis, I am inclined to believe, as I was when I completed by conversation with this gentleman, that he

profits from the commission paid him by the Commonwealth.

Mr. M. H. GOLDSTEIN. Mr. Speaker, if this man actually lays out $60,000 of his own money, and the collections are not made by him for a period of ninety days, is not his money worth one and one-half percent? Does he not have to go to the bank to borrow $60,000?

Mr. SCHAAF. Mr. Speaker, I have no further information on this subject. I have no means of knowing what the gentleman from Allegheny means when he refers to a ninety-day period.

Mr. M. H. GOLDSTEIN. Well, in the collection of money from an ordinary retailer, when cigarettes are sold and distributed, and taking into consideration the time the stamps are in his possession, the average wholesaler would hardly receive his money before a ninety-day period, if you are familiar with the operation of a retail business.

Mr. SCHAAF. Mr. Speaker, I will only say this: in this particular case that I cited I am sure this particular retailer is using a profit derived in the form of a commission to cover this—there is an accounting term which is used—"floating profit" or something like that. Anyway, he uses this commission to underwrite the cost of these activities in his particular business. I have no further information on it, and I would prefer to yield to Mr. Polen.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Schaaf. I am not going to interrogate Mr. Polen again because this seems to be the last of the series of bills.

The question of this matter was turned over to me for interrogation. The information I received in part came from a telegram in the city of Erie, addressed to Mr. O'Dell, and according to the statements of these merchants in the city of Erie, they are operating and collecting the commission at a loss, even at four percent, and that is the reason I think there should have been a cost study to determine who was correct. I do not believe either you or I are in a position to so state. That is the trouble with passing legislation when you do not have background information.

I will read the telegram from the Loell Company of Erie:

We are astonished at the Governor's proposal to cut the stamping commission for cigarettes and the businessman's commission for acting as a tax collector in the matter of the Penna. retailers sales tax. This bears a lot of investigation on your part. We as a cigarette distributor cannot afford to invest $60,000 per month in stamps, buy equipment to do the job, police the retailer and hire labor to stamp cigarettes for 1½ percent commission. If this change is made the State will only be forcing more Erie distributors out of business. Erie alone has lost 11 wholesale distributors in the last five years with two more currently in the process of discontinuing business. We ask that you give this proposal your very serious consideration and ask that you advise us how you intend to vote on this issue.

That was addressed to Mr. O'Dell, how he will vote is up to him.

I also have another letter addressed to Mr. O'Dell from the Arthur F. Schultz Vending Company which stated in part:

"We have many thousands of dollars invested in cigarette tax samps, both in stamps or in inventory and accounts receivable. Our records indicate that this is not a money-making proposition for us at 4% and because it is impossible for us to increase our selling price since lower prices prevail both in Ohio and New York States, which are very close to us, this reduction would, therefore, become not only an out-of-pocket loss to us, but also will result in the possible reduction in our sales.

Now, I was visited by a distributor of cigarettes in the Pittsburgh district and he assured me, although he could not get the figures in time for the passage of this bill, for the consideration of the bill, that under no circumstances could any wholesale distributor carry out the obligations under this act for one and one-half percent. There may be some argument in the fact that a businessman should not collect any profit, but we certainly should not burden a merchant with additional cost when he is out-of-pocket.

I repeat myself, we are now voting on legislation and we do not have the background material. I believe there was no necessity for rush; I believe we are entitled to have the facts so we could make an honest and fair decision upon the subject-matter. This morning we do not have these facts. You may be right and I may be wrong, on the other hand, I may be right and you may be wrong. But, I am right in this contention, that we do not know what we are doing here this morning.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—106

Anderson, S. A.,	Gallagher,	McCormack,	Reibman,
Arlene,	Gelfand,	McDevitt,	Reidenbach,
Bachman,	Gray,	McDonald,	Renwick,
Boles,	Gremminger,	McKeever,	Riley,
Bonner,	Guesman,	McLaughlin,	Rovansek,
Branca,	Hamilton,	McNally,	Rubin,
Breth,	Hankins,	Meholchick,	Rudisill,
Capano,	Hartley,	Mihm,	Sakulsky,
Capitolo,	Heavey,	Mills,	Scarcelli,
Cauley,	Irvis,	Monroe,	Schaaf,
Cianfrani,	Jenkins,	Morley,	Schuster,
Cioffi,	Jim,	Muldowney,	Shelton,
Clarke,	Jones,	Mullen,	Sherman,
Comer,	Kamyk,	Munley,	Shupnik,
Cooley,	Kelly,	Murray,	Stank,
Crossin,	Klein,	Musto,	Stone,
Curwood,	Kornick,	Needham,	Sullivan, J. A.,
Dougherty,	Kramer,	O'Donnell, J. A.,	Taylor,
Doughten,	Lamb,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Lawson,	Parlante,	Trusio,
Farabaugh,	Leonard,	Pashley,	Verona,
Filo,	Limper,	Perry,	Walsh,
Fineman,	Long, Wm. Jas.,	Petrosky,	Wargo,
Foerster,	Long, Wm. Jos.,	Polaski,	Welsh,
Frascella,	Lutty,	Polen,	Yetter,
Fry,	Maxwell,	Prendergast,	Andrews, Speaker
Galley,	McCann,		

NAYS—92

Adams,	Fox,	Kistler,	Simmons,
Agnew,	Fulmer,	Knecht,	Slack,
Anderson, J. H.,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Bossert,	Gramlich,	Lippincott,	Strausser,
Bower,	Gross,	Magee,	Thompson,
Bowman,	Guthrie,	Manbeck,	Tompkins,
Buchanan,	Haudenshield,	Markley,	Ujobai,
Bush,	Heffner,	Marsh,	Varner,
Davis,	Helm,	May,	Wall,
Dengler,	Henzel,	McCandless,	Weidner,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Edwards,	Holman,	O'Dell,	Willaredt,
Elvey,	Horst,	Ogilvie,	Williams, A. D.,
Eshback,	Isaacs,	Piper,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Price,	Wilt,
Ewing,	Johnson, R. P.,	Pursley,	Wood,
Fetterolf,	Keiser,	Royer,	Worley,
Flynn,	Kernaghan,	Rutherford,	Wynd,
Foor,	King,	Seltzer,	Zimmerman,

NOT VOTING—10

Ashton,	Goodrich,	Murphy,	Sullivan, T. F.,
Down,	Kessler,	Odorisio,	Wescott,
George,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 8 of today's calendar, House bill No. 96.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 96, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8 1957 (P L 594) making permanent one of the additional excise taxes and reducing the commission allowed to stamp affixing agencies.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, the next bill that I call up will be the last bill, but before the Members leave this House following the roll call on this bill, there are some announcements which I hope they will all stay to hear since they have stayed, so kindly, to this hour.

Mr. Speaker, I call up on page eight, House bill 96, number 14 and the last in the package.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—107

Anderson, S. A.,	Gailey,	McCann,	Reibman,
Arlene,	Gallagher,	McCormack,	Reidenbach,
Bachman,	Gelfand,	McDevitt,	Renwick,
Boles,	Gray,	McDonald,	Riley,
Bonner,	Gremminger,	McKeever,	Rovansek,
Branca,	Guesman,	McLaughlin,	Rubin,
Breth,	Hamilton,	McNally,	Rudisill,
Capano,	Hankins,	Meholchick,	Sakulsky,
Capitolo,	Hartley,	Mihm,	Scarcelli,
Cauley,	Heavey,	Mills,	Schaaf,
Cianfrani,	Irvis,	Monroe,	Schuster,
Cioffi,	Jenkins,	Morley,	Shelton,
Clarke,	Jim,	Muldowney,	Sherman,
Comer,	Jones,	Mullen,	Shupnik,
Cooley,	Kamyk,	Munley,	Stank,
Crossin,	Kelly,	Murray,	Stone,
Curwood,	Klein,	Musto,	Sullivan, J. A.,
Dougherty,	Kornick,	Needham,	Taylor,
Doughten,	Kramer,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Lamb,	O'Donnell, J. P.,	Trusio,
Farabaugh,	Lawson,	Parlante,	Verona,
Filo,	Leonard,	Pashley,	Walsh,
Fineman,	Limper,	Perry,	Wargo,
Flynn,	Long, Wm. Jas.,	Petrosky,	Welsh,
Foerster,	Long, Wm. Jos.,	Polaski,	Yetter,
Frascella,	Lutty,	Polen,	Andrews,
Fry,	Maxwell,	Prendergast,	Speaker

NAYS—90

Adams,	Fulmer,	Knecht,	Simmons,
Agnew,	Gibb,	Kooker,	Slack,
Anderson, J. H.,	Gibbons,	Korns,	Snare,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, M. H.,	Lee, K. B.,	Stimmel,
Blair,	Gramlich,	Lippincott,	Stiteler,
Bossert,	Gross,	Magee,	Strausser,
Bower,	Guthrie,	Manbeck,	Thompson,
Bowman,	Haudenshield,	Markley,	Tompkins,
Buchanan,	Heffner,	Marsh,	Ujobai,
Bush,	Helm,	May,	Varner,
Davis,	Henzel,	McCandless,	Wall,
Dengler,	Hocker,	Merry,	Weidner,
Dennison,	Holliday,	Miller,	Whittaker,
Donaldson,	Holman,	O'Dell,	Willard,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Price,	Wilt,
Eshleman,	Johnson, R. P.,	Pursley,	Wood,
Ewing,	Keiser,	Royer,	Worley,
Fetterolf,	Kernaghan,	Rutherford,	Wynd,
Foor,	King,	Seltzer,	Zimmerman,
Fox,	Kistler,		

NOT VOTING—11

Ashton,	Goodrich,	Murphy,	Wescott,
Down,	Kessler,	Odorisio,	Willaredt,
George,	McInroy,	Sullivan, T. F.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

BILL PASSED OVER

There being no objection, Senate Bill No. 2, Printer's No. 2, was passed over at the request of the SPEAKER.

Mr. AGNEW. Mr. Speaker, very briefly, we would like to congratulate the Majority for their show of unanimity during the solidarity-forever display. We think that the Majority Leader has every right to be proud, but so does every Member of this House.

The gentleman from Washington, Mr. Polen, did on outstanding job. We might also congratulate the members of the Governor's staff. I do not suppose there will be too much work done around this Capitol tomorrow.

I would also particularly like to thank the Members of the Minority and congratulate them. We did not have the same compelling reasons to be here all night that you did, but our Members stayed almost down to the last man until almost six o'clock in the morning. I think every Member of this House is entitled to be proud of the fact that the House acted the way it did during this midnight session.

I would like to say just one more word. I hope before the Majority Leader calls another post-midnight session, it is another cold day in January.

The SPEAKER. The Chair desires to congratulate the House upon the decorum. We have watched Houses for a great many years and we have never seen, in all the time we have been in Harrisburg, a Session of this duration in which the Members of the House have maintained the admirable decorum they have maintained tonight. The Chair congratulates the Members of the House and recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, for the information of the membership of this House, next week beginning Monday, his House will have a three-day Session: Monday, Tuesday and Wednesday. The following week, the Session will be Monday, February 6, and Tuesday, February 7. The reason for no session on Wednesday is there is not suffi-

cient hotel space in the city of Harrisburg for that date. So for the next two weeks, three days and then two days.

Mr. Speaker, I would like to yield to the gentleman from Washington, Mr. Polen, for announcements.

ANNOUNCEMENTS

Mr. POLEN. Mr. Speaker, I desire to announce, for the information of the House, that there will be joint House-Senate hearings of the Appropriation Committees of both Chambers, staring Monday, January 30 at 7:00 p.m. The first meeting will be on the Highway Budget and will be held in the House Caucus Room on the first floor. All Members are invited to attend.

REMARKS BY MAJORITY LEADER

Mr. McCANN. I would like to take this opportunity, Mr. Speaker, in the wee hours of this morning, to say thank you to so many people. To all those who, just as was agreed in caucus, stood faithfully to vote on each bill to accomplish the goals we did tonight. And to say to the Minority, you said there would be no filibuster, but if you begin at twelve and end at six, there is probably another word that fits the occasion. We certainly thank you for being honest and trying to find reason for your position. I think you will find as time goes on that you, too, as you have stated before, wish you could have been able to vote for many of these revenue measures.

ADJOURNMENT

Mr. RUTHERFORD. Mr. Speaker, I move that this House do now adjourn until Monday, January 30, 1961 at 3:30 p. m. EST.

The motion was agreed to, and (at 5:58 a.m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, JANUARY 30, 1961. No. 12.

SENATE

MONDAY, JANUARY 30, 1961.

The Senate met at 3:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The following prayer was offered by the gentleman from Schuylkill, Mr. WAGNER:

Our gracious Father in heaven, the poet has written:

"The sun comes up and the sun goes down,
Days are weak or strong;
But somehow as the time goes by,
We seem to get along."

We do get along through difficult times. We do resolve trying problems because Thou dost guide us and direct us and suffer our activities.

We ask, on this opening day of the Legislature, that Thy blessing may rest upon us, that Thy light may shine upon us, that Thy direction and guidance may be ours to benefit by and from.

Bless the Commonwealth. Bless all of those who lead and direct, and to those who are charged with responsibility, give special care and attention.

We ask Thy blessing upon us, upon Thy Servants, upon Thy people, in the Name of Christ our Lord and Saviour. Amen.

JOURNAL APPROVED

The PRESIDENT. A quoroum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. MAHADY, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. PECHAN and Mr. EHRGOOD.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

RECALLING THE NOMINATION OF MRS. ELIZABETH B. WYLAM AS A MEMBER OF THE AIR POLLUTION COMMISSION

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination, dated January 3, 1961, for the confirmation of the appointment of Mrs. Elizabeth B. Wylam, Wyndmoor, as a member of The Air Pollution Commission, from November 15, 1960, for a term of four years or until a sucessor is duly appointed.

I respectfully request the return to me of the massage of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to hereby nominate for the advice and consent of the Senate Frank McKinney, R. D., Elizabeth, Allegheny County, for reappointment as a member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter R. Seip, M. D. (Homeopath), 510 Glen Arden Drive, Pittsburgh 8, Allegheny County, for appointment as a member of the State Board of Medical Education and Licensure, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. Wesley D. Richards, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Roddis, Jr., President, Pennsylvania Electric Company, Johnstown, Cambria County, for appointment as a member of The Pennsylvania Industrial Development Authority, until July 24, 1964, and until his successor shall be duly appointed and qualified, vice Francis X. McBrearty, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Skovira, 225 Hand Street, Jessup, Lackawanna County, for appointment as a member of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Joseph Krempasky, Jessup, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Katherine L. Wolff, 515 State Street, Shillington, Berks County, for appointment as Justice of the Peace in and for the Borough of Shillington, Berks County, to serve until the first Monday of January 1962, vice W. Otto Rohland, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred H. Wagner, Box 257, Portland, Northampton County, for appointment as Justice of the Peace in and for the Borough of Portland, Northampton County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas Skrabak (Democrat), 210 East Bertsch Street, Lansford, Carbon County, for appointment as a member of the Carbon County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice W. Joseph Engler, Esq., Jim Thorpe, whose term expired.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented **HB 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100** and **101,** which were referred to the Committee on Finance.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, SERIAL No. 102

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

COMMEMORATING LINCOLN'S VISIT TO THE GENERAL ASSEMBLY ON FEBRUARY 22, 1861

COMMITTEE APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL No. 102

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to the above resolution: the gentleman from Philadelphia, Senator Stiefel; the gentleman from Westmoreland, Senator Mahady; and the gentleman from Lancaster, Senator Kessler.

ANNOUNCEMENT OF HEARING BEFORE JOINT SENATE AND HOUSE APPROPRIATIONS COMMITTEES

Mr. WEINER. Mr. President, I would like to take this opportunity to clarify and further explain—in case that is necessary—the announcement that was made earlier this week. There will be a hearing this evening at 7:00 p.m., Eastern Standard Time, in the House Caucus Room before the Joint Appropriations Committees of the House and Senate, consisting of Senator McGinnis, and his Committee of the Senate, and Mr. Polen of Washington County, Chairman of the House Appropriations Committee.

The first person that will be called to testify before this committee is the Secretary of Highways, and they will discuss the Motor Fund and the Motor Fund program.

Also, all persons are invited to this meeting. Every Member of the Senate is invited and they will have an opportunity to ask any questions they may desire. Anybody who is for or against the program may also appear and they will be heard.

There will also be a continuation of these hearings tomorrow morning at 9:00 o'clock in the same room and for the same purpose, so that anyone who cannot me there today will have an opportunity to be there tomorrow. If more time is needed, the hearings will go on during the rest of the week.

I want everyone who is in this Chamber to understand that these hearings are being held. I hope the newspapers will carry it a little more clearly. Most of them I think did carry it, but it was at the end of their stories in some cases, so that some people did not see it.

Mr. LANE. Mr. President, I just would like to add a statement or two to Senator Weiner's statement.

We wish it clearly understood that the Democratic Majority in the Senate does not plan and will not attempt to do any steam-rolling. We are a deliberate Body. We are going to provide hearings and the people will have a right to speak their piece.

Therefore, if there is any misapprehension, we want it clarified here and now that there will be no steam-rolling.

INTERROGATION

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. BERGER. I believe I understood you clearly, Senator. However, I would like to make doubly sure.

I believe you said there would be public hearings afforded upon all bills that such hearings might be requested upon. Is that correct?

Mr. LANE. Mr. President, I said all bills that are controversial. As a matter of fact,—

Mr. BERGER. Oh yes, yes.

Mr. Lane. Not on all of these bills that we have before us because some of them, I believe, are generally agreed on by all concerned. We are going to hold the hearings tonight with reference to the gasoline taxes. Secretary Martin is going to be there, and the Senate Appropriations Committee and the House Appropriations Committee are going to hold the hearings. Everyone will have a right to be heard.

It was agreed that in the event we cannot finish tonight, we will work tomorrow. If necessary, we will work the following day so that the people can be heard.

Mr. BERGER. Mr. President, may I futher interrogate the gentleman?

The PRESIDENT. Certainly, sir.

Mr. BERGER. Senator Lane, the hearings contemplated, as I understand it, are upon the budget of the Highways Department, which is before the Appropriations Committee. Am I correct?

Mr. LANE. That is correct.

Mr. BERGER. Thank you, Senator.

GENERAL COMMUNICATIONS

RESOLUTION FROM THE STATE OF ARKANSAS

The PRESIDENT laid before the Senate the following communications, which were read by the Clerk as follows:

STATE OF ARKANSAS
DEPARTMENT OF STATE
NANCY J. HALL, SECRETARY OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS.

I Nancy J. Hall, Secretary of State of the State of Arkansas, do hereby certify that the following and hereto attached instrument of writing is a true and perfect copy of

HOUSE CONCURRENT RESOLUTION No. 2

By

Mr. Fletcher of Saline County

In Testimony Whereof, I have hereunto set my hand and affixed my official Seal Done at office in the City of Little Rock, this 24th day of January, 1961.

/s/ Nancy J. Hall
Secretary of State.

HOUSE CONCURRENT RESOLUTION No. 2

By Fletcher of Saline

A CONCURRENT RESOLUTION PETITIONING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES ABOLISHING THE ELECTORAL COLLEGE SYSTEM AND ESTABLISHING A SYSTEM OF POPULAR ELECTIONS FOR THE ELECTION OF THE PRESIDENT AND THE VICE PRESIDENT OF THE UNITED STATES.

Be It Resolved by the House of Representatives of the State of Arkansas, the Senate Concurring Therein:

Section 1. The General Assembly of the State of Arkansas respectfully petitions the Congress of the United States to propose an amendment to the Constitution of the United States abolishing the Electoral College system and establishing a system of popular elections for the election of the President and the Vice President of the United States.

Section 2. The General Assembly of the State of Arkansas further respectfully petitions the Congress of the United States that it provide that such amendment to the Constitution of the United States shall be effective when ratified by the legislatures of three-fourths of the several states.

Section 3. The Secretary of State of the State of Arkansas is hereby directed to send certified copies of this Concurrent Resolution to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress of the United States from the State of Arkansas, and to the Chief Executive and presiding officers of the legislative bodies of each of the several states.

The PRESIDENT. These communications will be printed in the Journal.

RECESS

Mr. SILVERT. Mr. President, I request a fifteen minute recess of the Senate in order that the Finance Committee may have an opportunity to consider the bills which have been referred to it today. Immediately upon the recess, the Committee will meet in Room 542, on "E" Floor, for this purpose. I suggest that all Members of the Finance Committee be there as promptly as possible.

The PRESIDENT. Are there any objections? The Chair hears no objections, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDENT pro tempore (Anthony P. DiSilvestro) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

At this time, the Chair invites the gentleman from Westmoreland, Senator Mahady, to the rostrum to preside.

The PRESIDING OFFICER (Paul W. Mahady) in the Chair.

REPORTS FROM COMMITTEE

Mr. SILVERT, from the Committee on Finance, reported, as committed, **HB 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100** and **101.**

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, with respect to the bills which I have just reported from committee, I would like to mention that in this first meeting of the Finance Committee, while there was some expression of difference of opinion, every Member behaved as a gentleman and they got along gloriously.

The PRESIDING OFFICER. Mr. Silvert, all of the Members of this Senate are gentlemen.

RECESS

Mr. BERGER. Mr. President, I now request a recess of the Senate until 8:00 p.m., for the purpose of holding a Republican Caucus.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objections, and declares a recess of the Senate until 8:00 p.m.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

MOTION TO ADJOURN

Mr. BERGER. Mr. President, I move that the Senate do now adjourn until Tuesday, January 31, 1961, at 3:00 p.m.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I oppose this motion to adjourn. We recessed for the purpose of coming back here at eight o'clock to work. We are here now and we ought to get on with the business of the Senate and at least go through the Calendar. There is a great deal of work to be done here. There are many measures on our Calendar that are important. I can name them if you would like me to. I do not think we came back here for the purpose of adjourning.

Mr. BERGER. Mr. President, I submit that the motion I made is not the subject of debate. I am sorry to suggest that. However, I believe that I am correct. I ask for a roll call on the motion.

The PRESIDING OFFICER. The Minority Leader has raised a point of order which is well taken. The Clerk will now call the roll.

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, I would like to inquire how Senator Pechan is recorded as having voted.

The PRESIDING OFFICER. Senator Pechan is not recorded as having voted.

Mr. WEINER. Mr. President, I would like to know how Senator Ehrgood is recorded as having voted.

The PRESIDING OFFICER. Senator Ehrgood is not recorded as having voted.

VERIFICATION OF THE ROLL

Mr. WEINER. Mr. President, I ask for a verification of the roll call.

The PRESIDING OFFICER. The Clerk will call the roll to verify the same.

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. There is nothing before the Senate except the verification of the roll.

Mr. WEINER. Mr. President, the verification of the roll call has not yet begun, has it?

The PRESIDING OFFICER. It has not.

Mr. WEINER. Mr. President, I believe Senator McCreesh wishes to be recognized and I yield the floor to him.

Mr. FLEMING. Mr. President, I submit—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. WEINER. Mr. President, I was recognized by the Chair and I yielded to Senator McCreesh, of Philadelphia. Therefore, I believe the gentleman from Allegheny, Senator Fleming, is out of order.

THE PRESIDING OFFICER. That is true.

Mr. McCREESH. Mr. President, I desire to be recorded as having voted "no".

POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. FLEMING. Mr. President, the verification of the roll call had been started before Senator McCreesh came into the Senate.

The PRESIDING OFFICER. Senator McCreesh was in the Senate and had looked up and drawn my attention before the roll call was started. I am, therefore, under the apprehension that he would answer to his name.

Mr. McCreesh. Mr. President. I would like to state that I was in the hall of the Senate, but I did not hear my name called. Therefore, I would like to be recorded as having voted "no".

Mr. BERGER. Mr. President, may we proceed with the verification of the roll?

Mr. MULLIN. Mr. President, I desire to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. KALMAN. Mr. President, I desire to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. McGINNIS. Mr. President, I desire to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

The PRESIDING OFFICER. The Clerk will now proceed to call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bell	Kessler	Stroup
Berger	Kromer	Taylor
Chapman	Madigan	Van Sant
Confair	Mallery	Wade
Flack	Propert	Wagner
Fleming	Scott	Ware, III
Hawbaker	Shafer	Wolfe
Keller	Stevenson	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will now call the names of those recorded as having voted in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Camiel	McCreesh	Sesler
Devlin	McGinnis	Seyler
Donolow	McMenamin	Silvert
Haluska	Mullin	Staisey
Hays	Murray	Stiefel
Kalman	Ripp	Weiner
Lane	Rooney	Yatron
Mahady	Sarraf	

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The negative roll will stand as verified. The roll now stands verified.

The roll was called and resulted as follows:

YEAS—23

Bell,	Hawbaker,	Propert,	Van Sant,
Berger,	Keller,	Scott,	Wade,
Chapman,	Kessler,	Shafer,	Wagner,
Confair,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,
Fleming,	Mallery,	Taylor,	

NAYS—23

Camiel,	Lane,	Ripp,	Staisey,
Devlin,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Mullin,	Seyler,	Mahady,
Kalman,	Murray,	Silvert,	Presiding Officer

The PRESIDING OFFICER. Less than a majority of the Senators having voted "aye," the motion to adjourn falls for the lack of a majority.

BILLS INTRODUCED AND REFERRED

Messrs. SEYLER, KESSLER, HAYS, KALMAN and WAGNER presented to the Chair **SB 119**, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; ....." further regulating leaves of absence for presidents and faculty members of State Colleges.

Which was committed to the Committee on Education.

Mr. SEYLER presented to the Chair **SB 120**, entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," changing provisions relating to the certificates of registration and making certain editorial changes.

Which was committed to the Committee on Judiciary General.

Messrs. SEYLER, KESSLER, WAGNER and HAYS presented to the Chair **SB 121**, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges;...." increasing the minimum compensation and increments, and changing conditions of payment.

Which was committed to the Committee on Education.

Mr. SEYLER presented to the Chair **SB 122**, entitled:

An Act repealing the act of December 22, 1951 (P. L. 1726) entitled "Pennsylvania Loyalty Act."

Which was committed to the Committee on Judiciary General.

Messrs. BELL and HAWBAKER presented to the Chair **SB 123**, entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," exempting school books sold for use in private and parochial schools, colleges and universities from the tax.

Which was committed to the Committee on Finance.

Messrs. BELL and KELLER presented to the Chair **SB 124**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the sale or other disposal of heroin, or facilitating or conspiring to sell or otherwise dispose of heroin to minors under eighteen years of age.

Which was committed to the Committee on Judiciary General.

Messrs. BELL and SARRAF presented to the Chair **SB 125**, entitled:

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. BELL and SESLER presented to the Chair **SB 126**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled, "Public School Code of 1949," making the teaching of class room instruction in "Driver Education" compulsory in secondary schools.

Which was committed to the Committee on Education.

Mr. McCREESH presented to the Chair **SB 127**, entitled:

An Act permitting charitable, religious, patriotic or civic organizations to conduct the playing of the game of bingo when the proceeds thereof are used exclusively for charitable, religious, patriotic or civic purposes.

Which was committed to the Committee on Law and Order.

Mr. STEVENSON presented to the Chair **SB 128**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing assessment provisions relating to certain third class school districts.

Which was committed to the Committee on Education.

Messrs. STROUP and KELLER presented to the Chair **SB 129**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further regulating the election of officers and establishment of joint schools and departments.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 130,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," granting certain powers to directors of newly merged school districts.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 131,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing the time for electing secretaries of joint boards and committees.

Which was committed to the Committee on Education.

Mr. STROUP presented to the Chair **SB 132,** entitled:

An Act authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles, authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

Which was committed to the Committee on Highways.

Messrs. KROMER, FLACK, VAN SANT, McCREESH and SARRAF presented to the Chair **SB 133,** entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959," redefining the words "final average salary" for retirement of officers and employes of the Pennsylvania State Police.

Which was committed to the Committee on State Government.

Messrs. FLEMING and RIPP presented to the Chair **SB 134,** entitled:

An Act amending the act of May 5, 1911 (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," increasing the jurisdiction of the County Court of Allegheny County.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. RIPP asked and obtained unanimous consent to address the Senate.

Mr. RIPP. Mr. President, when the fall term of school opened in September 1960, many of the students returning to their respective universities or colleges were required to purchase textbooks to meet their course of study. In going to the various schoolbook stores, in order to purchase textbooks, it was noticed that they were required to pay a sales tax on textbooks.

My attention was called to this matter and, in the dying days of the 1960 Session, I introduced a bill to eliminate from the Sales and Use Tax, the tax on textbooks. Of course, that Session ended before consideration could have been given to that bill.

Accordingly, Mr. President, I am presenting to the Chair another bill of a similar nature, amending the Sales and Use Tax, to eliminate therefrom textbooks and related educational material.

BILLS INTRODUCED AND REFERRED

Mr. RIPP presented to the Chair **SB 135,** entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled as amended, "Selective Sales and Use Tax Act," exempting certain textbooks and other instructional materials form the tax.

Which was committed to the Committee on Finance.

Messrs. WEINER, DiSILVESTRO, SILVERT, MULLIN, CAMIEL, STIEFEL, McCREESH and DONOLOW presented to the Chair **SB 136,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the debt limit of school districts of the first class.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 137,** entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law," increasing the debt limit of school districts of the first class.

Which was committed to the Committee on Finance.

Messrs. BERGER and LANE presented to the Chair **SB 138,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 139,** entitled:

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members, and in townships of the second class," validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

Which was committed to the Committee on Local Government.

Messrs. LANE and DONOLOW presented to the Chair **SB 140,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating the State Board of Examiners for Boiler Engineers.

Which was committed to the Committee on State Government.

They also presented to the Chair **SB 141,** entitled:

An Act relating to boiler steam machinery and refrigeration machinery engineers and firemen providing for their licensing conferring powers and imposing duties upon the State Board of Examiners for Boiler Engineers and the Department of Public Instruction; providing for the issuance, revocation or suspension of licenses and prescribing unlawful acts and penalties.

Which was committed to the Committee on State Government.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PHILADELPHIA HIGHWAY PATROL UNIT OF THE POLICE DEPARTMENT OF THE CITY OF PHILADELPHIA

Messrs. McCREESH, CAMIEL, DiSILVESTRO, DONO-

LOW, MULLIN, STIEFEL and WEINER offered the following resolution (**Serial No. 8**), which was read as follows:

In the Senate, January 30, 1961.

The City of Phliadelphia, through its Philadelphia Highway Patrol Unit of the Philadelphia Police Department, has brought a signal honor, not only to the City of Philadelphia but to the entire Commonwealth of Pennsylvania. During the past presidential campaign, during the time that President Kennedy was compaigning in the area of Delaware Valley, the members of the Philadelphia Highway Patrol Unit were assigned to guard him.

For a period of four days and nights, during which time it rained every day and night, thus making very hazardous driving conditions, President Kennedy was escorted during the entire time by the Philadelphia Highway Patrol Unit without mishap or injury. This was done in spite of the fact that the route took the President through a thickly populated area of more than two million people.

President Kennedy is reported to have said that that was the best job of police escorting he had encountered in the entire Country. The amazing thing is that, in spite of all the people he met and the appointments which he kept, he was never late for any appointment, TV or radio appearance. As a result of a job so well done, the unit was invited to participate in the inaugural ceremonies on January 20, 1961, in Washington, D. C.

There were only two occasions when the President stood to applaud any units in the Inaugural Parade. First the members of his former crew, PT Boat 109, and the second was for the Philadelphia Highway Patrol Unit of the City of Philadelphia Police Department.

This is the first time in the history of our Commonwealth that a unit from any police department from this State has been invited to participate in an Inaugural Parade; therefore be it

RESOLVED, That the Senate of Pennsylvania hereby commend and congratulate the Philadelphia Highway Patrol Unit of the Police Department of the City of Philadelphia on its wonderful showing and splendid work, and for the outstanding honor it has brought, not only to its native city but the entire Commonwealth of Pennsylvania; and be it further

RESOLVED, That copies of this resolution be sent to the Mayor, Commissioner of Police and Commanding Officer of the Highway Patrol Unit.

On the question,

Will the Senate adopt the resolution?

Mr. SCOTT. Mr. President, having watched the Inaugural Parade in the comfort of my living room, I would merely like to comment that I suspect there might be a string band from the city of Philadelphia which might be disappointed that a resolution was not offered on its behalf too.

Mr. McCREESH. Mr. President, would you include the names of the Senators from Philadelphia as co-sponsors of this resolution. I did not have the time to get their signatures prior to offering this resolution.

The PRESIDING OFFICER. Their names will appear in the record as co-sponsors of this resolution unless the Chair hears an objection.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

SENATE CONCURRENT RESOLUTION

MEMORALIZING CONGRESS TO SUPPORT AND ENACT A TEMPORARY UNEMPLOYMENT COMPENSATION ACT

Messrs. STAISEY, DEVLIN, DONOLOW and RIPP offered the following resolution (**Serial No. 107**) which was read as follows:

In the Senate, January 30, 1961.

RESOLVED (the House of Representatives concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact a temporary Unemployment Compensation Act which would extend unemployment compensation benefits for an additional period of three months within each unemployed's benefit year for each eligible unemployed who has exhausted, or will exhaust, all benefits to which he is entitled under the act of the Commonwealth of Pennsylvania approved December 5, 1936 (1937 P. L. 2897), known as the "Unemployment Compensation Law" during each such unemployed's current benefit year and which would grant the necessary funds to the State's Unemployment Compensation Funds to carry out said extension; and be it further

RESOLVED, That copies of this resolution be transmitted to the presiding officer of each house of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Mr. STAISEY asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

SB 43—Without objection, the bill was passed over in its order at the request of Mr. WEINER

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 3 and **41**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 28—Without objection, the bill was passed over in its order at the request of Mr. McCREESH.

SB 31—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 35, 38, 46, 49 and **51**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

REQUEST THAT BILL GO OVER IN ORDER

SB 53—Mr. BERGER. Mr. President, I request that Senate Bill No. 53, Printer's No. 10, go over in its order.

Mr. WEINER. Mr. President, I object to this bill going over in its order, and the reason for my objection is as follows:

We spoke last week when this bill was put over in order on a number of occasions. I believe I asked one or two of the gentlemen on the other side whether they would be ready to move this measure this week. This is a controversial measure. It is an important measure in this Commonwealth. I think we might as well face the issue today, and if we can pass this measure up to Third

Reading, I think that would be perfectly in order. If this measure goes down or is defeated, I think that ought to be also noted in the record, showing exactly who is for and who is against this measure.

I see no further purpose in dragging it on or delaying its passage any longer. One of the reasons for passing the other bills over in order was because I am aware there is a hearing going on downstairs and I would like to see as many Members go to it as quickly as possible. I did not want to make this a Special Order of Business, but I think we have gotten to it and we ought to face the issue and do whatever has to be done on this measure.

Mr. BERGER. Mr. President, I agree with the Majority Leader that this is a controversial piece of legislation in some respects. It might occupy considerable time in the Senate if it were taken up at this time, which is the very reason he assigned for putting other bills over and the reason I assign for requesting this bill to go over, and no other.

There is a hearing going on, and we were assured at the committee meeting this afternoon that we would be able to attend that hearing in order to acquaint ourselves with the subject matter of certain bills. That, Mr. President, is not available to us. Consequently, we will lose even the opportunity for a hearing on those particular bills. Therefore, I requested that this bill go over in its order.

Mr. WEINER. Mr. President, I am going to renew my objection. This bill has been around for some time. It is only on Second Reading. I would be very happy to agree that the bill be moved up to Third Reading, and if any amendments are made at that time, I will be very happy to take care of them at that time. I do not think anybody on this side has ever objected to that nor will they object tomorrow. At least it would put the bill in a position so that we can act on it tomorrow or act on it finally this week before we leave here.

If there is any reason for it to go over for another week, I am sure nobody will worry about that or decry that, if there is a good, compelling reason. This is important. I think the House ought to work on it, and I think we ought to get it to them as soon as we can.

Mr. FLEMING. Mr. President, I merely want to acquaint the Majority Leader with the fact, so he cannot plead surprise, that if he continues his objection to Senator Berger's request that this bill go over, I intend to offer an amendment to the bill on Second Reading.

Mr. WEINER. Mr. President, I am very happy to have the amendments at this point. I think if they are ready and prepared, we ought to offer them this evening so we can work on this matter. If there is a desire to do so tomorrow, let us move this bill up to Third Reading and let us offer the amendments tomorrow. The same number of men will be here tomorrow as are here today.

The PRESIDING OFFICER. There being objection to Senate Bill No. 53 going over in its order, the Senate will proceed to the consideration of this bill.

AMENDMENTS OFFERED

Mr. FLEMING offered the following amendment:

Amend Bill, page 22, by inserting after line 19:

"Section 4. The provisions of this act relating to discrimination in housing and places of public accommodation, resort or amusement shall not become effective in any county of this Commonwealth until the following question is approved by a majority of the electors of the county voting on such question: 'Shall the provisions of the act of October 27, 1955 (P. L. 744), as amended, which prohibit discrimination in housing and places of public accommodation, resort or amusement be effective in the County of .....?' Such question shall be submitted to the electorate of each county at the next general or municipal election occurring at least sixty days after the effective date of this act, in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions."

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I would like to point out to the Members of the Senate that this local option amendment, which is the basis for the amendment offered by the Senator from Allegheny County, I feel has no place in this bill for the following reason:

This is a matter that concerns the entire Commonwealth and all of the people who live in it. I know that most of the gentlemen sitting in this Hall have made speeches on behalf of democracy and have verbalized its benefits, but I think we ought to go beyond that stage at this point.

I think you actually have to get down and declare whether it is public policy and to actually state what you are for, other than just verbalize it on historical occassions like Memorial Day, the Fourth of July and other days of that nature.

As long as any member of this Commonwealth is discriminated against,—and I do not care what we are talking about, whether you discriminate against people with blonde hair and green eyes—you have already taken away the rights of people who have blonde hair and brown eyes. This will continue unless we do something about it.

I think we are mature enough here and I think the Commonwealth is mature enough to face up to these problems. I think you cannot close your eyes and say that these differences do not exist. It may be a long way between Harrisburg and what is happening in Africa.

I do not know whether any of you saw, about two or three weeks ago on television, a program called, "The Red and the Black," the title of which was taken from a very famous novel. The purpose of it was to show how communism is creeping into the new countries of Africa, and how it is gaining footholds .

The most interesting part of the program was an interview of two heads of state. They interviewed the people in their cabinets, they interviewed the ambassadors who had been to this country, and they stated why they had not felt as strongly toward the West or were not as pro-West as had been indicated earlier when their country was founded and was getting a foothold, since we had been one of the people who had spoken about and on behalf of their independence, especially in view of the fact that our own Country came into being by people fighting to be free and establishing their independence.

The thing they stated was the amount of discrimination that went on in this Country and the treating of our citizens at diffenent levels and in different places, depending upon where they went.

I think we have outgrown that. I think also the Supreme Court decisions have come to recognize what is basic in this Country.

I know there are many men sitting in this room who

went to law school the same as I did, and when they heard the decisions which were rendered about equal accommodation and about the other facets of this, —and the mumbo jumbo that absolutely meant nothing, and they realized they were dealing in things that were foreign to the people who were actually involved—they were not anxious to face the realities of the situation.

I think this is what is before us here today. To try and evade or avoid this type of a consequence by saying that it is up to each local community, I think is sort of begging the issue all over again. What are the people of the community going to be asked to do, to tell us what we ought to have as public policy?

This law will not change anybody's feelings. This law will not have anybody act in a different manner. You will not have people moving or shifting in the population no matter what happens with this measure.

The only thing that the F.E.P.C. in this State has done in all of the years that we have had it has been a process of education, which is the entire problem because there are many countries in this world where, if we went there as individuals or as people of other religions, we would be the minority group. It is a matter of geography.

All we are saying here is to give the rights to the people, which you have guaranteed them under the Constitution and the Bill of Rights.

I say to you that it is a shame we have to waste the time of this Senate and spend time talking here about a measure of this type, when everybody sitting here agrees this is the proper thing to do.

I have heard many of these builders and I have heard many of these other people tell me about the great chaos that is going to come about in this Commonwealth as a result of passing this measure. This will not happen because the conduct of people is not changed by any law. People have to be educated. Under the F.E.P.C., no one has ever been indicted, no one has ever been arrested and there has not been issued a cease and desist order, which is the remedy given under this measure.

What is the great fear? What is it that we have to avoid? What is it that we are afraid of facing up to? What is it that we cannot hope to put across? Why can we not be one of the groups who are leading this parade and who are asking that men actually treat each other as human beings? Is there anything wrong in that? Must I stand up here and preach about this or discuss this thing? Must there be any discussion or argument about this problem? What does this bill really do? How many men here have actually taken the trouble to read it and can tell me what their fears are?

The biggest problem is that some of these men are afraid they might suffer an economic loss. Actually, this is not the fact. The fact is that when the neighborhood changes, they suffer an economic gain because every house in that area goes up. I do not think anyone has to be afraid. If people can afford to move into certain areas, they should be allowed to live there.

Suppose I said to some of you gentlemen, sitting on the other side of the aisle, that you can only live in certain areas or restricted areas. I do not think you would be very happy with that.

We have outgrown that. We have to be mature. We have to behave as mature people do. We hear a prayer here every day, at the beginning of the Session, and I think the basic thing of all these prayers is to treat your fellow man as you would have him treat you, and this is the way you begin. This is merely a declaration of public policy. You are not forcing anyone to do anything they do not want to do or do not already do now.

Mr. FLEMING. Mr. President, I would certainly strongly disagree with the Majority Leader. I do not feel this is a field in which we should legislate. I am joined in that feeling by some very prominent legal minds, notably the former Dean of the Law School of the University of Pittsburgh, Mr. Charles B. Nutting, and various others who have said that legislation is not the proper approach to this problem.

I am not anti anything. However, there is a fundamental right given to us under the Constitution of the United States to own and dispose of property as we see fit. I believe we are tampering with the economic good of this Country when we say to any citizen that he cannot dispose of his property in the manner he chooses.

Certainly, it is very apparent that it is the right of anyone, myself or any other person, to own property and to dispose of it and to sell it to any person to whom we want to sell. I do not agree with the Majority Leader when he says this is now prohibited by law. I would like to see, on any statute books of Pennsylvania, a law that says you cannot dispose of property to anyone you want to. There is no restriction now in any law that forbids the selling of property to any person regardless of race, creed or color. That is entirely up to the owner. That is a fundamental, free right of the American people to do that. Yet, here we are tampering with that right.

What is wrong then in submitting this question back to the local counties to see whether or not the people in the individual counties want to restrict the right of private ownership? I can see nothing wrong in letting the majority rule. I believe this Country has become great by majority rule and by the minority going along with the majority. That is all this amendment does. It submits back to the electorate of each of the sixty-seven counties, before the law would become operative, the decision of whether or not they want this.

If the proponents of the measure think it has such widespread approval of all the groups in Pennsylvania, then they have nothing to fear, submit it to the voters. If such is the case, it will be overwhelmingly approved by them.

That, of course, Mr. President, I do not believe. I believe if the people of Pennsylvania have the opportunity to vote on this measure, they not vote for it. I think they will retain unto themselves one of the fundamental rights given by the founders of this Country to the citizens of this Country, which is to own and to dispose of private property as they see fit.

I would urge every Member of this Senate to vote for this amendment, which would give to the people of each and every county of Pennsylvania the right to decide whether or not they want this change made.

Mr. DONOLOW. Mr. President and Members of the Senate, it was not my intention to participate in the debate on this bill this evening. However, I think the last speaker,—although he is generally sincere in his approach and I respect him for the position he takes—from the way he views this problem, was not necessarily correct nor necessarily American.

We are not going to submit to the people of any county, or to the people of Pennsylvania a vote to make any

of our citizens second class citizens. It is a direct insult. For any man who has been sent here by the people of his community and by the people of his district to put his vote to a bill to submit back to his people the question of whether to make any group of people second class citizens, I feel he is failing to fulfill his obligation in this Hall this evening.

Is it a fundamental right to do with property as you see fit, to the detriment of another American? We do not maintain, because my skin is white, that I possess the fundamental right to neglect or vote against a man whose skin is brown. He lives, he breathes, he eats, he exists and sends his children to school, the same as all the rest of us. Therefore, I think we are losing the place of fundamental rights.

We have a fundamental right and we have it here in this Hall this evening, as one of the States of the Union. Our fundamental right is to send out to the world, and to the rest of the Country, the message that every man, woman and child has the same equal rights, regardless of the church he attends or the color of his skin. This is the fundamental right with which we are charged and not the economic fundamental right, which is a secondary guarantee under the Constitution, so far as equal rights are concerned.

Again, Mr. President, I want to say that I respect my friend's position. However, I think it is being looked at from the side and not squarely in the eye.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman who was speaking on property rights that I am not against individual property rights. However, suppose you had a fire which took place in the community, in a block of houses, and in stemming the fire, they would blow up the house at the end of the block, which as yet was not on fire. Would property rights prevail or would the rights of the community stand out?

Mr. President, I think that is all that is before us this evening.

Mr. STROUP. Mr. President and Members of the Senate, it is my opinion that the gentleman are going far afield from a reasonable approach to the problem which faces us here this evening.

First of all, we are reaching into a field which inherently, traditionally and historically, down through all the centuries, has been a human property right. This has been one of the fundamental rights of all our people in this Nation, in the Anglo-Saxon Nations and in the Romance Nations across the world. Today, my good friends, we tamper with that fundamental right and we place that tampering on the altar of that which we like to call "humanitarianism" or human relations. These are terms in luring fireflies to cause us to do that which, in the long end and in the past of a Republic and a representative government in a Democracy, we could well live to regret.

It must be remembered, my friends, that this right of holding and disposing of property, as one sees fit, is inalienably a part of a Democracy, it is inalienably a part of a Republic, and it is inalienably a practical right which has come to us now for many, many centuries. Here, tonight, we say that we should disregard it forever.

There is no one who would be so foolhardy or so cruel as to discriminate by reason of race, color or creed and stand up and repeat that this is a policy. There is no one in this Senate who would even think of approaching the problem from that standpoint. There is no passion or revolution involved in this particular issue. It is a question or reason. It is a question of deliberation. It is a question, my friends, of whether or not here, tonight, Mr. President, we desire to take away from the citizens of Pennsylvania a human property right, woven into the web and into the woof of all the rights of our people.

Therefore, Mr. President, I think the gentlemen of the opposition are in error in the position which they take. I ask you to support the amendment which was submitted by my colleague, Senator Fleming.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the negative, and the amendment was defeated.

Mr. STROUP. Mr. President, I now desire to offer an amendment to Senate Bill No. 53, Printer's No. 10.

The PRESIDING OFFICER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

Amend Sec. 1 (Sec. 4), page 7, lines 1 to 12, by striking out "housing accommodations" in line 1, all of lines 2 to 11, and "(1)" in line 12, and inserting: "(1) housing accommodations comprising or containing five or more housing units, owned or otherwise subject to the control of one owner, whether or not contiguous, or (2) any parcel or parcels of real property or lot or lots, whether or not contiguous, available for the building of five or more housing units, owned or otherwise subject to the control of one owner.

Such "commercial housing" includes housing accommodations held or offered for sale or rent (1) by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner; (2) by the owner himself; or (3) by legal representatives.

(k)"

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Bedford, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise us as to where he obtained this amendment?

Mr. STROUP. I will, Mr. President.

It is taken from the Pittsburgh Housing Act, an ordinance which was passed I believe on December 15, 1958. Presently, it is in full force and effect in that city.

Mr. WEINER. Mr. President, will the gentleman further advise us whether he copied this, himself, or whether he turned it over to the Legislative Reference Bureau to have it drawn up?

Mr. STROUP. I had this amendment drawn by the Legislative Reference Bureau.

Mr. WEINER. Would the gentleman please answer my question, Mr. President?

Mr. President, did he turn this over to the Legislative Reference Bureau or was this handed to him by someone who prepared it?

Mr. STROUP. Mr. President, I requested that it be drawn for me.

Mr. WEINER. I wish to thank the gentleman, Mr. President.

Mr. President, I do not doubt that what the gentleman said is absolutely correct, but it seems odd to me that this is the same amendment which had been offered by certain people who were desirous of seeing this measure destroyed or seeing this measure defeated.

There is nothing sacred about the numbers five, six, eight or ten which are contained in this measure. However, it just seems odd to me that this is the very same amendment which was floating around here during the last Session. Last Session, it was an amendment which was testified to in committee by certain people who were not in favor of the bill, but were using this as a subterfuge to, perhaps, amend it to death.

Therefore, Mr. President, I ask my colleagues to vote "no" on this amendment.

Mr. STROUP. Mr. President, in explanation of the amendment which is offered, I wish to state that it will reserve unto us, at least, a modicum of private property right.

In the ordinance in the city of Pittsburgh, housing accommodations are defined as five or more units, whether contiguous or not. In the bill before us, Senate Bill No. 53, housing accommodations are limited to a persnal residence, or two units, if the owner should occupy one of those units.

This amendment, which I offer, will bring Senate Bill No. 53 into conformity with an ordinance already effective and, from my limited investigation and inquiry, which has functioned very well. Yet, at the same time, it will permit one who owns four residences, one who owns an apartment building, having four units, or one who builds four units, to dispose of them by selling to whomsoever he may see fit, without coming within the purview of discrimination, as set forth in Senate Bill No. 53.

I think it is eminently fair. I think it preserves certain of the property rights, at least, for our people and, therefore, I ask the Members of the Senate to vote in favor of this amendment.

One thing further, Mr. President, is that I would like to advise the Majority Leader that when I submit legislation from whatsoever source it may come, it comes from me, particularly, because that is my feeling and my belief on that legislation. I happen to have participated in House Bill No. 322 and I was opposed to the measure then—and this bill is almost identical to that—for the same reasons which I submitted to the Senators here this evening. I must say that I resent the implication which the Majority Leader placed here on the floor tonight.

Mr. WEINER. Mr. President, I am sorry if I offended the gentleman. However, I wanted to make sure that we were all apprised of from where the measure had come. I believe I stated when I discussed this matter with the gentleman on the floor a moment ago, that I had no doubt that what he was saying was absolutely true and I did not bother to question him any further. I hope he will not take it personally.

The problem which he discussed is a social problem. I do not believe it can be solved by the amendment offered here. I think all social problems are the type of thing on which you have to declare a basic public policy and try to work within that realm. Suppose we had taken the same attitude when we were dealing with unemployment compensation, workmen's compensation, social security, the problem of mental health, the clinics and the entire setup. Property rights certainly prevail there and you are surely taking them away from each of these people. You are then insisting that other people do certain other things which are inimical to what we have been doing or what is known in this Country as individual rights.

There comes a time in all of our lives when we must mature, grow up, face reality and do what is best. We must mellow. A long time ago in this Country, I think we gave way to some of those things, because the overall group of people were to be bettered by what we thought was best for the community. It so happened that those things have worked out very well. Many people looked with great sorrow toward what they thought was the ending of a great democracy when we got into the area of Social Security and other areas of that type. They thought that the initiative would be destroyed. They also thought if unemployment compensation were enacted into law, we would be ruining the working man. None of these things has happened. This Country has flourished and has continued to grow, and I am sure it will continue to do so.

Mr. President, I ask my colleagues to vote "no" on this amendment.

And the question recurring,

Will the Senate agree to the amendment?

A voice vote having been taken, the question was determined in the negative, and the amendment was defeated.

The first, second and third sections of the bill were read and agreed to.

The title was read and agreed to.

Ordered, To be transcribed for a third reading.

MOTION FOR FIRST READING OF BILLS

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, earlier in the day we were assured that in connection with certain bills which were sent over from the House of Representatives, after having passed last Thursday, there would be a full and complete opportunity for everybody to acquaint themselves with their contents and, unless my ears deceived me, there would be opportunity for both the proponents and the opponents of such bills to be heard.

It so happens, Mr. President, that these bills came over this afternoon and a meeting was called by the Chairman of the Finance Committee. He held a very nice meeting, but the result was a complete denial of the requests for a public hearing upon certain of those bills, and they were reported out to the floor this afternoon.

Consequently, Mr. President, I am constrained to refer a little bit to the remarks which I understand were made by the President of the United States today in which he said, in effect,—and I do not attempt to quote him—

that too much speed in passing legislation indicates legislative irresponsibility.

Because this evening we have been denied the opportunity to attend the exposition by certain members of the Highways Department on some of the bills that have been reported from committee,—and which I presume will be read for the first time here tonight and placed on the Second Reading Calendar tomorrow—I must, therefore, object to the reading of these bills for the first time tonight.

Mr. WEINER. Mr. President, I believe if the gentlemen on the other side will look on their desks, they will find a complete set of the tax measures which were placed on their desks this afternoon. They include every House Bill that was sent over. I requested that they be distributed so they would have an opportunity to look at them and to study them.

What has happened here today is no different than what has happened here ever since I have been in this Senate. I would be very happy to hear from any gentlemen on the other side—many of whom have been chairmen of committees—if they could tell me when once in the past nine years there has ever been a hearing on a tax bill, at any time. I have previously made requests for public hearings, as a member of the Minority Party. I have gone to the committee hearings and I have gotten nowhere with them.

Why, at this point, do they ask for these measures when they are on their desks, which, number one, was never accorded to us; number two, when the bills have been reviewed in committee; and, number three, I have stated to the gentlemen on the other side that I will make available to them—through the Administration—the Secretary of Administration, the Secretary of the Budget, the Secretary of Highways or anyone else whom they wish to explain these measures to them.

I am sure that no matter how much time we take, we are not going to convince anybody, who is against these measures, to be in favor of them.

I might say, parenthetically, there is not one new tax measure in this entire batch. Every one of these taxes is a tax that has been levied in this Commonwealth and has been on the books back as far as the 1930's. Not one of them has been changed. All we are doing is increasing the amount in some cases, making them permanent in other cases and enlarging the number of people who are included in a few other cases.

Therefore, there are no new measures. There is really nothing new to study. There is nothing new being brought to this Body that has never been here before.

If this is the basic problem, I do not object. If the gentlemen want the bills to go over and be read tomorrow for the first time, I am not going to complain about it. We can remain here until those things are done.

The committee hearing is still going on downstairs I am assured that anyone who gets down there even twenty minutes from now will have an opportunity to ask any questions they want to ask or bring up anything they want. This committee hearing will continue even tomorrow, so that nothing has been lost. I understand that one or two Members on the other side have been downstairs attending the hearing. Therefore, actually nothing has been harmed, and no less information has come to the gentlemen on the other side.

Mr. BERGER. Mr. President, it appears to me that the speed with which the House passed these bills precluded a very extensive study on the bills, particularly in view of the fact that when I tried to obtain copies of some of the bills earlier, when they were first printed, I could not obtain them. They were impounded over there and withheld not only from nonMembers of the House, but from the House Members themselves.

Consequently, Mr. President, I believe this extreme steam-rolling of this tax legislation should be slowed down. That is the only reason I have made objection to reading the bills for the first time.

Therefore, Mr. President, I must renew my objection.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman and his colleagues that this measure was mentioned in the newspapers prior to the week of the 16th of January. Many of the newspapers carried quite a good deal on this tax, a good bit of which was accurate. Some of it was in the realm of guessing and some of it came out immediately when the Governor spoke about this thing.

We are now in the last week of January. Now if this is speed—when you are not enacting any new measures and when you are not dealing in any new areas—I fail to see it, as point number one. Number two: These measures carry with them provisions that certain things have to be done and certain planning has to take place. I think one of the things you have to do is to allow the people who are going to do this planning and do this work to understand or, at least, have some knowledge of when this thing can come about.

There is nothing sacred about passing this bill this week that will not keep until next week or the following week. However, I certainly think this will not help the measure any if the purpose is to sort of drag your heels on this thing.

I think we have been through this business of eighteen month Sessions, a year Session and so on and so forth. I think that should come to a halt. I think we ought to try it the other way; having a Session of four or five months and see how that works out. It might be a change. It might be a change that is not a good one, but at least we ought to try it.

Mr. BERGER. Mr. President, I certainly do not intend to conduct a debate on these bills because they are not debatable. However, on the other hand, the gentleman says there are no new taxes. Any tax that you increase forty per cent has some impact upon the public of Pennsylvania, and they ought to be allowed to examine it just a little bit.

The PRESIDING OFFICER. Senator Berger, in the interest of good order, do you intend your objection to extend to all bills today, or just to certain bills?

Mr. BERGER. It extends to all bills, Mr. President.

The PRESIDING OFFICER. Then may the Senate be at ease for a moment? Will both Floor Leaders come up to the rostrum, please?

(The Senate was at ease.)

The PRESIDING OFFICER. There being objection to the first reading of the bills reported from committee at today's session, the bills will appear on tomorrow's First Reading Calendar.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented **HB** 42, which was referred to the committee on Forests and Waters, Game and Fish.

PETITIONS AND REMONSTRANCES

Mr. SEYLER. Mr. President, I am a firm believer in strong and active opposition on the part of minorities. I may say that I have had a lot of experience in this kind of practice, both as a member of a minority and as a minority of one, in many cases. However, it seems to me there are certain amenities, civilities and courtesies which are necessary if we are to have the most effective operation of our business.

It seems to me that the motion to adjourn which was made today, at a time when a regular committee of this Senate was meeting in a scheduled meeting, was something which was lacking in the amenities, civilities and courtesies to which this Senate has been accustomed. There are many occasions during a Session when a committee meeting is called during a part of the regular agenda of the Senate, which carries no controversial matters, in the interest of making time.

If we are to be on the alert, as per the example that was offered today, so that in the future at any time,—even though we have a duly authorized committee holding an announced meeting— we are to be subject to bringing a vote such as was brought today, then I think, if we are thus forewarned, we are going to have a much more rough and a much less courteous procedure than we have been accustomed to having.

I say this believing that every means—every legitimate means— open to a minority should be used to defend their point of veiw. However, I do not think that principle should be carried to the point where it amounts to sharp practice, as it seems to me the instance we had today does.

Therefore, I ask, in the interest of the future conduct of our business, that on similar occasions we be spared this kind of a test.

I may say that at the time this vote was called, there were about a half a dozen Members of the Majority Side who were attending that meeting which had been called and announced, and we had not yet reached the Calendar or any point at which it seemed necessary to summon them so that they would be here for a controversial vote. It seems to me that in such a situation, it would have been the courteous and civil thing to do to refrain until such time as those Members could be present, rather than have a motion succeed because people were legally and legitimately absent on the business of this Senate.

Mr. BERGER. Mr. President, I would like to advise the Senate gentleman,—also the Chair and the Members of the Senate—to the effect that a number of Members from our side also were in attendance at that hearing downstairs and would like to have remained. However, the chairman of the meeting very considerately stated a recess of that meeting for ten minutes, after which we had hoped to return. However, it was considerably later than that when the gavel did fall.

In order to set the minds of any of the Senators at ease on the matter of sharp practice, I am sure the Majority Leader will advise the gentlemen that I advised him that intended to make such a motion.

Mr. HALUSKA. Mr. President, I wish to announce that tomorrow at 11:30 a. m., the Committee on Local Government will hold its first meeting in room 301. Because of the tremendous number of bills in this committee, it is my intention to hold a meeting every Tuesday. However, I would like to have the full Membership, on both sides, decide what hour would be most suitable.

I decided myself that tomorrow's meeting would be held at 11:30 A.M. and thereafter, a meeting will be called every Tuesday at an hour set by the committee itself.

Mr. WARE. Mr. President, I am certainly very sympathetic with the position which Senator Seyler took a few minutes ago. I am sure all of us are reminded that the amenities of this Body shall be properly followed in all cases. I am sure that he must be equally sympathetic to me then when I say, as a new Member of this Senate, that I feel the suggestion that we should know about the bills which were introduced during the last Session of the Legislature is uncalled for.

Likewise, I think the suggestion that we should follow the bills in the public press is out of order.

Mr. LANE. Mr. President, I would like to make an observation or two.

I dislike very much to take up the time of the Senate because I, too, would like to attend the hearings being held downstairs.

However, I wish to state to the Members of this Senate that we did some foolish things here this evening. As a matter of fact, on Senate Bill No. 53, we could have amended the bill on Third Reading and prevented all this delay.

The bone of contention of the opposition is that the Finance Committee should hold hearings on these tax bills. Ultimately, Mr. President, if the Finance Committee were to hold these hearings on the tax bills, it would bring about justification on expenditures of public funds. Ultimately, it would resolve itself to the point whereby the Department of Highways would show its justification before the Senate Committee on Finance.

At the present time, there are joint hearings being held by the Senate and House Committees on Appropriations. The primary purpose of these hearings is to have the people informed as to what the Department of Highways plans to do in the event it receives the funds to do the work. At the same time, it provides the opportunity for those who doubt the sincerity of this program—as to whether or not we should go through with it—to interrogate the Department of Highways, and this opportunity will be afforded to every Member of the Senate and House who serve on the Senate and House Appropriations Committees.

You can, therefore, readily see that we have lost probably an hour or an hour and a half tonight, or perhaps two hours. We should be down there listening to the testimony in order for us to be well informed. Then we will be able to go back and tell our people what we have heard, and whether or not this program is justified.

I am sorry I must take up your time, but I believe I have the right to make these observations. I think we were wrong here tonight.

Let me say further, with reference to Senator Berger's motion to adjourn the Senate, frankly, I do not

criticize him at all. When we were in the minoroty, down through the years, if the opportunity ever presented itself, Senator Dent would make the motion and I would second it. If we could catch them flatfooted. it was up to us. Therefore, there is an indication here that each Member of the Senate should be on the job. I know, if I were in the minority, I would have made the same motion as was made by Senator Berger.

There is no criticism on my part, but I do say that we are foolish this evening in wasting all this time, because we have actually accomplished nothing.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, JANUARY 31, 1961

Time	Committee	Room
11:00 A. M.	JUDICIARY GENERAL	535 E Floor
11:30 A. M.	LOCAL GOVERNMENT	301
DEMOCRATIC CAUCUS		12:30 P. M.
REPUBLICAN CAUCUS		1:00 P. M.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, January 31, 1961, at 2:00 p. m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:46 p. m.

HOUSE OF REPRESENTATIVES

MONDAY, January 30, 1961

The House met at 3:30 p. m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O Gracious Lord, we beseech Thee to favorably hear the humble prayers of Thy people; look with tender mercy upon our failures to do and act in accordance with Thy Will; and preserve and extend Thy kingdom through our feeble efforts coupled with Thy great power.

Heavenly Father, we recognize the talents which Thou hast given to us; and we humbly pray that Thou wilt also grant to us the insight to take advantage of the opportunities which fall to our lot. Help us to use our capabilities to Thy honor and glory. In the words of that great American whose birthday we honor this day: "We pray that we may be worthy of the opportunities which God has given us." Through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journals for Monday, January 23, Tuesday, January 24 and Wednesday, January 25, 1961, wil be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. ISAACS. HOUSE BILL No. 243.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the examination of operators or any applicant for an operator's license.

Referred to the Committee on Motor Vehicles.

By Messrs. FRASCELLA, TAYLOR, PARLANTE and RUBIN. HOUSE BILL No. 244.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743) changing compensation and allowances for magistrates.

Referred to the Committee on Cities—Counties First Class.

By Messrs. McCORMACK, MORLEY, Mrs. MARKLEY and Mr. GIBBONS. HOUSE BILL No. 245.

An Act authorizing the registration of persons engaged in the business of repairing condemned, rebuilt or used weighing or measuring devices; regulating the conduct of such business; and providing penalties.

Referred to the Committee on State Government.

By Messrs. GAILEY, RUDISILL and A. M. LEE. HOUSE BILL No. 246.

An Act providing for the imposition of certain taxes upon the transfer of property passing from a decedent who was a resident of the Commonwealth at the time of his death or presumed death and of property having its situs in the Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death or presumed death; imposing additional taxes to equal Federal Estate Tax Credits; * * *.

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GALLAGHER.

(Concurrent) RESOLUTION No. 15.

In the House of Representatives January 26, 1961.

The majority of the State highways and bridges in Bucks County, Pennsylvania, were constructed at a time when this was primarily a rural community. In recent years, however, Bucks County has developed so rapidly in both population and industry that it has now become one of the foremost centers of urban activity within our Commonwealth. As a result, the roads and highways, many of which are one-way or dangerously narrow, are grossly inadequate and cause serious traffic congestion and hazardous traffic conditions. In order to cope with this serious problem, immediate action must be taken to modernize the outmoded highways and bridges in Bucks County; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby urges the Secretary of Highways to place all new construction of highways and bridges and all reconstruction of highways and bridges in Bucks County first in priority; and urges the Secretary of Highways to replace the present District Highway Engineer of District 6-0 with a competent, able and progressive Engineer, one who will recognize the many problems in Bucks County and who will be able to expedite all proposed plans for construction and reconstruction of highways and bridges in Bucks County.

Referred to the Committee on Rules.

RESOLUTION

Mr. McCANN offered a resolution which was filed with the Clerk under the Rules.

The SPEAKER. The Chair is about to take up today's calendar. Bills on second reading. It is understood that any of these bills passing second reading can be amended without objection on third reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 46, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 authorizing the assistant secretary or the assistant treasurer to sign certain papers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 51, entitled:

An Act repealing Section 528 of "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) elimi-

nating the requirement that cotton fabrics used in State institutions be flameproofed.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 54, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing departments boards and commissions to purchase certain film strips recordings and tests.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 57, entitled:

An Act amending the "Water Well Drillers License Act" approved May 29, 1956 (P. L. 1840) requiring the filing of certain reports to the department of Internal Affairs and deleting the filing of reports in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 60, entitled:

An Act amending the act of July 2, 1937 (P. L. 2772) entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein * * *" requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 70, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 71, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 72, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 73, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the tate Government" making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 74, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 76, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

LAFAYETTE COLLEGE CHOIR WELCOMED

The SPEAKER. We have the pleasure of having with us today the Lafayette College Choir. The Choir is here under the direction of Dr. John Raymond, who will present a concert of approximately one-half hour. I am quite sure I can prophesy that it will be a concert well worth hearing. The Choir, incidentally, is under the auspices of Mrs. Jeanette Reibman, Messrs. Verona, Prendergast, and J. A. O'Donnell. At any time the director of the Choir desires, the House is at their disposal. The Choir has gone out to get their instruments and will return in a few minutes.

The House will be at ease.

RESOLUTION INTRODUCED AND REFERRED

Messrs. McCANN, AGNEW, HELM and POLEN, (Concurrent) RESOLUTION No. 16.

In the House of Representatives, Jan. 30, 1961.

The allocation of offices and working space in the State capitol buildings is a matter of real concern to the General Assembly and is a subject on which it should be well informed; therefore, be it

Resolved (the Senate concurring), That a permanent commission is hereby created, which shall consist of four members of the Senate to be appointed by the President Pro Tempore, two from each political party, and four members of the House of Representatives to be appointed by the Speaker, two from each political party. Vacancies shall be filled by the officer making the original appointments, always preserving the equal division of the members with respect to party affiliation.

The commission shall be known as the "Legislative Commission on Space Allocation" and it shall be its duty to study the use of office and work space in the capitol buildings, to make recommendations for the efficient use and equitable allocation of such space, and to make regular reports of its findings and recommendations to the Governor, the General Assembly and the Secretary of Property and Supplies.

The commission shall have power to meet and conduct its business at any time during the session of the General Assembly, or during the interim between sessions, and whenever funds have been provided for the purpose, to employ such clerical, technical or professional help as may be necessary for its work.

Referred to the Committee on Rules.

(The Lafayette College Choir presented a concert under the direction of Dr. John Raymond)

DIRECTOR RAYMOND. Thank you, thank you very much. It has been a privilege and an honor to sing for you. On behalf of Lafayette College and the Lafayette men we wish to thank Mrs. Reibman and all of you people for being such gracious hosts.

We are on our way to Chambersburg now. Thank you very much.

The SPEAKER. For and on behalf of the House, the Chair certainly thanks this choir and its leader for taking time off to come entertain us in this delightful manner. You have a great choir.

Mr. McCANN. Mr. Speaker, I desire to report from the Rules Committee proposed amendments to House Rules Nos. 19, 46, 48 and 61 and ask that they be printed in full for debate on the floor of this House on the calendar.

The SPEAKER. The report will be numbered, printed and made available for the use of the Members of the House before it is called before the House for action.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 16 re Legislative Commission on Space Allocation.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 17 re House Rules.

STATEMENT BY SPEAKER

The SPEAKER. There is a little matter concerning which the Speaker desires advice. You know we have a rule about sponsors, additional sponsors for resolutions, additional sponsors for bills. For additional sponsors there must be unanimous consent. The Chair is always in a position to dissent, to refuse to consent. The Chair does not desire to contravene the desires of the House and wonders whether it might ask for a standing vote, with all the Members of the House who want the present rule in force as to co-sponsors and no more to stand, and then those who want the rule amended for more sponsors, or entirely ignored to stand.

Would the two Floor Leaders agree that might be a way of ascertaining the will of the House? The Chair does not want to rule arbitrarily. We are in favor of the rule as it exists, and we would like to have the authority of the House, the will of the House, to enforce that rule. But if that is not what the House wants, it is not anything the Speaker wants either. It is not the idea that the Speaker is taking a personal stand on it and I would be glad to hear from the Minority Leader. I see he is on his feet.

Mr. AGNEW. Mr. Speaker, I think it is a matter that might properly be discussed by the respective caucuses rather than take a standing vote on it now, without any chance to consider the pros and cons. We do not feel strongly about it one way or the other except, generally, if you are going to have the rule it might as well be enforced and not violated just automatically.

The SPEAKER. The Chair thinks that is a good idea if the respective Leaders will take it up in their caucuses and find out what the will of the Members is, do they want an unlimited number of sponsors? Surely there must be a limit somewhere, something to guide the Chair. At the present time the Chair will be disposed to abide by the rule.

Mr. McCANN. Mr. Speaker, for the information of the new Members who are serving for the first time here in the House, and there are about forty-two of us, the present rule provides that resolutions and bills are limited to four sponsors unless consent is secured for additional sponsors.

The SPEAKER. Unanimous consent.

Mr. McCANN. Unanimous consent. We certainly will take this to our caucus, which we will be having very shortly, and I have had the proposition proposed by one of the Local Government Commission which has five Members in the House, asking that all five Members be sponsors of Local Government Commission bills. It is my understanding that in this Session they have about 100 Local Government bills ready that will be divided between the Senate and the House. That is one item.

Then comes the next situation in which certain bills dealing with a specific county, for example, take a bill from Philadelphia or Allegheny, where there arises the problem of a good many sponsors wanting to be on the bill. But I would like our caucus to carefully consider what the Speaker has outlined, and should the figure four, which is now in the rule, not be satisfactory, I ask that they also give their recommendation as to what figure would be satisfactorory, so we can have the thinking of both caucuses.

The SPEAKER. Does the Minority Leader desire to be recognized at this time?

Mr. AGNEW. Mr. Speaker, I would yield to the gentleman from Adams, Mr. Worley, if that is all right with the Chair.

The SPEAKER. It is all right with the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to speak on a matter that is not a partisan political matter. I asked the Governor by letter to stay all executions of the death penalty until after the sine die adjournment of this 1961 Legislative Session for the reason that this General Assembly is actively promoting legislation to abolish the death penalty in this Commonwealth. The Attorney General replied to my letter as follows:

"I have just received the communication which you sent to Governor David L. Lawrence asking him to stay all executions of the death penalty until after the final adjournment of the 1961 Session of the General Assembly. You state the Legislature is now actively promoting legislation to abolish capital punishment in Pennsylvania.

"The Constitution of Pennsylvania provides that the Governor may grant reprieves. His authority to grant pardons and commutations can only be exercised upon the recommendation of the Pardon Board.

"The Governor has publicly stated that he favors the abolition of capital punishment. Bills providing for the repeal of the death penalty in first degree murder cases have been introduced in numerous sessions of the Legislature but have failed of passage. It is the duty of the Governor to execute the laws of this state as written regardless of his personal views. You are asking that he grant reprieves on the possibility that the law may be amended at some future time. I respectfully call your attention to the fact that the Legislature, and not the Governor, has full control of the matter of the death penalty.

"The Governor always grants reprieves where judicial proceedings are pending. If such proceedings are instituted in any cases awaiting execution, the Governor will exercise his executive responsibility in order to afford the court an opportunity to examine into the particular case affected.

"A copy of this letter has been forwarded to Governor Lawrence."

Mr. Speaker, I heartily congratulate our Governor for favoring abolition of capital punishment and for his public statement thereon; however, I would like to say to our Governor that he has a legal right to stay any and all executions pending legislation by this General Aessembly. The Governor is not limited to pending judicial proceedings. He can also grant a stay on moral and humanitarian grounds as well as for pending legislation. The power to stay executions is an inherent power in the office of the Chief Executive of this Commonwealth. I say to the Governor that pending legislation is just as good a reason for staying an execution as a court proceeding. The legislature is in equal dignity with the judiciary and should be so regarded by a chief executive.

The General Assembly as a whole is now taking greater action to abolish capital punishment at this 1961 session than in all my seventeen years of working on this legislative problem, and I strongly commend our great Speaker of this House for his active and wise efforts in behalf of this legislation. I have been informed that the man to be executed on February 20 is poor, friendless, unintelligent, and without funds to pay his own attorney. Members of this House, this helps to support one of the objections to the death penalty, namely, that, at most, it is only a penalty administered upon the poor. The rich can prosecute expensive appeals while the poor are burned to death in the electric chair. It is impossible to cite a single case in the 20th Century in which a very wealthy or influential man or woman was put to death for murder by this Commonwealth, and when I look at the cases of Thaw, Leopold, Loeb, Chapin, Dr. Finch and Dr. Sheppard, I might even say that a millionaire never suffered the death penalty for murder in this nation.

Members, I ask you to support government by the millions and not just government by the millionaires. Then I ask you my fellow lawmakers to lift up your heads tonight and telephone the Governor to stay all executions pending the 1961 legislative session for the reason that we have pending legislation to stop the death penalty and for the reason that we do want to save as many lives as possible. Won't you aid God's side and telephone the Governor tonight?

Mr. Speaker, I have another unrelated matter that I would like to make a few remarks about, if the Chair will recognize me for that purpose.

The SPEAKER. The gentleman has the floor at the request of the Minority Leader.

Mr. WORLEY. Thank you, Mr. Speaker.

Regardless of our political party affiliations, Mr. Speaker, we do not need another new executive mansion costing $2 million as planned by the General State Authority. The one at Indiantown Gap is enough. Why should a Governor have two luxurious homes at the state taxpayers' expense? Here is a place to save some state tax money. We don't want our Governors to live like kings. We want our Governors to live like men of the people. We want them to live in a reasonable home like the rest of us in a government by the people.

Now let us really stop wasting public funds around this place, and we will not be needing tax, tax, and more tax. There is absolutely no need for a $2 million additional executive mansion. Such a thing could develop into a graft nest just as the building that we are standing in here tonight developed into a graft nest before I was born, and just as the state finance building developed into another graft nest back in the days when I was attending law school.

I say the Members of this House will be doing a great service to the taxpayers of this Commonwealth if they will write to the Governor as head of the General State Authority, requesting the Governor and the other members of the General State Authority to stop all plans to build this new $2 million executive mansion.

Thank you for hearing me at this time.

The SPEAKER. Does the Minority Leader still desire to be heard?

Mr. AGNEW. Yes, I do, Mr. Speaker.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I would ask for the undivided attention of the Members of the House and particularly the Majority Leader.

We have another gift for him from the Republican House Caucus. We heard last week that we were going to have a short businesslike session. This would be all to the good. We also discover that perhaps there will be other times during this session when some of the bills that are in print are not available to the Members of the House.

So we though, in the interest of efficiency, we would

advise the Majority Party to adopt a program so that all of us who are representatives of the people might understand the ground rules for the operation of the House during this session.

I would suggest, on behalf of the Minority, that Mr. McCann and the Speaker, Mr. Andrews, get together with the Governor and his representatives and set up a system whereby the House bills that are introduced each day are gone over by a committee representing both offices and be stamped either "secret," "emergency," "confidential," or "restricted."

Now we have a gift for the Majority Leader to get this program in effect. Any bills that have the administration stamp on them from "secret" down to "confidential" we would like to know just what the ground rules are, whether we have to wait one day to get copies, whether we do not get copies of them at all, or just what we have to do to get copies of those bills. Perhaps we have to put it in writing.

I would suggest that bills marked "top secret," only the Governor's office get copies of those bills, that bills marked "emergency," only the Governor's office plus the Majority Leader and the Speaker get them, and that those marked "confidential," just the Members of the Majority get them, and those that are marked "restricted," perhaps, and we ask for consideration here, perhaps the Minority Leader's office could get one copy of the bills marked "restricted."

Now we have two more stamps, "salvage" and "shortage." And we though that perhaps when a mistake has been made in a bill, you would simply stamp it "salvage" and that will be an excuse not to put out any copies of it, and when no other excuse comes to mind as to why a bill could be withheld from the Members, perhaps it could be stamped "shortage," and that would indicate there are not enough copies of the bill and Members of the House should not be permitted to waste the few copies there are.

So we feel if this program goes into effect and we all understand what the ground rules are that any bill not so stamped, will be all right for the Members of the House and the public generally to ask for a copy of that bill.

Now I would ask the page to deliver this to the Majority Leader and I know he will accept it in the same good humor in which it is given.

The SPEAKER. Might the Chair enter an inquiry? Does the Minority Leader propose embodying the outline for these suggestions in a resolution? If he does, maybe we will pass it.

Mr. AGNEW. If I could get the Majority Leader to cosponsor it, I would consider it, but otherwise I do not think I could get it out of the Rules Committee.

Mr. McCANN. Mr. Speaker, I believe that the Minority has delivered all but two stamps. One is known as "filibuster" and the other is "waste of time." Those two are missing from the stamps delivered. I certainly accept them in the humor in which they were given and in the lighter vein of the thoughts behind the words I say to you, that you have received all the bills and you will receive them all and you received them all that day, Monday. And you know as well as any Member of this House that all the bills are in print; in fact, resolutions are to be printed from now on, following an agreement and a conference. They were not printed before.

There is no question about whether some bills are administration or not and there are no thoughts or secrets on any of those bills that are administration because in Rules Committee, if I am correct, you intend to mimeograph a short resume or description of every bill on the calendar. We intend to also furnish to you that such and such a bill on the calendar is an administration bill, so that you would know; or that such and such a bill is from the Treasurer of the Commonwealth, or the Auditor General of the Commonwealth, or the Secretary of Internal Affairs, or some other department only dealing with a departmental problem.

So, therefore, Mr. Speaker, I say to the Minority, there are no secrets of any kind on any bills and I certainly thank him for these stamps here they have forwarded to us today. I suppose the reason the other two are missing, the holder has no more racks to place two more stamps in it.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. DOUGHERTY because of illness.

Mr. Tompkins for Mr. ROYER because of illness in family.

Mr. Tompkins for Mr. BUSH for the week because of illness.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

Mr. Tompkins for Mr. MAGEE for the week because of illness.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 42, entitled:

An Act repealing the act of March 9, 1771 (1 Sm. L. 313) entitled "An act to prevent the destruction of rockfish and oysters."

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, we have agreed to let this bill roll today in spite of the fact that we have not caucused on it on the theory that it is non-controversial, but for the benefit of the Members of the House I would ask one of the sponsors, Mr. Curwood or Mr. Fineman, to explain to the House the reason for this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I do not know why I have been designated the oyster and clam expert in this House when, as a matter of fact, I do not like either, but my name appears on this bill and I would like to tell the House what little I know about it.

The bill is no stranger to the House, having been introduced in the 1959 Session and having passed at that time by a vote of 191 to 0.

This bill repeals an act that is 189 years old and that act says in effect that oysters and clams cannot be sold

between May 10 and September 1 of each year. The bill came into prominence several years ago when two very bright Allegheny County attorneys—and I have heard tell that all attorneys from Allegheny County are very bright—ordered some clams in a Pittsburgh hotel and, after having partaken of this delicacy, refused to pay for them. The court decreed they were within their right in refusing to pay because of this act which says that if clams or oysters are sold between May 10 and September 1 they are subject to forfeiture, and, therefore, there was no liability on the consumers of these clams. Of course, this bill had its origin in a day when we did not have the benefit of refrigeration and freezing methods such as we have today. There is no reason, at least for health purposes, that I know of for the act being in effect and in force and it is for that purpose that this repeal is sought.

Mr. AGNEW. Mr. Speaker, I would like to further interrogate the gentleman.

First, I would like to comment and say that the two lawyers from Allegheny County in question were both Democrats. They were trying to get something for nothing.

I would ask the gentleman seriously, what is a rock-fish?

Mr. FINEMAN. I do not know exactly what a rock-fish is, Mr. Speaker, but the act says that if a rock-fish does not measure 12 inches from its eyes to the fork in its tail—and it was at this point in the 1959 Session that we all broke up—it cannot be destroyed between the period of March 1 and December 1. I do not know whether a rock-fish is, in fact, a crab or a type of bass, as has been suggested to me by someone on the floor, but the real intent and purpose of this bill and this repealer does not deal principally with rock-fish but rather with oysters and clams.

Mr. AGNEW. I thank the gentleman.

I would say, Mr. Speaker, that we know at least as much about this bill as we knew about the bills we voted upon on Thursday morning, so we are ready to have it rolled.

Mr. FINEMAN. Mr. Speaker, the best I can say to the Minority Leader is that he is not receptive to my very erudite discourse on oysters and clams. Perhaps he is not a lover of oysters and clams and that is why he does not want to open his ears to what I tried to enlighten him about.

Let me just repeat briefly, as the law stands now oysters and clams cannot be sold between May 10 and September 1. This is outmoded and no longer needed. This bill will make certain that they can be sold and that the vendor of those delicacies can collect the sale price.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Gelfand,	Leonard,	Reidenbach,
Agnew,	George,	Limper,	Renwick,
Anderson, J. H.,	Gibb,	Lippincott,	Riley,
Anderson, S. A.,	Gibbons,	Long, Wm. Jas.,	Rovansek,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Rubin,
Ashton,	Goldstein, M. H.,	Lutty,	Rudisill,
Auker,	Goodrich,	Manbeck,	Rutherford,
Backenstoe,	Gramlich,	Markley,	Scarcelli,
Blair,	Gray,	Marsh,	Schaaf,
Boles,	Gremminger,	Maxwell,	Schuster,
Bonner,	Gross,	May,	Seltzer,
Bossert,	Guesman,	McCandless,	Shelton,
Bower,	Hamilton,	McCann,	Sherman,
Bowman,	Hankins,	McCormack,	Shupnik,
Breth,	Hartley,	McDevitt,	Simmons,
Buchanan,	Heavey,	McDonald,	Slack,
Capano,	Heffner,	McInroy,	Snare,
Capitolo,	Helm,	McNally,	Stank,
Cauley,	Henzel,	Meholchick,	Steckel,
Cianfrani,	Hocker,	Merry,	Stiteler,
Cioffi,	Holliday,	Mihm,	Stone,
Clarke,	Holman,	Miller,	Sullivan, J. A.,
Cooley,	Horst,	Mills,	Taylor,
Crossin,	Irvis,	Monroe,	Thompson,
Curwood,	Isaacs,	Morley,	Tompkins,
Davis,	Jenkins,	Muldowney,	Trusio,
Dengler,	Jim,	Mullen,	Ujobai,
Donaldson,	Johnson, A. W.,	Munley,	Varner,
Down,	Johnson, R. P.,	Murphy,	Verona,
Edwards,	Jones,	Murray,	Wall,
Eilberg,	Keiser,	Musto,	Weidner,
Elvey,	King,	Needham,	Welsh,
Eshback,	Kistler,	O'Dell,	Wescott,
Eshleman,	Kernaghan,	O'Donnell, J. A.,	Whittaker,
Ewing,	Kessler,	Ogilvie,	Willard,
Farabaugh,	Klein,	Parlante,	Willaredt,
Fetterolf,	Knecht,	Pashley,	Williams, A. D.,
Fineman,	Kooker,	Petrosky,	Williams, E. S.,
Foor,	Kornick,	Piper,	Wilt,
Fox,	Korns,	Polaski,	Wood,
Frascella,	Kramer,	Polen,	Worley,
Fry,	Lamb,	Prendergast,	Yetter,
Fulmer,	Lawson,	Price,	Zimmerman,
Gailey,	Lee, A. M.,	Pursley,	Andrews,
Gallagher,	Lee, K. B.,	Reibman,	Speaker

NAYS—1

Strausser,

NOT VOTING—28

Bachman,	Filo,	Magee,	Sakulsky,
Branca,	Flynn,	McKeever,	Stimmel,
Bush,	Foerster,	McLaughlin,	Sullivan, T. F.,
Comer,	Guthrie,	O'Donnell, J. P.,	Tomascik,
Dennison,	Haudenshield,	Odorisio,	Walsh,
Dougherty,	Kamyk,	Perry,	Wargo,
Doughten,	Kelly,	Royer,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I ask at this point that all other bills on third reading go over in order. I ask that when we caucus, we caucus on all these bills to be ready to vote and also for amendments which will be offered on some bills for tomorrow.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. There being no objection, the remaining bills and resolutions on today's calendar will be passed over.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Washington, Mr. Murphy rise?

Mr. MURPHY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MURPHY. Mr. Speaker and colleagues, I desire to call your attention to the Majority Whip's statement last week at which time my secretary called and reported me

ill. However, I believe she was misinterpreted. She called and reported me off due to illness in the family.

I am perfectly healthy and very sorry that I missed last week's session. I, however, was in Boston at the Baker Memorial Hospital where my father-in-law is very seriously ill and still remains. I regret, particularly, if the Speaker will convey my regrets to the Majority Leader and Members of my own side of the House, that I was not here to vote on some very important matters of legislation to us Democrats. I must say, if I had been here I would have cast my votes in the affirmative on House bills Nos. 88 through 101, realizing our responsibility both to the people of the Commonwealth of Pennsylvania and to a balanced budget which we are now prepared to enact. Thank you.

The Speaker. The remarks of the gentleman from Washington on the question of personal privilege will be spread upon the record.

COMMITTEE MEETINGS

APPROPRIATIONS—Joint House and Senate Hearing on Department of Highway Budget, Mr. Polen, Chairman, New House Caucus Room, Monday, January 30 at 7:00 p.m. and Tuesday, January 31 at 9:00 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, January 31 at 9:00 a.m.

GAME and CONSERVATION, Mr. Curwood, Chairman, Room 323, Tuesday, January 31 at 11:30 a.m.

The SPEAKER. For what purpose does the gentleman from Washington, Mr. Polen, rise?

Mr. POLEN. To make a brief statement concerning the hearings we are going to have tonight.

The SPEAKER. The gentleman will proceed.

Mr. POLEN. Mr. Speaker, I discussed with the Minority Leader the procedure that we will have at the joint Senate-House committee hearings tonight and tomorrow.

We have two large committees, 23 Members from the Senate and 20 Members from the House, so we are going to restrict the questioning to the Members of the Committees, plus the Majority and Minority Leaders from the House and the Senate.

All the Members of the House and Senate are welcome to attend the meeting, but we ask that if they have any questions to be directed to the secretary or other witnesses, that they give them to either the Minority or the Majority Leader or one of the committee members.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I have heard around the Halls of this House that certain lobbyists have stated, and I use the word "lobbyist," that they have asked to be heard at these hearings and that the Chairman refused. I want the record to show clearly that those lobbyists never asked as yet, that they never asked the chairman of either the Senate or the House committee to be heard. If I hear this statement one more time, I am going to name him by name and ask him when he asked and ask him to come to the hearing and state that he never asked.

I think it is fair to be fair. I know that certain people are opposed to measures. That is the proper way in a democratic form of government, but it is not right to make accusations or to lie about having asked. To those who know who I am talking about, deliver the message to him by Garcia today, that he has never asked, and I would appreciate it if he would stop telling that he did ask.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, I would like to take this opportunity to announce a Republican House Caucus immediately after adjournment today.

DEMOCRATIC CAUCUS

Mr. McCANN. Mr. Speaker, this House will now adjourn and immediately upon the adjournment I ask that all the Democratic Members proceed immediately to the New House Caucus Room and bring their House calendars with them all marked.

We must proceed immediately with the caucus because the caucus room will be used for public hearings tonight.

Mr. Speaker, I will then proceed for adjournment.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SHERMAN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. Rovansek asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

ADJOURNMENT

Mr. McDEVITT. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 31, 1961 at 1:00 p.m. EST.

The motion was agreed to, and (at 5:06 p.m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

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SENATE

TUESDAY, January 31, 1961.

The Senate met at 2:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Trusting in Thy loving providence, our Heavenly Father, we seek to bring to Thee our devoted expressions of gratitude. Remember us, O Lord, and cause us to keep Thy commandments willingly and faithfully. Define for us each day the pathway of duty, and give us a deep desire to obey its obligation. Inspire and bless every movement throughout our State and Nation that means advancement in the enduring benefits for our fellow men.

To this end, give Thy enabling power to the leadership and every Member of our legislative bodies.

O hear us, help us and use us for Thy Name's sake. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. PECHAN and Mr. EHRGOOD, for personal reasons.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Lou Kradel, Avalon Drive, R. D. 2, New Castle, Lawrence County, for appointment as Justice of the Peace in and for the Township of Union, Lawrence County, to serve until the first Monday of January 1962, vice M. Jane Lanigan, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Papa, 107 Lincoln Avenue, Stockertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Stockertown, Northampton County, to serve until the first Monday of January 1962, vice Joseph Breidinger, deceased.

DAVID L. LAWRENCE.

HOUSE MESSAGE

HOUSE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, presented for concurrence House Concurrent Resolution, which was read by the Clerk as follows:

COMMENDING THE HONORABLE BAKER ROYER FOR HIS SERVICE TO THE JOINT STATE GOVERNMENT COMMISSION AND TO THE COMMONWEALTH

In the House of Representatives, January 31, 1961.

Whereas, The Honorable Baker Royer is this day retiring as Chairman of the Joint State Government Commission which he has served with dedication and distinction as Chairman since June, 1949. Prior to becoming Chairman of the Commission, he served as its Vice-Chairman for two years. The Honorable Baker Royer was first elected to the House of Representatives on April 28, 1936, and has served continuously since that time. In 1943-1945, he served as Chairman of the Commission's Committee on Distribution of State Funds, from 1945 to 1949 as Vice-Chairman of the Commission's Committee on State-Local Highway Financing and from 1947 to 1949 as a member of the Subcommittee on the Legislative Journal; and

Whereas, During Representative Royer's term of office, the Commission has continually increased its capacity to serve the General Assembly in the development of facts and recommendations on all phases of government. Under his guidance, the Commission has made many important studies, the results of which may be found upon the statute books of the Commonwealth, which, to mention but a few, include the School Code, the School Health Program, the Liquor Code, the Mental Health Code, the Landlord and Tenant Act, Decedents' Estates Laws, the Vehicle Code, the State and School Employes' Retirement Codes. It was through the Commission's investigation and study of public assistance and blind pensions that the

Commonwealth secured Federal participation in blind pensions to the extent of 6 million dollars per biennium. The Commission's influence among other States throughout America has grown and its reports are eagerly sought throughout the World; and

Whereas, Representative Royer has served as a member of the Executive Committee of the National Legislative Conference; Now, Therefore, Be It

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania acknowledges its debt to the Honorable Baker Royer for his service to the Joint State Government Commission and to this Commonwealth and expresses its sincere appreciation for his long years of devotion to duty.

Mr. WEINER asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. WEINER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

GENERAL COMMUNICATION

REPORT OF THE ANTHRACITE MINE DRAINAGE COMMISSION

The PRESIDENT laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)

Commonwealth of Pennsylvania,
Department of Mines and Mineral Industries,
Harrisburg.

Lewis E. Evans — January 30, 1961.
The Secretary

Dear Mr. Moomaw:

Act 697, approved December 17, 1959 created a commission known as the Anthracite Mine Drainage Commission for the purpose of acting in an advisory capacity in the use of funds appropriated by the Act of July 7, 1955 (P. L. 258) entitled "An Act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation." Section 3 of this Act requires that the Commission make a report to the Governor and the General Assembly on or before the first day of February, 1961.

There are attached sufficient copies of this report to be distributed among the members of the Senate on behalf of this Commission.

Very truly yours,
/s/ LEWIS E. EVANS

Enclosures
Honorable Paul C. Moomaw
Secretary of the Senate
Room 248, Main Capitol Building
Harrisburg, Pennsylvania

The PRESIDENT. The Report of the Anthracite Mine Drainage Commission will be printed in the Appendix of the Journal. Copies of this report have been placed on the desks of all Senators.

REPORTS FROM COMMITTEES

Mr. RIPP, from the Committee on Local Government, reported, as amended, **SB 93** and **94.**

Mr. SHAFER, from the Committee on Judiciary General, reported, as committed, **SB 20.**

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 88.**

RESOLUTION REPORTED FROM COMMITTEE

Mr. DONOLOW, from the Committee on Judiciary General, reported without amendment, Senate Concurrent Resolution, **Serial No. 101,** entitled:

JOINT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT

The PRESIDENT. The resolution will be placed on the Calendar.

GUESTS OF SENATOR MARTIN SILVERT PRESENTED TO SENATE

Mr. SILVERT. Mr. President, at this time, I wish to present to you and to the Members of this Senate the Reverend W. D. Ernst, of the Reformation Lutheran Church, of Philadelphia. He is here with a group of young people, seated in the gallery, in order to observe the proceedings in our Chamber.

May I ask the Chair to welcome them?

The PRESIDENT. We are very happy to have you with us.

Will you please stand up in order for the Senate to greet you? We hope you will find our proceedings of interest to all of you.

BILLS INTRODUCED AND REFERRED

Messrs. BELL and KELLER presented to the Chair **SB 142,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting solicitation of information from jurors subsequent to a verdict for the purpose of receiving a statement to be used in a parole or pardon proceeding.

Which was committed to the Committee on Judiciary General.

Mr. MULLIN presented to the Chair **SB 143,** entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, exempting from taxation a portion of real property owned by certain persons sixty-five years of age or older.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. STAISEY and FLEMING presented to the Chair **SB 144,** entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "Bituminous Coal Open Pit Mining Conservation Act," increasing the amount of certain bonds; providing for back-filling; changing the requirements as to the covering of the exposed face of the unmined coal and making editorial changes.

Which was committed to the Committee on Mines and Mineral Industries.

Mr. KROMER presented to the Chair **SB 145,** entitled:

An Act amending the act of June 22, 1931 (P. L. 594),

entitled "Rural State Highway Law," adding a route in Jefferson County.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 146**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding new routes in Jefferson County.

Which was committed to the Committee on Highways.

Messrs. LANE, WEINER and KESSLER presented to the Chair **SB 147**, entitled:

An Act amending the act of May 2, 1945 (P. L. 382), entitled "Municipality Authorities Act of 1945," removing tax exemption in certain cases.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 148**, entitled:

An Act amending the act of May 2, 1945, (P. L. 382), entitled "Municipality Authorities Act of 1945," changing the procedure for the sale of bonds.

Which was committed to the Committee on Local Government.

Messrs. DONOLOW, MULLIN and STIEFEL presented to the Chair **SB 149**, entitled:

An Act amending the act of April 21, 1949 (P. L. 665), entitled "First Class City Home Rule Act," authorizing city council of any city of the first class to legislate with respect to worldly employment, sports, games, diversion or business on Sunday and with respect to the sale of liquor and malt and brewed beverages on Sunday.

Which was committed to the Committee on Local Government.

RECESS

Mr. SILVERT. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the rear of this Chamber, in the Minority Leader's Office.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declared a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

SENATE RESOLUTION

SAVE YOUR VISION WEEK

Mr. WEINER offered the following resolution (**Serial No. 9**), which was read, considered and adopted:

In the Senate, January 31, 1961.

WHEREAS, the need for good vision is vital to the safety of our highways; and

WHEREAS, good vision is of great importance to the industrial growth of our Commonwealth; and

WHEREAS, it is important that our young people take preventive measures through regular professional eye examination to keep their vision up to top efficiency; and

WHEREAS, at least once a year the citizens of the Commonwealth of Pennsylvania should have these facts brought to their attention so that they might care for their priceless vision regularly and not when the need is urgent; therefore be it

RESOLVED, that the Senate of Pennsylvania declare the week of March 6th-13th as SAVE YOUR VISION WEEK, in support of a campaign by the Pennsylvania Optometric Association to acquaint the citizens of the Commonwealth with the importance of regular eye care for everyone.

REPORTS FROM COMMITTEES

Mr. SILVERT, by unanimous consent, from the Committee on Finance, reported, as committed, **SB 136** and **137**.

Mr. FLACK, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 85**.

PRESENTATION OF GAVEL TO PRESIDENT OF SENATE

Mr. VAN SANT. Mr. President, last week, on two occasions, there was action at the rostrum of what might have been catastrophic proportions. Of course, several of the employees, working in front of the rostrum, had their lives endangered by flying missiles.

Another Allentown businessman, Colonel Philip Neuweiler, the State Commander of the Civil Air Patrol and a local brewer, and myself got together during the weekend and decided that you, as a former Allentown businessman, should receive a small gift from your old home town. We would like to present it to you at this time.

The PRESIDENT. The Senate will be at ease for just a moment.

(The Senate was at ease.)

The PRESIDENT. I am sure there will be no more danger of flying missiles, unless the entire thing gets out of hand.

Mr. VAN SANT. Mr. President, may I also suggest that you will find it very useful on summer picnics.

The PRESIDENT. I imagine so.

How does it sound down there? It sounds like thunder.

May I express my sincere thanks for your thoughtfulness, Senator, and that of my friend in Allentown.

Mr. LANE. Mr. President, we on the Democratic side are wondering whether this gift is going to influence the Chair's decisions in any way. If so, we have decided that we, too, will present the Chair with a present within the very near future.

The PRESIDENT. I will look forward to that gift. However, I will not commit myself until after I see the offering.

Mr. BERGER. Mr. President, it might be well to suggest to the gentleman from Washington, Senator Lane, that the instrument which the President has received is not only a gavel, but a bung-starter.

The PRESIDENT. I am afraid I shall have to use it as a gavel.

ANNOUNCEMENT OF JOINT SENATE AND HOUSE APPROPRIATIONS COMMITTEE HEARING

Mr. WEINER. Mr. President, there will be a Joint Senate and House Appropriations Committee Hearing, scheduled for the Department of Public Instruction and the

Department of Revenue, on Wednesday, February 1, 1961, starting at 9:00 a.m., in Room 245. The intention is to open this hearing to all of the Members of the Legislature and anyone else who would like to attend and be heard or ask questions of the people involved.

Officials of the Department of Public Instruction, the Department of Public Welfare and the Department of Revenue will be present at that time, and they will testify on their budgets and on their programs. Anyone who is either in favor or against these budgets and programs may come and be heard at that time.

Mr. STIEFEL. Mr. President, in connection with that announcement, I would like to state that it would be advisable if the Senate could get advance notice of the hearings on the various departments so that Members can be prepared.

I am especially interested in making preparation for the hearing of the Department of Public Welfare. There are several departments asking for astronomical figures, without us knowing what it is all about. The best thing is to be prepared, and especially in connection with geriatrics of the office for the aging. I see the Governor's Budget asks for close to $300,000. Now if I come there unprepared, how can I pass upon it? How can I question it?

Therefore, Mr. President, the best thing would be to have advance notice so that we could prepare ouselves.

CALENDAR

FINAL PASSAGE CALENDAR

BILL RE-REFERRED

SB43—Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill was rereferred to the Committee on Constitutional Changes and Federal Relations.

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 3—Mr. BERGER. Mr. President, I request that Senate Bill No. 3, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I have no particular objection. However, this matter has been on the Calendar for quite a little while and I think that we ought to try to get these matters cleared up as quickly as possible.

This is an amendment to the Constitution, raising the borrowing capacity of school districts from seven per cent of the assessed value of taxable property to fourteen per cent. It is the floor and ceiling measure that we are trying to get. If there is some compelling reason why this should not be done, I think we ought to clear that away.

I have no objection to the bill going over today, but I wish we would address ourselves to some of these matters. I want to try and clear from the Calendar those measures which we can act on and on which there is some other question.

I would just like to suggest to the Minority Leader that he discuss this matter, and in some way or another, let us try to address ourselves to it and clear it off the Calendar, one way or another.

Mr. BERGER. Mr. President, my only reason for asking that this bill go over in order is, as I understand it, —and this is strictly from outside information—there is a question as to whether or not this is necessary. I understand that some opinion, or some memorandum or something of that sort is being sought in order to determine whether or not this may not be done under existing constitutional provisions.

I have no source of supply for that. I am simply informed by one of my colleagues that this is the case.

Mr. WEINER. Mr. President, I will be happy to introduce the Senator to the Attorney General. I think perhaps he and I can receive from her an opinion, if she is the person who should give us an opinion on this matter.

I will try to do that tomorrow, if that is what is being sought.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL REREFERRED

SB 41—Upon motion of Mr. WEINER, seconded by Mr. HALUSKA, and agreed to, the bill was rereferred to the Committee on Constitutional Changes and Federal Relations.

BILL ON THIRD READING AMENDED

SB 53—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. McMENAMIN, BERGER and LANE, by unanimous consent, offered the following amendments:

Amend Sec. 3 (Sec. 10), page 20, lines 19 and 20; page 21, lines 1 and 2 by striking out "] When relief is sought prior to the institu" in line 19, all of line 20, page 20, all of line 1 and "In any case the" in line 2 page 21.

Amend Sec. 3 (Sec. 10), page 21, line 3 by striking out "or preliminary or permanent injunction."

Amend Sec. 3 (Sec. 10), page 21, line 4 by striking out "when enforcement of a Commission order is sought."

Amend Sec. 3 (Sec. 10), page 21, line 5 by inserting a bracket after "to" and inserting immediately thereafter: "When enforcement of a commission order is sought the court may".

Amend Sec. 3 (Sec. 10), page 21, lines 8 and 9 by striking out "upon petitions for enforcement of Commission orders."

On the question,

Will the Senate agree to the amendments?

Mr. McMENAMIN. Mr. President, before I speak on the merits of the amendments, I did want to add that they are offered not only by myself, but also by Senator Berger and Senator Lane.

Mr. President, many of us are sincerely interested in giving the people of Pennsylvania a Fair Housing Act which truly expresses only basic American principles and basic morality. Some of us believe that the bill, in its present form, is unworkable.

These amendments, I believe, are designed to make this a truly workable bill which will not be a false promise to the people of Pennsylvania who are so concerned with the need for this worth-while legislation.

Basically, primarily and simply what these amendments do is place this type of legal problem in the same situation as every other legal problem of everyone in Pennsylvania; namely, that you must exhaust your administrative

remedies before going to the courts. These amendments strike out that portion of the bill which, in its present form, contains a provision for an application or a petition for a preliminary injunction before there is any hearing. All these amendments do is remove from the bill those provisions which would permit the issuance of a preliminary injunction.

The bill, if these amendments are adopted, would require that any complainant shall go before the F.E.P.C.—or, as it is now to be called, the Human Relations Commission—to have a hearing. Then the Commission itself, after hearing testimony, will make a finding, and the Commission, the complainant or the Attorney General may then go into court for an appropriate order.

We think this makes it a more logical and orderly procedure, and will eliminate what might be a bad situation if the courts were clogged with thousands of applications of various merit by citizens themselves. We think there should be a preliminary hearing and screening by the Commission itself, as is set up under the law.

Therefore, I urge the adoption of these amendments.

Mr. WEINER. Mr. President, as we debated here last night, in discussing this matter, we feel primarily that this measure is for the purpose of education and to express what all of us believe to be basic public policy. I think this might be one more step in accomplishing this purpose. If, in fact, it does not accomplish this purpose or acts as a deterrent, the Legislature will be here to correct the error. However, I think the most important thing is the basic public policy and the education of the public at large in this matter.

And the question recurring,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. BERGER. Mr. President, if we are about to act on this bill, as I assume we are, I would like to interrogate the Majority Leader.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. WEINER. Mr. President, I now request that Senate Bill No. 53, Printer's No. 10, as amended, appear on tomorrow's Third Reading Calendar.

The PRESIDENT. There being no objection, this bill, as amended, will be placed on tomorrow's Third Reading Calendar.

Mr. FLEMING. Mr. President, I have just been approached by another Member of the Senate who did not realize what we had just done. I recognize the fact that Senator Weiner has already asked that the bill go over in order. However, I do not think that was necessary. I think the bill, of necessity, would have gone over in order, awaiting printing for Third Reading and Final Passage.

Mr. President, I am not trying to delay action at all, but I would like to have the decision of the Chair reconsidered just for a moment. Give us merely two minutes to decide whether or not my colleagues, Senator Stroup, wants to present a further amendment.

Mr. WEINER. Mr. President, may we be at ease for one moment?

The PRESIDENT. The Senate will be at ease.

(Then Senate was at ease.)

The PRESIDENT. As the Chair stated previously, Senate Bill No. 53, Printer's No. 10, as amended, will appear on tomorrow's Third Reading Calendar.

SECOND READING CALENDAR

BILL ON SECOND READING

SB 28—Mr. FLEMING. Mr. President, I request that Senate Bill No. 28 go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I object to this bill going over in order today, unless there is some compelling reason to do so.

I might add, Mr. President, that I feel badly because every bill which I want to either move or pass over in order seems to offend Senator Fleming. However, perhaps this is our week. Maybe after this, we will get along fine.

I have no objection to the bill going over in order if there is some compelling reason to do so. This bill has been on the Calendar for some time and has been put over in order a number of times.

The biggest problem with this bill is that time is running out. If we are not going to act on this measure, I think we should take it off the Calendar altogether. February 21st is the first day for taking out petitions. The last day, I believe, is March 3rd. I may be wrong on that date, but it is sometime early in March. It probably could be March 13th. This measure has to be approved in the House, sent to the Governor's desk and be printed. Therefore, if we do not act on this matter within the next week or so, I would say there is no reason for us to hold this bill any longer.

If the gentleman has some compelling reason to have the bill go over in order, he knows that we will be very happy to accommodate any request that he might make.

Mr. FLEMING. Mr. President, the only compelling reason I would have would be that the bill is such a bad bill, to start with, that I have been attempting to find ways and means of amending it which will, at least, give it some semblance of the position it held before they started tampering with it. I, as yet, have not come up with anything concrete. I am working on it hard and I thought, perhaps, by next week I might have some amendment which may get it back into some semblance of order.

Mr. WEINER. Mr. President, I do not intend to press for this measure in great detail. However, I think the basic problem involved in this measure is this:

If the present Act, which was passed during the last Session, were to be adhered to, you would need in the city of Philadelphia approximately 250,000 to 300,000 names. In the city of Pittsburgh, where the Act would apply, the number would run to approximately 80,000 to 100,000 names. Are we trying here to see how many names we can get on a petition, or are we trying to bring this matter to the electorate and let them vote on this measure? That is all that is involved. The 5,000 names which are now required is the only tampering that has been done. The number of names which are needed has

been reduced, but the purport and the meaning of the Act have not been changed.

If we are trying to make it more difficult to get this on the ballot, that is one thing. If we are trying to get it on the ballot in order for people to vote on it and express their opinion, that is another thing. I think, basically, we have to come to grips with that problem.

Mr. BERGER. Mr. President, I just have one comment to make; namely, since when has it been difficult to get 300,000 in Philadelphia?

Mr. WEINER. Mr. President, if the gentleman is referring to the majority, I would say it is not very difficult. If he is referring to names on petitions, I think that is very difficult.

As every gentleman who has ever run for office realzes, you always have the problem of someone coming along and saying that the following names are names which do not belong on there, or that they are duplicated or something of that nature. They then begin to strike the names off. Once you strike off enough names and you go below 300,000, you are in difficulty.

I realize that certain gentlemen in this room are never going to be in favor of this bill, whether 500,000,000 names are needed or whether one name is needed. They are just against this bill and are against the philosophy of it. I think they should be fair with us, face this issue and state so. To try to talk or amend it to death, I think is certainly not in keeping with what the Legislature intended during the last Session of the Legislature.

Mr. LANE. Mr. President, I would like to make my position definitely clear, with referrence to this piece of legislation.

During the last Session of the Legislature, I supported the amendment to this Act. However, as of now, I am afraid that I am going to oppose this bill with every means at my command.

I feel that a reduction in the number of names is not proper. When you go down to 5,000 registered voters in the city of Philadelphia, which has a population of over 1,000,000, I feel it is not a true referendum, so to speak. I think that at least 25,000 people should sign petitions requesting this referendum.

Therefore, Mr. President, in this particular case, I cannot understand how this legislation is going to pass in its present form. If it does pass the Senate, I do not think it will pass the House. The people back in my Senatorial District do not approve of this type of referendum. It is not complying with the law. It seems that someone must be lazy or they want the Legislature to do the job or take the brunt.

I would sugest to the sponsors that they offer a bill here, asking the Legislature to vote "yes" or "no"' as to whether or not there is going to be liquor sold in Philadelphia and Pittsburgh, instead of legislation such as this. We can then come to the crux of the situation. However, as of now, Senator Fleming has some support, so far as I am concerned. I cannot vote for this legislation. If Senator Fleming will make the motion, I will second the motion to re-refer this bill in its present form.

Mr. WEINER. Mr. President, I am afraid this issue has been placed before the Legislature, Session after Session, whether they do or do not want liquor sold in Philadelphia. It has always been a problem of getting the people to vote for it. It was put into this form because it would take the burden away from the Members who did not want to face up to the issue and who get into Philadelphia and Pittsburgh once in awhile and are very happy to have, shall we say, some liquid refreshment on occasion. They did not want to face this issue, nor did they want to offend anybody. Therefore, they took the easy way out and said, "Let the people vote for it." I think that is being honest and I think that is looking the issue right in the eye.

If the problem is whether or not to rerefer this bill, I think we should do that this afternoon. Let us find out about it. If we have nobody in favor of this measure, that will be the end of it, instead of dragging it along on the Calendar.

Mr. SILVERT. Mr. President, we passed an amendment to this Act last Session, primarily for one reason; namely, to help the convention business in the city of Pittsburgh and the city of Philadelphia. Having made that decision, we included in the Act a provision requiring twenty-five per cent of the electors, in order to have a referendum.

I am going to use a phrase which was used by a reputable newspaper, the Philadelphia Evening Bulletin. They carried an editorial, in which they said that if you want to help Philadeluhia and Pittsburgh to get convention business,—which was the original intent of this Act—do not put up what is called an artificial barrier, such as requiring 250,000 names before the people can vote on the issue.

MOTION TO REREFER BILL

Mr. FLEMING. Mr. President, I now move that Senate Bill No. 28 be re-referred to the appropriate committee—to the Committee on Law and Order—for the purpose of further study and possible amendment.

The reason I was hesitant as to which committee to send it back to is because it came from the Select Committee on Legislation, which was giving very careful consideration to bills for a couple of days. However, it should be rereferred to the Committee on Law and Order.

Mr. LANE. Mr. President, I will be very happy to second that motion. Should the motion be successful, I hope that the Chairman will postpone action until about 1969.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I desire a roll call.

The PRESIDENT. A roll call being requested, the Clerk will call the roll. (During the calling of the roll, the following occurred:)

Mr. SESLER. Mr. President, I would like to reconsider my vote and ask that I be recorded as having voted "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. FLEMING. Mr. President, I would like to inquire how the gentleman from Beaver, Mr. Miller, is recorded as voting.

The PRESIDENT. The gentleman from Beaver, Senator Miller, is recorded as voting "no."

The roll was called and resulted as follows:

YEAS—21

Bell,	Keller,	Mallery,	Taylor,
Berger,	Kessler,	Propert,	Wade,
Chapman,	Kromer,	Shafer,	Wagner,
Fleming,	Lane,	Stevenson,	Ware, III,
Haluska,	Madigan,	Stroup,	Wolfe,
Hawbaker,			

NAYS—25

Camiel,	McCreesh,	Ripp,	Silvert,
Devlin,	McGinnis,	Rooney,	Stalsey,
DiSilvestro,	McMenamin,	Sarraf,	Stiefel,
Donolow,	Miller,	Scott,	Van Sant,
Hays,	Mullin,	Sesler,	Weiner,
Kalman,	Murray,	Seyler,	Yatron,
Mahady,			

So the question was determined in the negative and the motion to rerefer was defeated.

Mr. WEINER. Mr. President, I now move that Senate Bill No. 28 be read for the second time and appear on tomorrow's Third Reading Calendar, if it passes Second Reading.

The PRESIDENT. The Senate will now proceed to consideration of this bill on Second Reading.

Mr. FLEMING. Mr. President, I had requested that the bill go over in order. Senator Weiner objected and has now made a motion. I have heard no action on his motion to have it read.

Mr. WEINER. Mr. President, I believe I made a motion that the bill be read for the second time.

The PRESIDENT. I am sorry. I simply proceeded on the theory that it was in order to read the bill without a vote. However, we can have a vote, if that is what you desire.

Mr. FLEMING. It is not necessary to have a vote.

The PRESIDENT. Why are you objecting then?

Mr. FLEMING. Mr. President, I am not objecting.

The PRESIDENT. I thought that is what you were requesting.

Mr. WEINER. Mr. President—

Mr. FLEMING. Mr. President, I believe I have the floor.

The PRESIDENT. You do have the floor, Senator Fleming.

Mr. FLEMING. Mr. President, I have been accused, in that very suave and nice way which the Majority Leader has, of being unfair. I certainly do not want to be unfair to him. I was trying to be fair to him. He made a motion and the Chair evidently neglected to take cognizance of the motion. I have no desire to have a vote on the motion.

If the Majority Leader objects to my request for the bill to go over in order, that is his prerogative, as a Member of this Body. This bill surely will then be read for the second time. However, I would call the gentleman's attention to the fact, when he speaks about being fair—

Mr. WEINER. Mr. President—

The PRESIDENT. The gentleman from Allegheny, Mr. Fleming, has the floor.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDENT. Perhaps the gentleman did not hear Senator Fleming. Does the gentleman wish to rise to a point of order at this time?

Mr. WEINER. Mr. President, I feel that I have heard Senator Fleming. I also feel that his speech is not pertinent to what we are discussing here. I want to hear him out and will not interrupt him.

I will withdraw my motion and ask that this bill be read for the second time today.

As long as comments are in order, I wish to state that I have not tried to gag the gentleman. He has used every means to hold up this bill and I have not stood in his way. Even some of our people voted for rereferral of the bill. We have not used the unit rule over here.

I think the gentleman is out of order when he accuses me or anyone else over here of being unfair. I have not prevented this bill from going over in order since we have been here. I think this is completely uncalled for. Everybody cannot win every measure which they are in favor of. I have lost many measures in this Senate and I have never used that tack or that attitude. I do not use it now.

This bill has been before us for some time. I think there is nothing wrong in trying to get down to the business of this Senate, enact this measure and get it over with. We cannot have a businesslike Session if we are going to continue dragging our heels on every measure, merely because we cannot get the votes. You saw there were a number of Democratic votes here for Senator Fleming's motion, which I did nothing about. I think he is being unfair and I think he has been using this tactic ever since we started here. I have never been unfair to him and I have never cut him or anyone else off from debating any issue, whether they were in or out of order.

I think we should concern ourselves with this Calendar and take up the measures as they come up. I do not think we ought to drag along here day after day, week after week. We should have a businesslike Session and finish here early.

The PRESIDENT. At the present point in this proceeding, we have before us Senate Bill No. 28, Printer's No. 38. There was a request for it to go over in order, which was objected to by you, Senator Weiner. Therefore, the bill did not go over in its order. We now have the bill on Second Reading and the Clerk will read the first section of the bill.

The first section was read,

On the question,

Will the Senate agree to the section?

PERMISSION TO ADDRESS SENATE

Mr. FLEMING asked and obtained unanimous consent to address the Senate.

Mr. FLEMING. Mr. President, I will paraphrase a very famous former Governor of New York by saying, "Let us look at the record."

I would like to look at the record and I defy the Majority Leader to show a time in this Session when I have asked for Senate Bill No. 28 to go over in order before today. I would recall to his attention, Mr. President, that the request for Senate Bill No. 28 to go over in order came from his side of the Senate.

There is no question of my unalterable opposition to this type of legislation. However, when he speaks about being fair, he should try to be fair once in a while, too. He says that I am not fair. I want to tell you if the tactics he has been employing so far are indicative of those which he intends to use for the remainder of the Session, he will have a lot of trouble from this side of the Senate.

And the question recurring,

Will the Senate agree to the section?

Mr. DiSILVESTRO. Mr. President, the only objection I have to the statements made by the former speaker is, let us look at the record. Instead of "famous person," it should be "infamous person."

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 31—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS REREFERRED

SB 35, 38, 46, 49 and **51**—Upon motion of Mr. WEINER, second by Mr. SEYLER, and agreed to, the bills were rereferred to the Committee on Constitutional Changes and Federal Relations.

FIRST READING CALENDAR

BILLS ON FIRST READING

HB 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 and **101**—Read at length the first time and agreed to,

Order, To be transcribed for a second reading.

BILLS ON FIRST READING

Mr. SEYLER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 20, 85, 88, 93, 94, 136** and **137**.

And said bills having been read at length for the first time,

Order, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 2**, with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented **HB 46, 54** and **73**, which were referred to the Committee on State Government.

He also presented for concurrence **HB 57** and **60**, which were referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 70** and **74**, which were referred to the Committee on Banking.

He also presented for concurrence **HB 71**, which was referred to the Committee on Insurance.

He also presented for concurrence **HB 72**, which was referred to the Committee on Judiciary General.

HOUSE CURRENT RESOLUTION REFERRED TO COMMITTEE

He also presented for concurrence House Concurrent Resolution No. 16, entitled:

Creating a "Legislative Commission on Space Allocation" for offices and working space in the State capitol buildings.

which was referred to the Committee on Rules.

PETITIONS AND REMONSTRANCES

Mr. WADE. Mr. President and my colleagues, I arise today to make inquiry as to why legislation raising the gas tax of Pennsylvania, which is now eleven times as high as the general sales tax levy, must be rushed through the Legislature in such record time. I am referring to House Bill 90, House Bill 91, and House Bill 94, as well as the other bills in this so-called tax package.

These bills came to the Senate on Monday of this week. I inquire whether it is to keep a large segment of the people who pay the tax ignorant of what is going on, or is it to keep some of the Members of the Legislature who do not now enjoy the privilege of being on the Majority Side uninformed, or will the entire plan not stand the spotlight of that great court of public opinion?

It seems to me, after having the privilege of serving in the Legislature for some considerable length of time, that each time the Highways Department wishes to raise revenue for the Motor License Fund, they get out the crying towel and bewail the sad fact that they do not have near enough money to spend.

A few weeks ago, Senator Berger and I introduced a measure which, if enacted, would create a continuing Legislative Commission, to be known as the State Highway Planning and Financial Commission. Under the terms of the bill, as introduced, both the Chairman of the Senate Highways Committee and the Chairman of the House Highways Committee would be members, and there would be appointed one member from the Majority side and one member from the Minority side of both Houses to serve on this commission.

Among the powers and duties of the commission would be the following:

To establish what funds will be available for highway construction and maintenance in each three-month period;

To consult with the Department of Highways concerning its responsibilities and problems, both financial and legal, in connection with the construction, reconstruction and maintenance of roads and in the development of highway programs;

To assist the Secretary of Highways in the establishment and enforcement of sound personnel policies;

To consult with local authorities responsible for construction, reconstruction and maintenance of roads and bridges concerning their respective highway responsibilities and problems;

To consult with the Pennsylvania State Police and with the Bureau of Motor Vehicles of the Department of Revenue concerning the regulation of traffic and enforcement of the laws pertaining thereto;

To gather such information as may be deemed useful to the General Assembly and to submit a report thereon to the Governor of the Commonwealth and to each Member of the General Assembly not later than the fifteenth day of February during each odd numbered year, and to suggest legislation as it may deem necessary; and

To meet at least six times each year, at such time and place as shall be determined.

Now I am fully convinced that a good working commission of this type would keep every one of the 260 Members of the Legislature informed as to the goings-on in this massive department, which spends close to a half billion dollars each year, and whose operations are now so carefully shielded from the elected Members of the

House and Senate. Information is available only when more tax moneys are needed, and only then do we hear the highway story.

Since 1946, when a constitutional amendment was passed, all highway users' funds flow into the Special Fund and are spent on roads or in connection with our highway system. Thus, outside of appropriating certain funds to other departments who render a service in connection with the highways, the Legislature is practically impotent and very frequently uninformed on the operations and plans of the department.

As Chairman of the Senate Highways Committee for six years prior to 1961, I must admit that practically the only information I received from the department was what little I could pump out of the top employees of the Highways Department when visiting there.

I repeat that certainly a working commission of this kind would render a distinct service to every Member of the General Assembly. For example, how about the number of employees in the Highways Department? Enormous funds can be eaten up by a large number of political employees who very frequently are free riders.

When Governor Leader's Administration started on January 31, 1955, the total number of salaried employees were 3,260 in the Highways Department and, in addition, there were 10,260 per diem employees, making a total of 13,520. When his Administration ended on January 31, 1959, he had 4,732 on the salaried payroll and 12,163 on the per diem payroll, making a total of 16,895, or an increase, if you will, of almost twenty-five per cent.

Has our highway system grown in these four years? Yes, but just a few miles, a very few. How do the total salary increases compare with the beginning and ending of the Leader Administration? I do not have the figures as yet, but I assure you they will be forthcoming in the near future.

Mr. Martin said yesterday that there has been no increase since he became Secretary, and that is encouraging. What did this large number of increased employees do during the Leader Administration? This, again, is a moot question to the Members of the Legislature. However, the November-December 1960 issue of "Highway News," the official organ of the Department of Highways, announced with headlines: "Twenty-Eight Represent Department at Highway Officials' Convention."

Further, I quote:

> "Twenty-eight officials of the Department of Highways attended the 46th Annual Convention of the American Association of State Highway Officials in Detroit, November 28th (Monday) through December 2nd (Friday)."

So much for that. It seems like a large number to represent our department. I remind you, my colleagues, that this is a very large delegation to attend any convention and a rather long period of time to be in attendance—a full workweek without weekends. What did this convention cost the taxpayers? We are entitled to know, but do not.

Now let us turn our attention for a moment to the capacity of the department. Presumably, the additional $74 million a year in gasoline taxes asked by the Governor should enable the State to build many more highways. But we can properly ask the question, would it?

During the past biennium, the Department of Highways, operating with a tidy reserve in the Motor License Fund and with no apparent effort to economize, managed to spend more than $600 million on its entire operation, or an average of $300 million per year.

During the coming year, the department—without any increase in taxes and without any borrowing—will have, according to its own budget figures, some $321 million to spend on general operations, plus the $40.3 million in gasoline tax revenues for cities and municipalities, which is distributed according to our law.

As for Federal funds, the State now faces no problem whatever in matching the $125 million of Federal-aid highway funds which were recently allocated to Pennsylvania for the fiscal year ending in 1962. This, in itself, will mean $171.8 million worth of highway construction for the expenditure of less than $47 million in State money. This is listed as follows:

$26 million for primary roads; $18 million for the secondary system; $29 million for urban projects; and $98 million for our interstate expressways. I repeat, this is a total of $171,800,000.

In adition to this State-Federal construction, the department will also have ample funds, under present taxes, for at least $7 million worth of nonFederal construction, and probably a great deal more depending upon how many millions can be wrung out of some of the other budget items that appear to be excessive. These items total $40,592,419 and are as follows:

Treasury Department, for Gas Tax Refunds, $4,551,500; Labor and Industry, for Social Security payments, $2,073,600; Property and Supplies—

Mr. WEINER—Excuse me, Senator. Mr. President, if the gentleman will tell us what page he is reading from, I would like to follow him in the budget so that I can understand what he is talking about.

Mr. WADE. Mr. President, I will be glad to give you the reference.

Mr. President, I am referring to the Special Funds Budget on page 11, with the subtitle, "Department of the Treasury." That is the first item. The other items are continued on pages 12, 13, 14, 15, 16 and 17.

Mr. WEINER. Thank you, Senator. I am able to follow you now.

Mr. WADE. Mr President, the second item is Labor and Industry, Social Security payments, $2,073,600; Property and Supplies, for supplies for the department, $140,558; Department of Public Instruction, Safety Education, $13,500; the same department, Driver Education Program, $864,000; Department of State, Employee Retirement Fund, $734,100; Department of State, New Employee Retirement System, $5,102,755; same department, State Police Retirement System, $25,000; Department of Revenue, General Administration, $1,227,100; and Department of Revenue, Highway Safety Program, $3,183,610.

Now, gentlemen, may I make a short comment on this latter item? This is the item which paid for the large newspaper advertisements which appeared, prior to the election in 1960, in all of the rural newspapers throughout my District, and I believe throughout Pennsylvania. In addition to that, this is the fund which pays for the napkins that you pick up in restaurants very frequently which have comments on them regarding the highway safety program. They are furnished free of charge to the

restaurants of Pennsylvania, gentlemen,—out of the highway funds—to be distributed to their customers who come into the restaurants.

The next items are: Department of Revenue, Collection of Liquid Fuels Tax, $729,002; Department of Revenue, Licensing of Motor Vehicles, $7,075,304; Audit Costs which go to the Auditor General in accordance with legislation passed in 1959, $66,588; Pennsylvania State Police, which is the Highway Patrol, $14,805,802.

I repeat, this is a total of $40,592,419.

What will this higher tax rate mean to motorists? First and foremost, it will mean they will be paying $1.10 instead of ninety cents, in tax alone, every time they buy ten gallons of gas. To many of Pennsylvania's car owners, the "Lawrence Gas Tax" will be the greatest incentive ever for converting to compact cars, if not converting to foot.

At nine cents a gallon, Pennsylvania motorists are already paying the equivalent of a forty-five per cent sales tax on their gasoline. This amounts to a tax eleven times as high as the general sales tax which they pay on other items, and four and one-half times as high as the so-called luxury taxes on mink coats, diamond bracelets and expensive perfumes.

High gasoline taxes hit the poor or middle class owner a lot harder than they do the rich. Whatever luxury there is in an automobile today is in the car itself and not in the fuel in the tank. Ironically, the man who can afford to buy an $8,000 sports car today usually gets more miles to the gallon and pays less gasoline tax per mile than his poorer brother, who has to depend on an outdated jalopy for driving to work or to the store or to church.

Today, more than ever before, the car owner is Pennsylvania's most highly taxed citizen. The average $126.67 a year he now pays annually in special automotive taxes, State and Federal, is in addition to his normal share of all of the other taxes he must pay like everyone else.

This increased tax is not all. Our Governor says: "Let us mortgage the future. Let us really throw proudence to the wind. Give this Administration and the next a free hand to borrow $300 million, and let someone else worry about paying it back. Let the future take care of itself."

But, Governor, I say there is more to it than that. America and Pennsylvania were not built that way. For every dollar we borrow, we could very easily pay back two dollars or even more. As a matter of fact, the record indicates that we do. I ask you,—and I am addressing the Governor—is that austerity?

In addition to that, may I say, Mr. President, that during portions of yesterday, continued this morning and to be continued this evening, the Highways Secretary and a number of his officers have been and will be appearing before the Appropriations Committees. However, I do not consider this hearing as a public hearing, first, because it was called in such a hurry. Second, the Chairman of the Appropriations Committee in the House, who is the general chairman of that hearing, announced at the beginning of the hearing that any Member of the Appropriations Committees—and only the Appropriations Committees—could ask any question that he wished. Outside of that, it was closed to all Members of the Legislature and those visiting. That is not a true public hearing.

This is an extremely important matter. I sincerely believe that the present Secretary of Highways is sincere in his efforts. However, I impress on you—each one of my colleagues and the Governor—that we should not mortgage the future. We should consider the purchasing power of the people of Pennsylvania. This tax will be a burden to practically every one of our citizens because we practically all use automobiles.

Thank you very much.

The PRESIDING OFFICER (Benjamin R. Donolow) in the Chair.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Senator Wade, would you advise us whether, in attending these hearings, you had any questions to ask and whether you had any difficulty in propounding your questions?

Mr. WADE. I do not believe I did, Mr. President, because of the fairness of the Chairman. However, he clearly announced that it was for the Members of the Committees on Appropriations from the House and Senate.

Mr. WEINER. Were you present in this Chamber when I offered to have the Secretary of Highways, the Secretary of the Budget, the Secretary of Administration, or any other person whom you requested, come to your Caucus in regard to these measures?

Mr. WADE. I was, Mr. President.

Mr. WEINER. Do you think that will give you a fair opportunity to get into the bills and the other measures?

Mr. WADE. Yes, I think it will. However, I am thinking largely of the citizens of Pennsylvania; the eleven and one-half million of them, who pay this tax. From the information I have, we should have an opportunity to spread it out over the Commonwealth. They, who pay the tax, should know about it.

Mr. WEINER. Mr. President, does the gentleman feel, as a duly elected representative of the people who live in his area, that he will have the opportunity to ask the questions which they would ask, based on the mail which he has received and other pertinent information at hand?

Mr. WADE. I would agree to that, Mr. President, if we have sufficient time. The bills just reached the Senate, yesterday. They have been considered by the committee in a very, very brief time. They were then reported to the Senate floor and were read for the first time today. That is a two-day process.

Mr. WEINER. Mr. President, would the gentleman please advise us whether, yesterday, he found on his desk a full set of the tax bills?

Mr. WADE. I did, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise us whether or not he has read these tax bills and whether he has had an opportunity to peruse them?

Mr. WADE. I have had the time to read them. However, I have not had the time to consult with the taxpayers in my District.

Mr. WEINER. Mr. President, would the gentleman please advise us how long it will take him to do that?

Mr. WADE. The ordinary legislative process in any State, not only—

Mr. WEINER. Excuse me, Mr. President, but—

The PRESIDING OFFICER. Please allow Senator Wade to answer.

Mr. WEINER. Mr. President, I will be very happy to permit him to answer the questions, if his answers are responsive to my questions.

The PRESIDING OFFICER. Will the gentleman from Cumberland please proceed?

Mr. WADE. May I ask the gentleman to repeat his question?

The PRESIDING OFFICER. Will the gentleman please repeat the question?

Mr. WEINER. I will be very happy to. It may be that he misunderstood me.

Now that the gentleman has in his possession the bills, and has heard some talk about the matter since it was discussed in the House last week, will the gentleman please advise us how long it will take him to consult the people in his District—those who have not already consulted him—in order to get their full feelings so that he can bring this to the attention of the Members of this Senate, to the attention of the people of Pennsylvania, and be in a position to ask the Secretary questions in regard to this tax measure?

Mr. WADE. Mr. President, I think several weeks should be allowed, in order for the information to flow out to the citizens of the Commonwealth who pay these taxes. That statement applies not only to the gasoline tax—the bills which I referred to—but to all the tax bills which are now on our Calendar.

Mr. WEINER. Mr. President, would the gentleman please advise us whether, since he has been a Member of this Body and a Member of the House, there have ever been hearings held on any tax measures? He has served in the Majority on the Finance Committee and on the Appropriations Committee.

Mr. WADE. Yes, Mr. President. I remember very well an open hearing which was held in this Chamber on an income tax that was proposed by Governor Leader.

Mr. WEINER. Mr. President, I do not want to differ with the gentleman's answer. However, I am afraid that was not an open hearing. I am afraid that hearing was not conducted by a committee, and I am afraid Governor Leader was not discussing the income tax.

If the gentleman wishes to refresh his memory, I will be glad to do that for him, thereby helping him to make his answers responsive to my questions.

If I might refresh the gentleman's memory, was it not a fact that the hearing was held regarding the manufacturers' exemption? Was that not held by the Democratic Caucus? Was it not held up in Room 401? Is it not true that people were generally invited?

Mr. WADE. No, Mr. President. It was held in this Chamber. It pertained to Governor Leader's proposed income tax.

Mr. WEINER. Was this hearing held by a committee, Mr. President?

Mr. WADE. Yes, Mr. President, it was.

Mr. WEINER. Which chairman of which committee held this hearings?

Mr. WADE. I do not recall that, Mr. President. Moreover, I do not think it is pertinent to the discussion. However, Mr. President, I am reminded by one of my colleagues that it was held by the Finance Committee.

Mr. WEINER. Mr. President, I am sure a great deal of careful research was put into assembling the figures and other matters which were discussed in the address given by Senator Wade today. Therefore, if I ask him a few questions, regarding his speech, I am sure the gentleman will be able to tell me in detail about some of these problems.

The gentleman spoke about the Department of Public Instruction and its Safety Education and Driver Education Programs. Is he complaining about the amounts of money being spent on these programs?

Mr. WADE. Mr. President, during my discussion, I complained about none of them. I said those budgets should be studied by every Member of this Senate.

Mr. WEINER. Mr. President, would the gentleman's opinion be changed if I were to advise him that this has been mandated by the Legislature and is a part of the educational program which we have in Pennsylvania? Therefore, this measure now comes up before us every Session of the Legislature. It could have been acted upon, let us say, during the last Session or the Session before that.

Mr. WADE. Mr. President, that is entirely erroneous. It is true that these duties have been mandated. However, the amount of money allocated by this Legislature, for that purpose, has not been mandated. Our duty is to study the expenditure of every single penny in those appropriations.

Mr. WEINER. Mr. President, would the gentleman state whether there is any way to avoid the payment of $2,073,600 which is allocated to the Department of Labor and Industry for Social Security? How can we study and reduce that expenditure?

Mr. WADE. Mr. President, I did not suggest that the amount be eliminated or anything of the kind. I said we should study that item and find out whether or not it is necessary for $2,073,600 to be appropriated for that specific purpose in this year.

Mr. WEINER. Mr. President, would the gentleman tell us how we can eliminate this? How can we avoid Social Security?

Mr. WADE. Mr. President, I did not suggest that a single item in that budget be eliminated. I suggested—and I am saying it for the third time—that every dollar of these items should be studied in order to see whether it is necessary for us to appropriate this amount of money for these specific purposes.

Mr. WEINER. Mr. President, in the interest of good housekeeping, and for the purpose of economy, would the gentleman please tell us what items he would have us eliminate or reduce? I have only had a moment to look over his figures and he has spent some time in preparing them. Therefore, I would appreciate hearing from him on the figures he has given us.

What item would be suggest that we reduce, in order for us to take it up at the Appropriation Committee Meeting, when the matter comes before us?

Mr. WADE. Mr. President, when the matter comes before us, I will be very happy to give that information.

Mr. WEINER. Mr. President, would the gentleman please advise us as to what amounts here can be reduced,

in order for me to, at least, have the benefit of taking the time to look this matter over and speak intelligently on it?

Mr. WADE. Mr. President, at the very outset of my discussion, I said that we have not had sufficient time. The bills came to us yesterday. As a matter of fact, the bills were railroaded through the House.

Mr. WEINER. Mr. President, I do not want to be rude by interrupting the gentleman. However, this is not a tax measure. We are speaking about expenditures. We are talking about the budget. The gentleman has given us this list of figures and stated, if I might quote him, the following: "They total $40,592,419, and are as follows." Then he proceeded to list the items. When he got down to the end of the list, he said: "I repeat, a total of $40,-592,419." I would assume that he repeated it for the purpose of emphasis. He was emphasizing this list of figures. He has not emphasized any others. Therefore, having done so, I would assume he feels that perhaps some of these figures are overly large or, maybe, some of them are under the amount which he feels should be allocated.

I am asking the gentleman whether he will tell us which items he feels are overly large or below the amount? If the gentleman would inform us about this this, we could concern ourselves with those amounts. Then, when it comes before us, we can be as intelligent about them as he is, at this moment. We could then reduce the figure, cut it out or do something else with it.

Mr. WADE. Mr. President, I repeat what I said at the outset of my discussion on this entire matter. We did not have sufficient time in order to do the things which Senator Weiner suggests I have already done. I merely questioned these amounts. I do not know that they are too high; they may be too low. However, we should have time in this deliberative Body, the Senate of Pennsylvania, to study these figures in order to see whether or not the amounts are correct.

Mr. WEINER. Mr. President, I am not going to ask the gentleman my next question. I am just going to throw it out, generally.

The Members of this Senate have had the budget now since January 16. These items are in the budget and have nothing to do with the tax measures, whatsoever. We have not come to the budget yet, and we may not get to it for quite a few weeks. Therefore, enough time is being extended to provide the opportunity, not only to go over these items, but to discuss them with all the people in the Districts who might be against some of these programs. For example, some people may want to cut out the advertising which appears in some of your local newspapers. Perhaps some of the napkins, which the gentleman complained about, could be eliminated. Perhaps some of these complaints are justified.

I am merely asking the gentleman to tell us which figures he feels are bad. In order to assemble the figures, the gentleman had to go through the book, piece by piece, and take them out of their different areas. I notice that the gentleman included the Department of Revenue, the Department of State and the Highway Patrol. There must have been other departments which were completely left out and there must have been a reason for the gentleman to have done so.

Mr. WADE. Mr. President, may I interrogate the gentleman from Philadelphia, Senator Weiner,—the gentleman who is now interrogating me—and ask whether that was a speech or a question?

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

That was a question. However, it may have been a little bit long for a question.

Mr. WADE. Mr. President, I think that question should be in writing, if one letter would contain all of it.

However, to be more serious about the matter, the gentleman knows full well that the budget should be studied before the appropriations are made. We are now in the second day of the fourth week of this Session. Common courtesy to the citizens and taxpayers of Pennsylvania would indicate that they are entitled to have all the information regarding our budget, regarding our allocations and regarding our appropriations.

Mr. WEINER. Mr. President, I wish to thank the gentleman for his courteous reply to the questions. I also would like to point out to him that if it takes a measure three weeks to pass, I can hardly think that is railroading it in any sense of the word.

Mr. Rooney. Mr. President, as the new Chairman of the Highways Committee, I have a great deal of admiration and respect for my colleague who served in that capacity during the past six years. I know there is a tremendous amount of study and a tremendous amount of time I am going to have to put in on highway safety, and the highway program, before I can acquire the great knowledge which Senator Wade possesses.

I will say, however, Mr. President, from reading the numerous editorials throughout the Commonwealth of Pennsylvania, that the highway safety program and the Governor's highway program—the expansion program—have been literally sabotaged by Senator Wade. He has had an obstructionist viewpoint as far as highway safety is concerned. He never permitted a highway safety bill to come out of committee in order to give his other Republican colleagues a chance to vote on it. I have every reason to believe, Mr. President, that both measures will pass; namely, the radar bill and the gasoline tax bill, because of the sponsorship and the support of some of his republican colleagues.

I should also like to remind my distinguished colleague, Senator Wade, that it will take a little more time than several weeks in order to explain the budget and the tax program to the people in his area. I understand he is leaving for Florida and plans to be down there for several weeks. However, we, in Pennsylvania, cannot wait. Our highway program is outmoded.

We have heard people from every walk of life. Senator Wade had an opportunity to ask questions and he did ask a question. As I recall, he directed a question to the Budget Secretary, wherein he wanted to know how much interest they would have to pay on $300,000,000. When the Secretary gave him that figure, he was astounded because the gentleman told us that in California, they borrowed $400,000,000 or $500,000,000 and had to pay back almost one billion dollars. I do not have the exact figures, I am waiting for the report from the committee.

However, after six and one-half hours, Mr. President, I saw Senator Wade ask one question. I think the reason the gentleman did not ask any more questions is because I think he was awed at the manner in which the Secretay of Highways presented his program. I think the gentleman was awed by the Secretary's forthrightness and his soundness.

I, therefore, hope that all of us will support the Secretary's program.

Mr. HALUSKA. Mr. President, I was one of the first ones in our Caucus to ask our group to slow up the passage of these bills. I want my people to have a hearing. I believe in hearings. However, the people whom I represent cannot afford to come to Harrisburg. Mine is a depressed area. Therefore, I have set a pattern by arranging to give the people of my county a hearing on all the tax bills starting Thursday night. The hearings will be held Thursday, Friday, Saturday and Sunday. When I come back, I will have a picture of what they have in mind and what their problems are.

I am going on record as saying that unless my county is the recipient of some of this money, I will debate before I vote for some of these bills.

Mr. WADE. Mr. President, I would naturally resent the statements made by the new Highways Chairman, Mr. Rooney, I congratulate him on his appointment as Chairman of the Highways Committee. However, I do want to say for his confidential information—and I hope no one else hears—that I was elected this time for my sixth term in this Senate by the largest majority I ever received, and I defy him, or any Member on that side or on this side, to prove any time when I did not bring every bill to the attention of the committee, ask for a full discussion and give them the courtesy of a full discussion.

Again, I want to say to Senator Rooney that I congratulate him. This is the first time since I have been in this Senate that I have heard the chairman of any committee say which bills will be passed and which bills will not be passed. That is what we need in this Senate, a man who can speak for everyone of the rest of the forty-nine Members. I congratulate you. You have made the decisions for us. Good luck to you.

Mr. MULLIN. Mr. President, in 1955, we had Budget Hearings here. They were presided over by Senator Yosko. I believe the Budget Hearings ran for about two months. I attended almost all of them, and I did not see one Republican Senator attend any of those Budget Hearings although they were very largely attended by members of the departments and the presentations were excellently given. However, I did not hear any questions or see any attendance by the Members of the opposite side at that time.

I also want to say that last night and today, Secretary of Highways Martin held meetings with the public, and with representatives from all over the State of Pennsylvania. He gave all of the parties all of the opportunity they wanted to ask questions, both in favor of the bills and against the bills.

I might say that the opponents—the representatives of the gasoline interests—ran out of gas at about one o'clock today, and when the Chairman asked whether there were any more questions, the meeting closed for the lack of further questions.

Mr. BELL. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Senator Weiner, several chapters back in this afternoon's dialogue, you interrogated Senator Wade with respect to the time when public hearings were held on taxes. I just say that to refresh your recollection.

Am I mistaken in the impression that you left with me that the Majority Party opposes public hearings on taxes?

Mr. WEINER. My answer to that, Senator, is that in all of the time I have been in this Chamber, and I have been on the Minority Side here, there have never been any hearings on taxes or tax measures. The only time there were hearings held on these measures was when the Minority Party, under the Floor Leader who preceeded me, held hearings himself in the Democratic Caucus Room. That is the only time I ever remember of any hearings.

There was some discussion here sometime ago, when Governor Leader I think first came into office, about a tax measure he was interested in. There were some people who wanted to come here and be heard against the measure. The hearing was held here. I believe Senator Kessler held that hearing. However, that was not a hearing on the entire measure. It was just a hearing for those people who opposed the proposed measure.

Mr. BELL. Thank you, Senator.

Now a further question. What is the Democratic policy as to having public hearings on new taxes or increased taxes?

Mr. WEINER. I will answer that, Senator, by stating as I stated here before:

There are no new taxes being enacted. All we are doing is raising the amounts on some of the existing measures and opening the door a little wider on some in order to include other people. As far as a new measure being enacted, there is none. The expenditure is based—as I stated here yesterday—on the program, which is actually the basic for the need. In other words, if there is not a decent program or any program at all, then there is no need for the money. There are hearings now going on in one of these areas, which is the gas tax situation for the program on highways.

The Secretary of Highways brought his deputies to these hearings and allowed the persons in attendance to ask him questions in regard to his program.

I have further made it possible for you—which was never made available to us in all of the time that I have been here—to have the Cabinet people, who are involved in this situation, appear before you so they can answer any question that any Member of your Caucus wants to ask or pose any problem that they might have.

Mr. BELL. A further question, Senator.

Mr. WEINER. Yes sir.

Mr. BELL. I just heard you say to Senator Wade a few chapters back that we are talking about a budget and not taxes. To me, a budget and taxes are the same thing. You spend it with one hand and you raise it with the other.

Mr. President, I would like to ask the Majority Leader

whether or not the Majority Party opposes public hearings on increased taxes.

Mr. WEINER. Senator, I think you may have misunderstood what I was saying. What I was discussing with Senator Wade concerned his statement. He started out by saying that he was concerned that we were rushing through these taxes. He then went on in his statement—I hope you have a copy of it before you. If you will look on page 3 of that statement, you will note a list of figures. You will remember, I interrupted Senator Wade in order to be able to follow him in the budget. I noticed that his figures did not follow the budget directly, but were excerpts from it.

The budget and the tax picture are interrelated. There is no question about that at all. When he stated that he had no chance to study this matter, my answer to him was that since January 16, he has had the budget and could have studied these figures.

I even asked him, if you recall, to tell me which figures he thought were wrong or were out of line. Now if he would have said to me that some of the forty millions of dollars he was talking about were out of line, we might not need this extra tax. However, he could not answer that question.

I have had no indication from anybody who has attended the hearings that these programs are not needed. I hope you will give me some indication as to your thinking after you have had an opportunity to hear the Secretary and other persons connected with the budget. I will certainly reflect on this matter, as will the Members of the Democratic Caucus, and take the appropriate action.

Mr. BELL. My question still is: Is it the Democratic policy to oppose public hearings on increased taxation?

Mr. WEINER. My answer to that we are not against any public hearings if they help to define or explore the matter before us. We feel we are accomplishing this very purpose by allowing people to attend these Joint Hearings held by the House and Senate Appropriations Committees, which deal with the programs. As you just stated a moment ago about taxes and the budget being related, this is the problem. In other words, if a man prepares a program and shows in the budget where he needs the money, then we can decide whether we do or do not need the tax.

What purpose will it serve to sit down and hear people say they are against this measure if they cannot give you an alternate measure for it? If you feel that will be helpful, I will be very happy to discuss that with you, and maybe we can bring all of the people into it if, in the end, you will agree that if these people absolutely convince you that this is not the proper program, you will substitute a program for it.

Mr. BELL. Thank you, Senator Weiner.

Mr. President, may I make a brief statement on this subject?

The PRESIDING OFFICER. The gentleman may proceed.

Mr. BELL. Mr. President, this is not to be interpreted as an attack on the highway hearings, at which I happened to be present. I am talking generally. I am talking philosophy of government. To me, there are two sides of a tax picture; the people who want to spend and the people who have to pay.

I have in my possession some 1,500 letters, objecting to the tax on gasoline. I think that we, as a deliberate Body,—this Senate of Pennsylvania—should not only listen to those who want to spend the money. We should go like my friend, Senator Haluska, to the people, to the taxpayers, to see the effect of any taxing program upon the people, because—and I am new in this Chamber—I have never received 1,000 letters in one day before. I have 1,000 letters against the tax and one in favor of it.

Along this same line, we are hastening new taxes; not just this highway tax. I am thinking of the thirty per cent acceleration on our corporations, and that might be just enough to chase a corporation out of Pennsylvania and heighten the unemployment.

I think we should sit and deliberate. I have been in a do-nothing Session in another House not too far from here on this same floor. It will not mean being a do-nothing Legislature to go to the people and see the effect of these taxes. That is what we are sent up here for. We are the Legislature. The Upper House, the Senate, descends from the English government. On the one hand, we have the Executive, which comes down from the Crown. We, the Legislature, represent the people. How can we get the peoples' view unless we go to the people? Maybe that is too basic. Maybe I am too naive. However, I think that on all new taxes, on all increased taxes, we should go to the people and find out how they are affected.

Mr. STIEFEL. Mr. President, in this series of discoures, one thing has escaped. Senator Rooney, our youthful and able Chairman of the Committee on Highways, mentioned it, but just touched it.

In Sacramento, California,—we spoke earlier today about California—on the State Capitol, there is an inscription which reads as follows: "Give me men to match my mountains."

The problem of highways in Pennsylvania is tremendous. We are fortunate that in the person of our Secretary of Highways we have a man who can match those problems.

On Monday, —I am serving notice and pre-empting my right to do so—I am going to offer a resolution in this Senate, paying tribute to Secretary Park Martin for his most lucid, learned and effective presentation of the problem which confronts the people of Pennsylvania.

Mr. SILVERT. Mr. President, I should like to remark briefly on statements made by Senator Wade and Senator Bell.

Senator Wade, when asked by Senator Weiner whether in his recollection there had ever been a hearing on taxes before, answered: "Yes, on the Leader Classified Income Tax."

Now Senator Wade, I want to say, is entirely mistaken. I have been here since 1951. We did have, during that ten-year period, —now eleven years—only one hearing. It was not on the Leader Classified Income Tax, because the Republicans never even wanted to consider that. The hearing was on the Manufacturers' Tax, Senator Wade. It was conducted by Senator Kessler, and I was a member of the committee at that time.

The Manufacturers' Tax was proposed in lieu of the Sales Tax. The Republicans of this Senate wanted the Sales Tax, but they did not want the Manufacturers' Tax, so they had a public hearing on the Manufacturers' Tax. They did not have a hearing on the Sales Tax, because had

they had a hearing on that, they probably would have had ten times as many objectors.

Senator Bell, you have received 1,000 letters protesting a tax. You have been a Member of the House and you probably know that a good many of these letters are inspired. It is easy to inspire people, especially the average person who buys gasoline daily.

When we had the Sales Tax before us here, I had as many as 5,000 letters against it. We had to vote for it because that was the only tax the Republicans would permit us to pass to balance our budget. Therefore, just because you received 1,000 letters against the tax, it is not anything particularly new.

I would like to know whether you ever received 1,000 letters or fifty letters in favor of any tax in your experience as a Legislator.

Mr. SEYLER. Mr. President, I would like, first of all, to make a few remarks about Senator Bell's remarks.

I think in discussing the basic philosophy here, the picture he presented is a totally distorted one. He said the two sides of the coin are the people who want to spend and the people who have to pay. I would say to him that the two sides of the coin are the people who want and need services and the people who have to pay the bill for those services, and that Government, with the Executive and Legislative Branches, is in the mediating position of trying to strike a balance between them.

It is certainly not the fault of the Governor or this Legislature that we now have thousands of more cars than we did the day our system of roads was planned. It is not the fault of the Governor or the Legislature that we are using three-lane roads at high speeds and a tremendous number of cars are killing many people on those unsafe highways. It is not the fault of the Governor or the Legislature that the cargo business has shifted from the railroads to large trucks, which crowd our highways and make these services necessary.

If we go into other areas, which he did not discuss, it is not the fault of the Governor or the Legislature that we have a great surge of students in our schools, or that we have allowed our schools to decline to the point where we need a building program.

All of these are wants and needs the people have. If we did not need roads, then there would be some justice to his saying "people who want to spend." If we were just going out and building things which are not needed, then obvoiusly the gentleman would have a point. However, I think the people of this Commonwealth must realize that it is a totally irresponsible thing to want services, to want good roads, to want safe roads, to want snow cleared quickly from roads and so on, and not realize that, on the other hand, to have these services and these roads, they are going to have to pay the cost of them.

I think they would have a real objection, too, if this government—the Legislature and the Governor—were so imprudent as to build roads at 100 per cent cost and ignore the possibility of taking advantage of those that could be built at ten per cent cost or fifty per cent cost. If this Legislature were so irresponsible as to not vote sufficient funds in order to make maximum use of Federal funds, to match funds on those bases, then I think the people would have the right to say to this Legislature: "You are irresponsible. You are wasting the people's money because you are going to have to build roads at 100 per cent cost which you could build at ten per cent costs."

I realize the argument will be made that it all comes from the taxpayers' pockets, and this, of course, is true. We also realize that the money is collected by the Federal Government and if Pennsylvania does not take advantage of its share, obviously it will be used in other parts of the Country.

The second thing I would like to do is interrogate Senator Rooney, if the gentleman will permit himself to be interrogated.

The PRESIDING OFFICER. Will the gentleman from Northampton, Mr. Rooney, permit himself to be interrogated?

Mr. ROONEY. I will Mr. President. I have been in this deliberative Body for two years. This is the first time I have been interrogated by someone who happens to be on my own side.

Mr. SEYLER. Mr. President, I am delighted to be the first to test Senator Rooney's mettle in interrogation.

Senator, it has been brought to my attention that in large advertisements taken by gasoline companies, and also in letters and other literature apparently promoted by gasoline companies or associations of gasoline companies, the statement has appeared that much of the money collected from automobile licenses and the gasoline tax is not being used for highway purposes. Now my answer to that has been that in my opinion, it would be unconstitutional and illegal to make any use of the gasoline tax or auto license fees for any purposes other than highway purposes. Of course, by "highway purposes," I do not mean the actual putting down of concrete. I am talking about the State Police and these other worth-while programs that Senator Wade described. My question to you, Senator Rooney,—because I think it would be useful to be able to say to my constituents that I have received this answer from the Chairman of the Highways Committee—is this: From your knowledge, is it correct or false to make such a statement?

Mr. ROONEY. Mr. President, it is correct. That question arose at this morning's meeting. It was brought out by —you would have to refer to the record—one of the interested parties in this so-called closed meeting who asked for the privilege of asking a question. He was granted that privilege, and he stated that in his district, —now that I recall, it was a Representative and I cannot think of his name—the Atlantic Refining Company was sending letters to all of its stockholders, stating that the Commonwealth of Pennsylvania, Department of Highways, was using some of the Highway Funds by sending it over to the General Fund. The head of the American Petroleum Industry, who was on the stand at the time, denied it and so did the Secretary of Highways. All of the money which goes into the Motor Fund stays there. It has to by constitutional law.

Mr. SEYLER. Mr. President, I thank the gentleman and congratulate him on the excellent way he handled the first interrogation he faced.

I would say, Mr. President, that this, it seems to me, is an important fact, because many of the 1,000 letters received by the gentleman from Delaware might possibly result from misconceptions, such as the one I have mentioned. Certainly, many Senators have told me that in

the mail they have received, this has been a paramount argument. I think it would be well to state that we have been informed, on the authority of the Chairman of the Highways Committee, that this is not true, that moneys are not being diverted for other purposes; that the constitutional and legal provisions are being observed, and that all of the money collected is going for highway purposes.

Mr. BELL. Mr. President, I would like to keep the record straight. I am afraid my friend, the gentleman from York, Senator Seyler, has misunderstood my protest or statement. I am not protesting against spending money on highways. I tried to be very careful in making that statement. I am not protesting spending money on schools. I think my voting record in the House of Representatives speaks for itself.

I am appealing to the Senate of Pennsylvania that when you levy new taxes or when you raise taxes, give public hearings to the taxpayers. Send someone to Senator Haluska's District. Send someone down to my District to sit and listen to the effect of taxes which could be very detrimental.

To get away from the hot fire of the highway hearings, I again say, on this thirty per cent acceleration on corporate taxes, I think there should be public hearings so that the taxpayers who are going to pay them could come in and tell the Senate of Pennsylvania whether a tax like that would drive corporations and businesses out of Pennsylvania, or whether there is no objection.

I am not carrying a cross for anyone in this fight except, basically, let us be fair. Let us give the taxpayers a public hearing on all new taxes and all increased taxes.

You, the gentlemen on the Majority side, talk of the "New Frontier of the 60's." Let us have the first plank in the "New Frontier of the 60's" be the right of taxpayers to have public hearings when there are new taxes imposed upon them.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that one of the reasons why we have a representative form of government is so these people shall truly represent the people in their community. If we are going to have people go on a circuit ride around to these different communities and investigate these matters, then they certainly do not need to elect representatives to deliberate on these problems or to work on them.

Secondly, I think the gentleman should concern himself with the basic problem which faces this or any other Commonwealth or any business. They need a certain amount of money to operate. If you will tell me—and I will be very happy to hear from anyone in this chamber—about any tax program that ever made people throw their hats in the air and shout with joy about being taxed, I would be very happy to hear about it.

There is one other alternative to what we are discussing here today. If this program is unpopular,—or any other program—I will be happy to listen to any program you might have that you would substitute for it. Basically, this is the basic job of the Legislature; to come up with the money when the government needs it or, if we find that the government does not need it, to come up with no program whatsoever.

You should be for the program if you feel that we do need the money and this is a worth-while area which should have money. If you feel this program is a bad program you should offer another program. I have yet to hear from anyone on the other side, who is complaining about this, who will suggest a program they have which is better. I am not committed to this program 2,000 per cent. I will take any program, if you can get us enough votes to pass it, that you think will be more popular. I think, politically, it would be expedient to do that.

Third of all, in this situtation which we are discussing here, I think you have agreed, along with everyone of us, that you are not fighting this program. You have been very careful about stating that. However, you are not saying, by the same token, what we should do about meeting this problem that is in front of us.

Also, I might add, there has never been accorded to anyone, whether or not they had the votes to get the programs through, the right to get on with it and get on to other things. You all realize the longer this matter drags out, the more mail you will receive. If you have only 1,000 letters now, you will have 3,000 tomorrow, and the next day there will be even more. It does not take much to get a letter mimeographed for people to sign their name to drop in the mail box. The people who are against the measure will pay the postage. On that basis, I do not think you have a good cross section of the people involved.

Once we get this matter enacted and it turns out that it is not right, or it is not just, we will be here to correct that error. That is our duty and our job.

Mr. WADE. Mr. President, just a brief statement to try to clear up this matter regarding the letters from the Atlantic Refining Company.

First, let me say that I am not fortunate enough to own stock in the Atlantic Refining Company and, therefore, I did not get one of the letters. However, the Highways Secretary told us this morning that he was a stockholder and received one of the letters.

The letters, I think, refer to items of this kind Our current tax on gasoline is five cents. We first take off one-half of one cent and distribute it to the counties. Secondly, we take twenty per cent of the other four and one-half cents and distribute that to the municipalities of Pennsylvania, on the basis of a certain formula. In addition to that, we take the $40,592,000 I referred to and distribute it among the other departments who do certain services for the Highways Department in connection with our highways. Now when you add those items, you will realize that the Highways Department itself does not spend nearly all of this money.

My second point, and a very brief one, is this: During the twenty years I have been privileged to be a Member of the Senate, I have heard remarks from the folks on the other side about public hearings. Time and time again, they have requested them. I now cannot understand for the life of me why the change of heart.

Mr. WEINER. Mr. President. I would like to ask the gentleman if he will allow himself to be interrogated.

The PRESIDING OFFICER. Will Senator Wade permit himself to be interrogated?

Mr. WADE. May I say, Mr. President, to a limited extent?

Mr. WEINER. Mr. President, the gentleman just referred again to this $40,592,000. If he will tell me which item

in this budget he feels can be reverted back or we can take out, I will be happy to refer myself to that and perhaps we will not need the tax money at all. Would he have us cancel the Social Security, the supplies, the safety education, the employees' retirement or the police retirement? Which one of these items would you want us to take out?

Mr. WADE. Mr. President, now for the fifth time I have tried to impress upon the gentleman—and I apologize for being unable to use the American language in a way that he can understand, but I say for the fifth time—that I am not criticizing these amounts. I say that we have the right and the obligation to question every item in this budget.

Mr. WEINER. I want to thank the gentleman, Mr. President.

If this is the kind of constructive criticism we can expect, I am afraid we are not going to get very far on our tax program for our road program.

Mr. BELL. Mr. President, may I renew my questioning of the Majority Leader?

The PRESIDING OFFICER. Will the Majority Leader allow himself to be further interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, will the Majority Leader say, in a very simple answer, whether or not the Democratic Party in the Senate approves of public hearings on increased taxation or new taxation?

Mr. WEINER. Mr. President, we very obviously do, because we are already holding a public hearing.

Mr. BELL. Does the gentleman believe that the hearing being held by the Appropriations Committees of the House and Senate is a public hearing on taxes?

Mr. WEINER. I certainly do, Mr. President, because everyone has been invited. That would make it public. Everybody who wants to attend, can attend.

Mr. BELL. Thank you.

Mr. MAHADY. Mr. President, I will be brief. I wish to say, at this time, that some of us have lost sight of the fact that the one cent gasoline tax, at least was discussed during the last two years. My office informs me that on eleven occasions, I spoke on the gasoline tax and the need for it.

All of us have been guilty of going over and importuning the Secretary of Highways to please help our Districts and to build us better roads. We do know that the antiquated road system has been borne out by the figures furnished by the Secretary of Highways. We do know that if Pennsylvania is to progress, it must be second to none in its road system. We have a good reputation, but that does not give us progress. We must have the roads that are equal to the times.

We are worried about haste. In considering the need for these roads, Taussig said: "Man's needs are few; his wants unlimited." That applies to every man in this Senate and the House across the hall as far as his constituents are concerned, as to the need for roads.

We all feel that our Districts have been slighted and that we should have more. The question remains on how to pay for them. When we ask how to pay for them, we look to the fairest tax. We are saying that the man who uses them will pay. To say we should have a hearing for all of the taxpayers who will pay the two cent gasoline tax, you would have to get them from all forty-eight States of the Union. The percentage of that tax which is paid by the out-of-staters—and rightly should be paid by them because they use our roads—lightens the burden upon the rest of us, and yet gives us the roads.

If someone can explain to me any formula which is more fair, I would be glad and happy to listen to it.

I want to say a word about hearings. I brought back with me from home over the week-end, and I gave to our Caucus today, the arguments in the fairest manner in which I could do so,—and I think some will tell you that I was too fair—against each of the taxes and we discussed them fully. I gave them facts and figures from manufactureres and insurance companies. I drew their attention to the benefits of the bill and the detriments of the bill for each one.

If that can be done by me, I am sure you can get the tenor of the thinking of your people in just equal time.

One more word about letters. Here is a prime example of them being instigated. Most people will sign any petition that is put in front of them, or do anything people ask them to do if they make it convenient enough.

Here are post cards of the Esso Standard Oil Company (indicating). All contain different signatures, different addresses, and were stamped, I am sure,—because they are from the same post office—by the people who asked them to sign them. On each card, there is a picture of their station. I picked them out of the wastepaper basket a few minutes ago. There they were, all together in one pile, and I am sure there are some I missed.

Mr. LANE. Mr. President, I might say that I certainly enjoyed this forum this afternoon. I think we have a healthy condition here, with an aggressive Minority which is going to keep us straight.

I, for one, would be one of the happiest men in this Senate if we had a tax program which all of the people could agree to. If we could only increase appropriations and reduce taxes, I think all of us would be re-elected for the rest of our lives.

However, Mr. President, down through the years, when we were in the Minority, we took the same position as the gentlemen on the other side are taking. As a matter of fact, we talked about public hearings and argued back and forth. I recall, too, Mr. President,—and I think Senator Wade will remember this—that a few years ago, when we increased the reimbursements to the political subdivisions, which include the townships, boroughs and cities, Senator Wade had a large article printed in the Harrisburg newspaper, whereby he took credit for the passage of that legislation. At that time, I believe we set a floor of $30,000,000, annually. Of course, the allocation is based upon sixty per cent mileage and forty per cent population. The ultimate result was that actually, today, that allocation is a great advantage to the townships which exist within the confines of the Commonwealth.

In addition, Mr. President, let me also say that I believe we have the responsibility of providing the proper services for our people. I agree, too, that the minority should criticize us on every point, because that is what makes healthy government and that is what keeps us on our toes.

The other day, when the Minority Leader made a motion to adjourn the Senate, he got us on our toes, and

I think he will never catch us flatfooted again. However, that is all a part of government.

With reference to these public hearings, about which we are talking, we inaugurated these budget hearings, I recall, when the Republicans had control of the Senate. I served as a Minority Member on the Budget Hearings, whereby we called every department and interrogated them in detail. When the time came to arrive at conclusions, I wish to inform the freshmen Members on the other side, the Republican Majority held an executive meeting, decided what they were going to do and decided what they were going to allocate. Senator Ruth and I sat over here, waiting for the meetings. We were not even invited to them. Therefore, we are being a little liberal with the Minority side because we have invited them to all the hearings.

Our Budget hearing, Mr. President, is actually a hearing on taxes. When we set up a budget, we must have the revenue in order to finance it. That, actually, is the purpose of these hearings. I believe it is a good and healthy thing.

I do not know whether any of the Members of the Senate have read in detail the literature which was distributed by the Pennsylvania Highway Information Association. However, I would like to read just a few excerps from it and let you know what we are confronted with. It states as follows:

> "Double Trouble—100 Million Cars in Only 10 Years.
> "A National Safety Council official takes a look at the highways of 1970.
> "One hundred million vehicles are on the road—half again as many as there are now. End to end, they reach around the world 15 times.
> "Lined up 190 abreast, they'd cover every inch of the distance between Chicago and Los Angeles.
> "About 120 million drivers will put about a trillion miles on their speedometers in a single year.
> "And unless we do better in the next 10 years,' said Paul Jones, 'there will be a traffic toll in 1970 of 55,000 deaths and two million disabling injuries.'
> "Jones, the council's information director, added:
> " 'It is obvious that the traffic situation is one of the greatest unsolved social problems of our time. Either we go a long way toward solving it in the next 10 years or we had better take to the hills in self-defense.' "

Mr. President, I think most of those statements are true. There probably are some exaggerations, but you and I know that today we have too many automobiles and not enough highways. We know, too, that we have inflation. We must do something to take care of this particular problem. All of us are endeavoring here to bring about the strengthening of our economy. The only way we are going to do those things is to have the traffic, the automobiles and the roads to do the job.

This Pennsylvania Highway Information Association communication states further, as follows:

> "Firms representing nearly 49% of the total plant investment and 61% of the employment which has sprung up along Massachusetts Route 128 reported that employee accessibility was an important factor in the decision to locate near the route."

Of course, Mr. President, that is not anything new. We all know these things. Let us also look at another phase which we might have forgotten. I realize it is growing late, and I know that we close at six o'clock. However, not long ago, we passed some deficiency appropriation bills. We passed a deficiency appropriation bill for $50,000,000 for public assistance in Pennsylvania. We must do something to accelerate our program and put our people to work.

As far as I am concerned, I would rather spend the money to employ our people to work upon our highways, thereby taking them off public assistance. I think this acceleration program is going to be good. If Secretary Martin follows through and starts out on a program of repairing and reconstructing the 20,000 miles of State-owned roads, we probably can put many people to work. I think that is another factor we should consider.

I can agree with you fellows by saying that probably all of you are not going to vote for the tax program, and that is your privilege. However, we should take all these factors into consideration.

In conclusion, I would say, Mr. President, that I have heard these arguments before, over the years. As Senator Walker used to say: "We now have reached the point with pride and we view with alarm." That is so true. However, if any of you gentlemen on the other side have an answer or a solution, or have a better method of raising the revenue or a better tax program, I am your man.

COMMITTEE APPOINTED PURSUANT TO HOUSE CONCURRENT RESOLUTION No. 9

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee, pursuant to House Concurrent Resolution, No. 9, which extends an invitation to the National Legislative Conference to hold its 1961 meeting in Philadelphia: the gentleman from Washington, Mr. Lane; the gentleman from Philadelphia, Mr. Weiner; the gentleman from Montgomery, Mr. Propert; and the Secretary of the Senate, Mr. Moomaw, as an ex-officio member of this committee.

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

Time	Committee	Room
9:30 A.M.	CONSTITUTIONAL CHANGES & FEDERAL RELATIONS	302

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, February 1, 1961, at 10:00 a.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:00 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, January 31, 1961.

The House met at 1:00 p.m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Protector and Guide, we come to Thee with the awareness that Thou hast granted to us a land wherein we are free to read and hear Thy Word, to confess Thy Name, and to labor together for the extension of Thy Kingdom: grant, we beseech Thee, that this liberty which is ours to enjoy may ever be preserved for our children and children's children, and that the power of Thy Word may ever abound in our hearts and lives to the honor of Thy Name and the solidification of the peoples of the communities of this great Commonwealth. This we ask, praying for Thy special blessing upon these servants of Thine who have been called to serve Thee as they serve their fellowmen, in Thy Dear Name. Amen.

GROUP OF YOUNG PEOPLE WELCOMED

The SPEAKER. We are pleased to note the presence in the gallery of a delegation of young people from the Reformation Lutheran Church of Philadelphia, Pennsylvania. They are here with us today accompanied by their Pastor, the Reverend Doctor W. D. Ernst. They are the guests of the gentleman from Philadelphia, Mr Perry.

JOURNEL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, January 30, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. HEFFNER. HOUSE BILL No. 247.

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) redefining the conveying or transmission of messages of communications to include the transmission of television signals by cables for compensation to homes, apartment houses, commercial and noncommercial buildings or to any other subscriber.

Referred to the Committee on Public Utilities and Corporations.

By Messrs. KESSLER, ROVANSEK and LIPPINCOTT. HOUSE BILL No. 248.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing provisions relating to additional fees for certain special registration plates.

Referred to the Committee on Motor Vehicles.

By Messrs. TAYLOR, J. A. SULLIVAN, A. M. LEE and SHELTON. HOUSE BILL No. 249.

An Act amending the act of May 24, 1893 (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," authorizing an increase in the minimum pensions of policemen in cities of the first class in certain cases.

Referred to the Committee on State Government.

By Messrs. TAYLOR, J. A. SULLIVAN, McDEVITT and SHELTON. HOUSE BILL No. 250.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that letters and numerals on registration plates be luminous.

Referred to the Committee on Motor Vehicles.

By Messrs. SCHAAF, O'DELL and JIM. HOUSE BILL No. 251.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the use of nets.

Referred to the Committee on Fisheries.

By M. H. GOLDSTEIN. HOUSE BILL No. 252.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978), prohibiting public officers, public employes and party officers from having an interest in pari-mutuel racing activities.

Referred to the Committee on Rules.

By Messrs. MEHOLCHICK, MUSTO and ROVANSEK. HOUSE BILL No. 253.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), changing requirements for compensation by removing the one week waiting period.

Referred to the Committee on Workmen's Compensation.

By Messrs. SAKULSKY, CAPANO and ROVANSEK. HOUSE BILL No. 254.

An Act amending "The Pennsylvania Workmen's Compensation Act" aproved June 2, 1915 (P. L. 736) requiring employers to furnish employes with instructions on their rights in the event of an accident.

Referred to the Committee on Workmen's Compensation.

By Messrs. SAKULSKY, CAPANO and ROVANSEK. HOUSE BILL No. 255.

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

Referred to the Committee on Workmen's Compensation.

By Messrs. WILLARD, DOWN, POLEN and McCANDLESS. HOUSE BILL No. 256.

An Act making an appropriation to the Trustees of the George Jr. Republic Association, Grove City, Pennsylvania, for construction of new buildings and repairs to and remodeling of existing buildings at the George Jr. Republic School in Mercer County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. GALLAGHER, GREMMINGER, WELSH and STONE. HOUSE BILL No. 257.

An Act prohibiting and making unlawful the employment of professional strikebreakers in place of employes involved in a labor dispute; prohibiting and making un-

lawful recruitment and furnishing of employes to replace employes involved in a labor dispute, by a person or agency not directly involved in the labor dispute, and the employment of persons so recruited or furnished; * * *.

Referred to the Committee on State Government.

By Messrs. SAKULSKY, M. H. GOLDSTEIN, WILT and CAPANO. HOUSE BILL No. 258.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) imposing a limitation on overtaking and passing on highways under the supervision and control of the Pennsylvania Turnpike Commission.

Referred to the Committee on Motor Vehcles.

By Messrs. SAKULSKY, ISAACS, PIPER, and MILLS. HOUSE BILL No. 259.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace and magistrates.

Referred to the Committee on Motor Vehicles.

By Messrs. GOODRICH, RENWICK, CAPANO and E. S. WILLIAMS. HOUSE BILL No. 260.

An Act amending the act of July 20, 1917 (P. L. 1158), entitled "An Act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

Referred to the Committee on State Government.

By Messrs. HEFFNER, McDONALD, W. JOSEPH LONG and KNECHT. HOUSE BILL No. 261.

An Act amending the "State Tax Equalization Board Law," approved June 27, 1947 (P. L. 1046) further regulating the valuation of real property in school districts.

Referred to the Committee on Education.

By Mr. VERONA, Mrs. REIBMAN, Messrs. PRENDERGAST and J. A. O'DONNELL. HOUSE BILL No. 262.

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), extending provisions to out-of-state services.

Referred to the Committee on State Government.

By Mr. VERONA, Mrs. REIBMAN and Messrs. PRENDERGAST and J. A. O'DONNELL. HOUSE BILL No. 263.

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to Adoption," authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

Referred to the Committee on Welfare.

By Messrs. AUKER, DENGLER, PRENDERGAST and STONE. HOUSE BILL No. 264

An Act amending the "Pennsylvania Election Code," appproved June 3, 1937 (P. L. 1333) increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

Referred to the Committee on Counties.

By Messrs. STONE, KLEIN, BONNER and DONALDSON. HOUSE BILL No. 265

An Act amending the "Municipality Authorities Act of 1945" approved May 2, 1945 (P. L. 382), providing for the taxation of lands of certain Authorities by townships.

Referred to the Committee on Townships.

By Messrs. STONE, KLEIN, BONNER and DONALDSON. HOUSE BILL No. 266

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), requiring approval in a referendum prior to entrance of a township by an Authority with a project that does not serve or measurably benefit the township.

Referred to the Committee on Townships.

By Messrs. STONE, KLEIN, BONNER and DONALDSON. HOUSE BILL No. 267.

An Act amending the "Municipality Authorities Act of 1945, Approved May 2, 1945 (P. L. 382), further regulating appointments of members of the boards of Authorities.

Referred to the Committee on Municipal Corporations.

By Messrs. PRICE and STANK. HOUSE BILL No. 268

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), limiting the amount of earned income upon which taxes may be levied.

Referred to the Committee on State Government.

By Mrs. REIBMAN, Messrs. VERONA, PRENDERGAST and BONNER. HOUSE BILL No. 269.

An Act declaring and adopting the song "The Woods of Penn," by Charles W. Rasely and Ben Kizer, as the State song of the Commonwealth of Pennsylvania.

Referred to the Committee on Judiciary Special.

By Messrs. STONE, KLEIN, HAMILTON and AUKER. HOUSE BILL No. 270.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), granting eligibility for assistance to aged persons who are inmates of public institutions.

Referred to the Committee on Welfare.

By Messrs. SCARCELLI and CAPITOLO. HOUSE BILL No. 271.

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

Referred to the Committee on Military Affairs.

By Messrs. STONE, KLEIN, HAMILTON and LIPPINCOTT. HOUSE BILL No. 272.

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals * * *," authorizing and requiring the supply of water to be cut off for nonpayment of sewer, sewerage or sewage treatment rentals, rates or charges imposed by cities, boroughs or townships.

Referred to the Committee on Municipal Corporations.

By Messrs. SHERMAN, GELFAND, M. H. GOLDSTEIN, A. D. WILLIAMS and Mrs. S. A. ANDERSON.

HOUSE BILL No. 273.

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions, based upon race, religion, color or national origin and prohibiting such discriminatory practices.

Referred to the Committee on Rules.

By Messrs. LIPPINCOTT and GIBBONS, Mrs. KERNAGHAN and Mr. ISAACS.

HOUSE BILL No. 274.

An Act specifying the time within which the Commonwealth, political subdivisions, authorities and other persons must institute condemnation proceedings after taking possession of property; requiring that property owners be furnished with transcripts of testimony and providing that costs shall be paid by the condemning agency.

Referred to the Committee on Judiciary.

By Messrs. LIPPINCOTT, STONE, DENGLER and ISAACS. HOUSE BILL No. 275.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), further providing for purchases in excess of one thousand dollars made by the commissioners.

Referred to the Committee on Townships.

By Messrs. LIPPINCOTT, STONE, DENGLER and ISAACS. HOUSE BILL No. 276.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further providing for the accepting of bids and the awarding of contracts.

Referred to the Committee on Townships.

By Messrs. LIPPINCOTT, GIBBONS, ISAACS and Mrs. KERNAGHAN. HOUSE BILL No. 277.

An Act amending the act of June 27 ,1935 (P. L. 477) entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of members of the State Police Force * * *" authorizing the recovery of payments made under the provisions of this act.

Referred to the Committee on Judiciary.

By Messrs. LIPPINCOTT, STONE, DENGLER and Mrs. KERNAGHAN. HOUSE BILL No. 278.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing the reassessment of certain property and imposing liability for borough taxes upon the owners thereof.

Referred to the Committee on Boroughs.

By Messrs. LIPPINCOTT, STONE, DENGLER and Mrs. KERNAGHAN. HOUSE BILL No. 279.

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

Referred to the Committee on Townships.

By Messrs. LIPPINCOTT, GIBBONS, Mrs. KERNAGHAN and Mr. ISAACS.

HOUSE BILL No. 280.

An Act amending the act of August 5, 1932 (P. L. 45) entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment and collection of, certain additional taxes for general revenue purposes; * * *" limiting the rate of wage, income or occupation taxes, reducing such taxes heretofore imposed and providing for certain credits and deductions for non-resident taxpayers.

Referred to the Committee on Cities—Counties First Class.

By Messrs. LIPPINCOTT and STONE, Mrs. KERNAGHAN and Messrs. DENGLER and ISAACS.

HOUSE BILL No. 281.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing second class school districts to make additions and revisions to tax duplicates.

Referred to the Committee on State Government.

By Mr. SCARCELLI and Mrs. MARKLEY.

HOUSE BILL No. 282.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

Referred to the Committee on Military Affairs.

By Messrs. McCANN, POLEN, GALLAGHER and KLEIN. HOUSE BILL No. 283.

An Act providing for the regulation of lobbying; requiring registration of lobbyists, keeping accounts of contributions and of receipts and expenditures, reports and statements under oath by lobbyists and persons receiving contributions or expending money to influence legislation.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. STONE, HAMILTON, KLEIN and CIOFFI.

(Concurrent) RESOLUTION No. 18.

In the House of Representatives, January 30, 1961.

Resolved (the Senate concurring), That the Pennsylvania Turnpike Commission is hereby requested to erect and install radio antennae facilities in the several Turnpike Tunnels for the safety and convenience of the travelling public; and be it further

Resolved, That a copy of this resolution be transmitted to the Pennsylvania Turnpike Commission.

Referred to the Committee on Rules.

By Messrs. ROVANSEK, MEHOLCHICK, MURPHY, McNALLY and FARABAUGH. RESOLUTION No. 19.

In the House of Representatives, January 30, 1961.

Whereas, A considerable amount of inconvenience is occasioned by the tests being given by the State Police in compliance with the Governor's Safety Program in the Johnstown area. The main portion of this inconvenience stems from the fact that only a portion of these tests take place in State Police offices. In many instances these offices are inadequately equipped and their facilities limited to complete the tests; therefore be it.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Governor to establish centrally located stations with a physician in attendance qualified to complete th physical test necessary to obtaining a drivers license; and be it further

Resolved That these stations be equipped with the necessary facilities and adequate personnel to facilitate the completion of these tests; and be it further

Resolved, That a copy of this resolution be sent to the Governor.

Referred to the Committee on Rules.

APPOINTMENT HOST COMMITTEE FOR NATIONAL LEGISLATIVE CONFERENCE

The SPEAKER. Pursuant to the provisions of a concurrent resolution (Serial No. 9), adopted by the House and concured in by the Senate on Monday, January 16th, 1961, the Speaker appoints as a Host Committee on the part of the House to the National Legislative Conference of the Council of State Governments the following members:

Messrs. Helm, Boies, Royer, and Joseph O'minsky, Chief Clerk, Ex-officio.

SENATE MESSAGE

NOTIFICATION FROM SENATE

In the Senate, January 30, 1961.

The Clerk of the Senate being introduced, informed the House of Representatives that the Honorable Israel Stiefel, Philadelphia County, the Honorable Paul W. Mahady, Westmoreland County and the Honorable Edward J. Kessler, Lancaster County, have been appointed by the President Pro Tempore as a Committee on the part of the Senate pursuant to Senate Concurrent Resolution Serial #102, Commemorating Lincoln's visit to the General Assembly of Pennsylvania on February 22, 1861.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Resolution for concurrence Serial No. 107.

REPORTS FROM COMMITTEE

Mr. CAPANO from the Committee on Education, reported as committed, House Bill No. 120, entitled:

A Joint Resolution proposing an amendment to article nine, section eight of the Constitution of the Commonwealth of Pennsylvania, increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

Mr. FRY from the Committee on Game and Conservation, reported as committed, House Bill No. 217, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the definition of "unprotected birds" to exclude snowy owls.

RESOLUTION

APPRECIATION

Messrs. McCANN, BRETH, AGNEW and TOMPKINS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted by a rising vote as follows:

In the House of Representatives, January 31, 1961.

Whereas, The Honorable Baker Royer is this day retiring as Chairman of the Joint State Government Commission which he has served with dedication and distinction as Chairman since June, 1949. Prior to becoming Chairman of the Commission, he served as its Vice Chairman for two years. The Honorable Baker Royer was first elected to the House of Representatives on April 28, 1936, and has served continuously since that time. In 1943-1945, he served as Chairman of the Commission's Committee on Distribution of State Funds, from 1945 to 1949 as Vice Chairman of the Commissions's Committee on State-Local Highway Financing and from 1947 to 1949 as a member of the Subcommittee on the Legislative Journal; and

Whereas, During Representative Royer's term of office, the Commission has continually increased its capacity to serve the General Assembly in the development of facts and recommendations on all phases of government. Under his guidance, the Commission has made many important studies, the results of which may be found upon the statute books of the Commonwealth, which, to mention but a few, include the School Code, the School Health Program, the Liquor Code, the Mental Code, the Landlord and Tenant Act, Decedents' Estates Laws, the Vehicle Code, the State and School Employes' Retirement Codes. It was through the Commission's investigation and study of public assistance and blind pensions that the Commonwealth secured Federal participation in blind pensions to the extent of 6 million dollars per biennium. The Commission's influence among ther states thrughout America has grown and its reports are eagerly sought throughout the World; and

Whereas, Representative Royer has served as a member of the Executive Committee of the National Legislative Conference; Now, Therefore, Be It

Resolved (the Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania acknowledges its debt to the Honorable Baker Royer for his service to the Joint State Government Commission and to this Commonwealth and expresses its sincere appreciation for his long years of devotion to duty.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Royer.

Mr. ROYER. Mr. Speaker, I want to thank the House for this resolution. I want to thank the members of the Executive Committee and I want to pay my respects to those members of the Executive Committee who were so kind with their assistance and their help during the time I was Chairman.

To me it has been a wonderful experience. I know that I have gained a wealth of knowledge in the affairs of State government.

And to the Members of the Assembly I want to say this—according to the concensus of opinion of the National Legislative Conference the Pennsylvania Joint State Government Commissions is considered a model as a research agency. I am sure that under the chairmanship of my good friend, Harris Breth, it will continue as such.

Thank you.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. FOERSTER because of illness.

QUESTION OF PERSONAL PRIVILEGE

Mr. T. F. SULLIVAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. T. F. SULLIVAN. The question is, that due to illness, I was unable to attend last week's sessions. Had I been here I would have voted 100 percent in support of the Governor's tax program, and I so state it now for the record.

Thank you.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Mr. AGNEW. Mr. Speaker, two Members of the

Majority who were absent last week wish to state for the record their desire of voting for the tax program if they had been here last Thursday night. We have five Members of the Minority present and, in the interest of saving time, I would say that they all desired to be here and, if they had been here, they would have voted against the tax program.

Mr. McCANN. Mr. Speaker, at this point then, the record will show very clearly that the Republican Members of this House, as indicated by the Minority Floor Leader, would have voted "no" on the revenue-raising measures, and the Democratic Members of this House, including the two who were absent on the Thursday session, would have supported the revenue-raising measures had they been here. We are proud to say that each Member of this group made every effort, to be here and have explained the reasons why they could not be here.

Mr. Speaker, I am sure, as time goes on, this will become extremely important to future debates and future sessions so there will be no misunderstanding.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. GOODRICH asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. AGNEW. Mr. Speaker, I agree with the Majority Leader. We think the record should clearly show that the Democrat Party almost to the last man was willing to put about twenty dollars a year gas tax on the average car owner in Pennsylvania, that the Democrat Party voted to eliminate the two percent sales tax commission on the small businessman, that the Democrat Party voted to impose new taxes by extending the bank shares tax to building and loans and savings and loans associations and by imposing the gross premium tax on insurance companies, the domestic life insurance companies.

I say that the Republican Party almost to the last man was not willing to further inflict these tax burdens upon the people of Pennsylvania. I do not know what the Majority Leader has in mind, but we do want the record to clearly show that the Democrats were for these additional taxes and that the Republicans were against them.

Mr. Speaker, while I have the floor I would like to comment on the word "filibuster." I would not have said anything ordinarily but the Majority Leader saw fit to mention it twice.

At 6:00 o'clock in the morning last Thursday we were willing to forgive him for his remarks concerning filibuster because he was tired, I was tired, every Member of the House, with the possible exception of the Speaker, was tired. By the way, we compliment the Speaker for the way he held up that night, while many of us who are considerably younger could not.

But the Majority Leader saw fit yesterday also to use the word "filibuster" with respect to our deliberations last Thursday a. m. I do not know what his definition of the word "filibuster" is. I would like to point out that if to ask information, to interrogate, to debate on bills which constitute the major tax program of the administration is to filibuster, then we are guilty of filibustering. But if we had wanted to filibuster, Mr. Speaker, we could have kept the members of this House until the middle of Thursday afternoon. There was not one bill that we had more than three people speak on with the exception of the gas tax increase. This was the most controversial and the most interesting, in the public point of view, bill on the calendar.

Now we thought we made a major effort to reduce the hours of that session. We did not think at the time we got started it would be until 6:00 o'clock in the morning.

I want to say this rather deliberately on behalf of the Minority, we debated the bills, we asked pertinent and reasonable interrogation and we made every effort to get through with that post-midnight session as early as we could.

If such a display, such a legislative attempt on our part, to debate and to interrogate on the major tax proposals of the administration are to be referred to as a filibuster, then, gentlemen, I say you do not know what the word means. We may be able at some future time in a session, if you adopt the same tactics, to let you know what a filibuster is.

We consider it the legislative responsibility, to say nothing of the legislative prerogative, to examine proposals from the Chief Executive. If the Majority Leader feels that this House should act as a rubber stamp to the Chief Executive's proposals, then that is his privilege. But we Republicans do not consider that to be the function of the Legislature.

We only had two days to study those bills and we made a Herculean effort to find out what they were all about. We made an orderly attempt to debate them and to interrogate on them Thursday a. m., and let me point out, we did not call that post-midnight session. If that had been an afternoon session we would have got started about a quarter to one and we would have been out of here at 6:00 o'clock, and I do not think anybody would have considered that too long to debate the major tax proposals of the administration.

Now if this sort of thing is to be called a filibuster, if we are not permitted to look at the bills until Monday, the day they come out of committee, and we are to vote on these measures two days later and we are not even to be given the oportunity to debate and interrogate on them, then I say that this House of Representatives has come to a sorry state. That is something none of us wants to see. We do not want the reasonable efforts of the Minority to interrogate and debate the major legislative proposals to be referred to as a filibuster.

Mr. McCANN. Mr. Speaker, let the record show that we rejected a Republican proposal for placing an increased license fee on automobiles and trucks, which would be paid only by Pennsylvanians. In desiring to build the roads, the highways and the streets that you and I want, we chose the tax which is a bona fide use tax. When all those people from all 50 states of this great union travel through this Commonwealth and purchase gas and oil and other commodities, which they must, they will pay their fair share to help build, maintain, construct, and so forth, the highways of this Commonwealth.

Let the record clearly show that our party, the Democratic Party, is for this road construction program for three basic reasons: one, to build the highways to help the industrial and tourist growth of this Commonwealth; two, to help the economy of both this State and the Nation; three, to help reduce unemployment by put-

ting people to work to build these roads in the Commonwealth. Let the record forever show that we will stand before this Commonwealth agreeing that this is what we are for and this is what the Republicans reject.

The SPEAKER. Does the gentleman from Tioga, Mr. McInroy, desire recognition?

Mr. McINROY. Yes, sir, I do.

Mr. McCANN. Mr. Speaker, I have the floor.

The SPEAKER. The Chair apologizes. He thought the Majority Leader has been seated.

The Majority Floor Leader will proceed.

Mr. McCANN. Mr. Speaker, the gentleman continues to bring up the situation about filibuster. The Republican Party in this House has only been in the minority in 1941, 1955, 1959, and this present session. I think we as Democrats know a little more about minorities than do the Republicans. We know enough about it to say that the minority's rights must be protected at all times, including equal facilities, opportunities to interrogate, opportunities to receive material and information, I think better than the Minority in this House now. These things we believe in and we do not disagree. We have no way of knowing, except by the will of the people, that we may be the minority again on another occasion. We hope, and we want to prove to the people, that we are a Majority working for their benefit and we will ask them to re-elect us the same as you will. They will make the final decision.

So, therefore, we are clearly very keen as to the needs of the minority and their needs to be known. I have not in any way indicated any filibuster, except yesterday when the stamps were delivered here in a sense of good humor, when I indicated that two were missing. Those two I indicated clearly as, one, "waste of time," and another, "filibuster," in the same sense of humor that you sent the stamps over. In fact, it is amazing to me how wonderfully this House operates because I can order stamps and a stamp holder, needing the same for may office, and it takes longer for me to get them than it does the Minority who on the spur of a moment's notice was able to decide to get these and were able to get them, deliver them and have them on the floor here. So, you cannot say that the Minority is not considered first.

In fact, my own office asked for a stamp holder and I understand they sent me an old used one, which we are glad to use because the new one must go to the Minority for this program. It is perfectly all right. We have no objection. In the sense of humor in which it was given we accept it very freely. But I think there will be other days and other occasions when we will be debating about the road needs of Pennsylvania. The other night when I was speaking, Mr. Speaker, our good friend from Philadelphia walked into this House and my statements stop in the record as of when he entered the House. Following that Mr. Agnew did speak, and others spoke, and made certain implications and statements about our party. Yes, we had met with many people about this program. So the record will be complete, we talked to big business and little business. At that point I was willing to state, and had started to say in the record, that we had met with United States Steel, with Jones & Laughlin, wih Westinghouse Electric, with General Electric, with the cement corporations and with many other people who have an interest in Pennsylvania, a major interest, about their situation in this program and whether it would do something for their industry in Pennsylvania. They did not come out and take the position that they were supporting any tax measure; they did not come out and make any statements that they were for or against something; but they did make the honest statements that this program would help their Pennsylvania industries and they are willing to admit so in the hearings, because the cement people, the bituminous people and the steel people certainly will benefit. This can be only a matter of fact.

So, Mr. Speaker, following the Thursday night session, there would have been an occasion to speak a little longer and place into the record some more facts before the bill was finally voted. But I felt we should try to answer every question that was being put to the Chairman of the Committee on Appropriations, Mr. Polen, and I hope that the questions were answered. I realize that party positions will always govern party decisions, but party positions do not always govern Pennsylvania's needs, either your party or my party. Therefore, I think we are working in the direction of trying to help Pennsylvania, because Pennsylvania is the State that you and I represent.

The SPEAKER. Since the gentleman from Tioga, Mr. McIroy, asked for recognition prior to the request of the gentleman from Philadelphia, Mr. Sherman, the Chair will recognize the gentleman from Tioga, Mr. McInroy, and then will recognize the gentleman from Philadelphia, Mr. Sherman.

The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker and Members of the House, since I was one of the absentees on Thursday morning, I just want to say a couple words. It will probably be three or four before I get through, but I promise not to talk long.

I was ill and I went home. I did not have time to look up our Leader, but I thought it was my prerogative to go home when I felt in such a condition.

I might just add these few words because Mr. Agnew said that our absentees would have voted "no." I want to corroborate that. I would have voted "no" and voted it without hesitation, and I would be glad for every person in my county to know why I would vote "no." I am just going to state those reasons as quickly as possible.

In the first place, I work on the railroad and when I saw the hat given to the Majority Leader in a genial way I knew what they were talking about when they said "railroading it through" and that is exactly what was happening. Why was there such a hurry to have that midnight session and get that bill through that night? Why would not yesterday have been just as good as last Thursday morning? There is only one answer. The Majority wanted to railroad it through before the opposition built up over Pennsylvania.

I can say honestly that I have not received one letter or had one telephone call asked me to vote for that tax; not one in all Tioga County has asked me to vote for it. Therefore, I cannot only say I voted my own conscience, but the people's of Tioga County.

I would just like to say one other thing as we are going to talk about money and taxes. What has happened to the Democratic theory of "soaking the rich and not the poor"? If there was ever a tax that soaks the poor it is this tax right here. It is not based upon ability to pay, which I have heard the Democrats say over there year after year, almost. Several will get up and say we are in favor of a tax based upon ability to pay.

Then they love to tell about the graduated income tax which they would love to get into the State of Pennsylvania. I have heard nothing about that lately. I am wondering if they are going to put that in this time, pass the referendum, and then again next session and then it goes to the people. I challenge the Democrats to go ahead and do that. I tell you now I will vote against it, but I would like to see them try to get that in the State of Pennsylvania. I am sure we could beat them for the next 25 years on that one thing alone.

A Democrat was telling me the other day how good he felt that we Republicans were so good to put in the sales tax and the Democratic Party was profiting by it, all the officeholders, and so on. He was just smacking his lips, and that is the truth.

Now we are all becoming, practically all of us, in favor of a sales tax. The only question is, how will it be administered, what the percentage will be, whether we will take off some reasonable exemptions and so on. But let me repeat, certainly with that two-cent gas tax, rammed through as it was and not being based on ability to pay, we are not talking about the need for it and it cannot be according to the old Democratic principles that I have heard praised here so long.

I would like to remind you of one other fact that some of you older Members will remember. We lost a wonderful Member on this side of the House who came here to vote on taxes. I am referring to Ivan Watkins of Schuylkill County. You Democrats forced us to bring that man in here on a stretcher. He came against the advice of his physician. He went 'way out to the State of Ohio to study the sales tax. He did a good job and you were heartless, and I say we were not heartless when we votetd against you, thoses of you who were here on Thursday night.

Again I repeat, I would have been proud to have said "no" had I been here that night.

Mr. SHERMAN. Mr. Speaker, I am pleased to see that the previous speaker has come out in the open when he states, "We,"—and I presume he means the Republican Party—" are in favor of the sales tax." I think the record should be very clear. Let it be known that the Republican Party apparently condones and thinks the sales tax is a pretty good tax. But I will make this statement in observation.

It is very seldom, if ever, that we hear from our constituents that they are in favor of a tax and I think neither Republican nor Democrat would hardly ever hear that his constituents are in favor of a tax. On the other hand, Mr. Agnew has made the statement, and other Republican speakers have made the statement, that the average person will be taxed $20 per pear as a result of the two-cent rise in the gasoline tax. It reminds me of the Hoover days when there were two cars in every garage promised and things along that line.

Another figure, we as Democrats will find most of the Democratic people thrughout the State will not be taxed $20 per year as a result of a rise of two cents in the gasoline tax. Whether we are in favor of it or against it is one thing, but if you adjust your figures you will find out that the average gas consumption of the ordinary person is nearer 10 to 13 gallons per week throughout the year, rather than 20 or 30 or 35 gallons per week. Ten or 11 or 12 gallons a week will mean only a tax of $10 a year additional with a raise of two cents in the gasoline tax.

I also submit as a matter of observation that if the gasoline tax that passed the House the last session had been approved by our other body—Republican—that perhaps if would not have been necessary at this time to double the request to two cents; one cent would have been more than ample on the gasoline tax at this time.

Mr. AGNEW. Mr. Speaker, I would like to comment first on the remarks made by the gentleman from Philalelphia, Mr. Sherman, and say that under the last Republican Governor, John Fine, the sales tax was one percent. Under Governor Leader, who was not one of boys, it went to three percent. Now under Governor Lawrence, who has never been known to be a Republican, it went to four percent, making four times the sales tax under Democratic Governors than we had under the Republican Administrations. I am glad the Majority Leader mentioned again the fact that big business had been consulted on this program. I think it is about time the Democratic Party of this State got credit for being the party of big business. I am certainly ready to help them take that credit in any way I can.

Some of our Members, Mr. Speaker, have asked me to comment on the fact that the Majority Leader indicated that it was a Republican program that doubled the license plates, added license fees. It certanly was not in this session of the Legislature. We cannot remember just when it was the Republican program, but talking about the 1961 Session, the Republicans certainly have no proposal to increase the motor vehicle registration fee in Pennsylvania, and I would remind the Majority Leader that the program passed at the last session, which doubled the operators' license or drivers' registration fees, was certainly not a Republican program. If it belonged to any party, it was certainly the Democratic program, and I might also say in all good humor to the Majority Leader, the next time he says filibuster, smile.

Mr. McCANN. The gentleman from Allegheny, Mr. Agnew, was not present in those conferences, but, if he will just turn around and talk to a couple of people, the conference took place in the Senate with Republican leaders of the House and Senate. You were not present, but when I stated the fact it is correct that it was proposed by a Republican and not a Democrat.

The SPEAKER. Does the Majority Leader desire that we now take up the calendar or continue the discussion?

Mr. McCANN. Mr. Speaker, I am ready for today's calendar.

Mr. Speaker, I believe the calendar is completely agreed to on its markings, except Senate bill 1, page 5. Mr. Rudisill and Mr. Williams have not informed either leader

whether they are ready for debate or questions on that one bill, so we would know when we arrived at it, Mr. Speaker.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 43, Printer's No. 43,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 46, entitled:

An Act amending "The General Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 authorizing the assistant secretary or the assistant treasurer to sign certain papers.

And said bill having ben read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Limper,	Royer,
Agnew,	Gailey,	Lippincott,	Rubin,
Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Arlene,	George,	Lutty,	Scarcelli,
Ashton,	Gibb,	Manbeck,	Schaaf,
Auker,	Gibbons,	Markley,	Schuster,
Bachman,	Goldstein, J. H.,	Marsh,	Seltzer,
Backenstoe,	Goldstein, M. H.,	Maxwell,	Shelton,
Boles,	Goodrich,	May,	Sherman,
Bonner,	Gramlich,	McCann,	Shupnik,
Bossert,	Gray,	McCormack,	Simmons,
Bower,	Gremminger,	McDevitt,	Slack,
Bowman,	Guesman,	McDonald,	Snare,
Branca,	Hamilton,	McInroy,	Stank,
Breth,	Hankins,	McKeever,	Steckel,
Buchanan,	Hartley,	McLaughlin,	Stimmel,
Capano,	Haudenshield,	McNally,	Stiteler,
Capitolo,	Heavey,	Meholchick,	Stone,
Cauley,	Heffner,	Merry,	Strausser,
Cianfrani,	Henzel,	Mihm,	Sullivan, J. A.,
Cioffi,	Holliday,	Miller,	Sullivan, T. F.,
Clarke,	Holman,	Mills,	Taylor,
Comer,	Horst,	Monroe,	Thompson,
Cooley,	Irvis,	Morley,	Tomascik,
Crossin,	Isaacs,	Muldowney,	Tompkins,
Curwood,	Jenkins,	Mullen,	Trusio,
Davis,	Jim,	Munley,	Ujobai,
Dengler,	Johnson, A. W.,	Murphy,	Varner,
Dennison,	Johnson, R. P.,	Murray,	Verona,
Donaldson,	Jones,	Musto,	Wall,
Doughten,	Kamyk,	Needham,	Walsh,
Down,	Keiser,	O'Donnell, J. A.,	Weidner,
Edwards,	Kelly,	Parlante,	Welsh,
Eilberg,	Kernaghan,	Pashley,	Wescott,
Elvey,	Kessler,	Perry,	Willard,
Eshback,	Kistler,	Petrosky,	Willaredt,
Eshleman,	Klein,	Piper,	Williams, A. D.,
Ewing,	Knecht,	Polaski,	Williams, E. S.,
Farabaugh,	Kooker,	Polen,	Wilt,
Fetterolf,	Kornick,	Prendergast,	Wood,
Filo,	Korns,	Price,	Worley,
Fineman,	Kramer,	Pursley,	Wynd,
Flynn,	Lamb,	Reibman,	Yetter,
Foor,	Lawson,	Reidenbach,	Zimmerman,
Fox,	Lee, A. M.,	Renwick,	Andrews,
Frascella,	Lee, K. B.,	Riley,	Speaker
Fry,	Leonard,	Rovansek,	

NAYS—8

Blair,	Hocker,	McCandless,	Ogilvie,
Gross,	King,	O'Dell,	Whittaker,

NOT VOTING—10

Bush,	Guthrie,	O'Donnell, J. P.,	Wargo,
Dougherty,	Helm,	Odorisio,	
Foerster,	Magee,	Rudisill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 51, Printer's No. 51 and

House Bill No. 53, Printer's No. 53,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 54, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing departments, boards, and commissions to purchase certain film strips, recordings, and tests.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—155

Adams,	Fulmer,	Lippincott,	Royer,
Agnew,	Gailey,	Long, Wm. Jas.,	Rubin,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Rudisill,
Arlene,	Gelfand,	Lutty,	Rutherford,
Ashton,	Gibb,	Manbeck,	Sakulsky,
Bachman,	Gibbons,	Markley,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Marsh,	Schaaf,
Boles,	Gray,	Maxwell,	Schuster,
Bonner,	Gremminger,	McCann,	Seltzer,
Bossert,	Guesman,	McCormack,	Shelton,
Bower,	Hamilton,	McDevitt,	Sherman,
Bowman,	Hankins,	McDonald,	Shupnik,
Branca,	Hartley,	McKeever,	Simmons,
Breth,	Haudenshield,	McLaughlin,	Snare,
Buchanan,	Heavey,	McNally,	Stank,
Capano,	Helm,	Meholchick,	Steckel,
Capitolo,	Henzel,	Mihm,	Stimmel,
Cauley,	Holman,	Mills,	Stiteler,
Cianfrani,	Irvis,	Monroe,	Stone,
Cioffi,	Isaacs,	Morley,	Strausser,
Clarke,	Jenkins,	Muldowney,	Sullivan, J. A.,
Comer,	Jim,	Mullen,	Sullivan, T. F.,
Cooley,	Johnson, A. W.,	Munley,	Taylor,
Crossin,	Johnson, R. P.,	Murphy,	Thompson,

Curwood,	Jones,	Murray,	Tomascik,
Dengler,	Kamyk,	Musto,	Tompkins,
Donaldson,	Kelly,	Needham,	Trusio,
Doughten,	Kernaghan,	O'Donnell, J. A.,	Ujobai,
Eilberg,	Kessler,	Parlante,	Varner,
Elvey,	King,	Pashley,	Verona,
Eshleman,	Klein,	Perry,	Walsh,
Ewing,	Knecht,	Petrosky,	Weidner,
Farabaugh,	Kornick,	Polaski,	Welsh,
Fetterolf,	Kramer,	Polen,	Willaredt,
Filo,	Lamb,	Prendergast,	Wood,
Flynn,	Lawson,	Reidenbach,	Worley,
Fox,	Lee, A. M.,	Renwick,	Yetter,
Frascella,	Leonard,	Riley,	Andrews,
Fry,	Limper,	Rovansek,	Speaker

NAYS—44

Anderson, J. H.,	Goodrich,	Lee, K. B.,	Reibman,
Auker,	Gramlich,	May,	Slack,
Blair,	Gross,	McCandless,	Wall,
Davis,	Heffner,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Down,	Holliday,	Miller,	Willard,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Eshback,	Keiser,	Ogilvie,	Williams, E. S.,
Foor.	Kistler,	Piper,	Wilt,
George,	Kooker,	Price,	Wynd,
Goldstein, J. H.,	Korns,	Pursley,	Zimmerman,

NOT VOTING—9

Bush,	Foerster,	Magee,	Odorisio,
Dougherty,	Guthrie,	O'Donnell, J. P.,	Wargo,
Fineman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 57, entitled:

An Act amending the "Water Well Drillers License Act" approved May 29, 1956 (P. L. 1840), requiring the filing of certain reports to the Department of Internal Affairs and deleting the filing of reports in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Gelfand,	Lippincott,	Reibman,
Agnew,	Gibb,	Long, Wm. Jas.,	Reidenbach,
Anderson, J. H.,	Gibbons,	Long, Wm. Jos.,	Renwick,
Anderson, S. A.,	Goldstein, J. H.,	Lutty,	Riley,
Arlene,	Goldstein, M. H.,	Manbeck,	Rovansek,
Ashton,	Goodrich,	Markley,	Rubin,
Auker,	Gramlich,	Marsh,	Rudisill,
Bachman,	Gray,	Maxwell,	Sakulsky,
Backenstoe,	Gremminger,	May,	Scarcelli,
Boies,	Guesman,	McCandless,	Schaaf,
Bonner,	Hamilton,	McCann,	Schuster,
Bower,	Hankins,	McCormack,	Seltzer,
Bowman,	Hartley,	McDevitt,	Shelton,
Branca,	Haudenshield,	McDonald,	Sherman,
Breth,	Heavey,	McInroy,	Shupnik,
Buchanan,	Heffner,	McKeever,	Simmons,
Capano,	Helm,	McLaughlin,	Slack,
Capitolo,	Henzel,	McNally,	Snare,
Cauley,	Holliday,	Meholchick,	Stank,
Cianfrani,	Holman,	Mihm,	Steckel,
Cioffi,	Irvis,	Miller,	Stimmel,
Clarke,	Isaacs,	Mills,	Stiteler,
Comer,	Jenkins,	Monroe,	Stone,
Cooley,	Jim,	Morley,	Strausser,
Crossin,	Johnson, A. W.,	Muldowney,	Sullivan, J. A.,
Curwood,	Johnson, R. P.,	Mullen,	Sullivan, T. F.,
Davis,	Jones,	Munley,	Taylor,
Dengler,	Kamyk,	Murphy,	Thompson,
Donaldson,	Kelly,	Murray,	Tomascik,
Doughten,	Kernaghan,	Musto,	Tompkins,
Eilberg,	Kessler,	Needham,	Trusio,
Eshback,	King,	O'Donnell, J. A.,	Ujobai,
Ewing,	Klein,	Ogilvie,	Varner,
Farabaugh,	Kooker,	Parlante,	Verona,
Fetterolf,	Kornick,	Pashley,	Walsh,
Filo,	Korns,	Perry,	Welsh,
Fineman,	Knecht,	Petrosky,	Willard,
Flynn,	Kramer,	Piper,	Willaredt,
Frascella,	Lamb,	Polaski,	Williams, A. D.,
Fry,	Lawson,	Polen,	Worley,
Fulmer,	Lee, A. M.,	Prendergast,	Yetter,
Gailey,	Leonard,	Price,	Andrews,
Gallagher,	Limper,	Pursley,	Speaker

NAYS—29

Blair,	Foor,	Kistler,	Weidner,
Bossert,	Fox,	Lee, K. B.,	Wescott,
Dennison,	George,	Merry,	Whittaker,
Down,	Gross,	O'Dell,	Williams, E. S.,
Edwards,	Hocker,	Royer,	Wilt,
Elvey,	Horst,	Rutherford,	Wood,
Eshleman,	Keiser,	Wall,	Wynd,
			Zimmerman,

NOT VOTING—8

Bush,	Foerster,	Magee,	Odorisio,
Dougherty,	Guthrie,	O'Donnell, J. P.,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled:

An Act amending the act of July 2, 1937 (P. L. 2772), entitled "An act to require certain records of oil and gas wells drilled in the Commonwealth showing the location of the same and the geologic formations encountered therein * * *" requiring additional information on reports on oil or gas wells drilled in the Commonwealth.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Gelfand,	Leonard,	Rubin,
Agnew,	George,	Limper,	Rudisill,
Anderson, J. H.,	Gibb,	Lippincott,	Sakulsky,
Anderson, S. A.,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Ashton,	Goldstein, M. H.,	Lutty,	Schuster,
Auker,	Goodrich,	Manbeck,	Seltzer,
Bachman,	Gramlich,	Markley,	Shelton,
Backenstoe,	Gray,	Marsh,	Sherman,
Boies,	Gremminger,	Maxwell,	Shupnik,
Bonner,	Gross,	May,	Simmons,
Bossert,	Guesman,	McCandless,	Slack,
Bower,	Hamilton,	McCann,	Snare,
Bowman,	Hankins,	McCormack,	Stank,
Branca,	Hartley,	McDevitt,	Steckel,
Breth,	Haudenshield,	McDonald,	Stiteler,
Buchanan,	Heavey,	McKeever,	Stone,
Capano,	Heffner,	McLaughlin,	Strausser,
Capitolo,	Helm,	Meholchick,	Sullivan, J. A.,
Cauley,	Henzel,	Mihm,	Sullivan, T. F.,
Cianfrani,	Hocker,	Miller,	Taylor,

Cioffi,	Holliday,	Mills,	Thompson,
Clarke,	Holman,	Monroe,	Tomascik,
Comer,	Horst,	Morley,	Tompkins,
Cooley,	Irvis,	Muldowney,	Truslo,
Crossin,	Isaacs,	Mullen,	Ujobai,
Curwood,	Jenkins,	Munley,	Varner,
Davis,	Jim,	Murray,	Verona,
Dengler,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	Needham,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kamyk,	Ogilvie,	Welsh,
Elvey,	Keiser,	Parlante,	Wescott,
Eshback,	Kelly,	Pashley,	Whittaker,
Eshleman,	Kernaghan,	Perry,	Willard,
Ewing,	Kessler,	Petrosky,	Willaredt,
Fetterolf,	Kistler,	Piper,	Williams, A. D.,
Filo,	Klein,	Polaski,	Williams, E. S.,
Fineman,	Kooker,	Prendergast,	Wood,
Flynn,	Kornick,	Price,	Worley,
Foor,	Korns,	Pursley,	Wynd,
Fox,	Knecht,	Reibman,	Yetter,
Frascella,	Kramer,	Reidenbach,	Zimmerman,
Fry,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker
Gailey,	Lee, A. M.,	Rovansek,	
Gallagher,	Lee, K. B.,	Royer,	

NAYS—13

Blair,	Farabaugh,	Merry,	Rutherford,
Dennison,	King,	O'Dell,	Stimmel,
Donaldson,	McNally,	Polen,	Wilt,
Down,			

NOT VOTING—10

Bush,	Guthrie,	Murphy,	Wargo,
Dougherty,	Magee,	O'Donnell, J. P.,	
Foerster,	McInroy,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. On the next package of bills, Mr. Speaker, I wonder if House bills No. 70 to House bill No. 74, inclusive, could have a statement and discussion in general by Mr. Fineman and that whatever questions are asked may be asked on all these bills, which would help out. Would that be agreeable?

Mr. AGNEW. Mr. Speaker, we are agreeable that these bills be treated as a package, be debated and interrogated before the first bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 70, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), making obligations of the Tennessee Valley Authority authorized investments.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN, Mr. Speaker, I had assumed that I was to be interrogated. I do not wish to make a statement, but I will be happy to answer any questions if there are any.

Mr. AGNEW. Mr. Speaker, we thought the gentleman from Philadelphia was going to make his usual erudite statement in explanation of these bills. We are willing to interrogate him. Perhaps we can get the information in that manner.

Mr. Speaker, the usual procedure on adding new obligations or new companies to the list of authorized legal investments is for this House to receive a recommendation from the Pennsylvania Bar Association Committee on Fiduciaries. I would be the first one to admit that this House is not bound, certainly, by the recommendation of any such association, but we have always been inclined to take the recommendation of the Pennsylvania Bar Association in this field, and I wonder if the gentleman can tell me whether or not the Bar Association has received this proposal and whether they have made a recommendation neither in the affirmative or the negative on these bills?

Mr. FINEMAN. Mr. Speaker, I would like to advise the gentleman, first of all, that House bills Nos. 70 to 74 cover investments by five different agencies or funds, both public and private. There is only one bill, and that is House bill No. 72, which has to do with fiduciaries and that is the only bill with which the Bar Association would concern itself.

It so happens that the section of the Pennsylvania Bar Association dealing with investments by fiduciaries is meeting tomorrow for the purpose of determining upon authorizing language in the nature of a general power to be given to fiduciaries to enable them to invest in various stated securities, and bonds, and obligations and other indebtedness, without actually delineating or defining the particular state in question, as is now the law. The gentleman well knows that in almost every session of the Legislature we are confronted with another bill adding to the list of already authorized major investments, such as, Federal National Mortgage Association, the National Housing Act, the Federal Loan Bank Act, and so forth, and the Bar Association is now determining its own language which will be appropriate to obviate the need for specifying in detail any of these investments in question.

The Bar Association has not expressed any opinion in detail specifically referring to investments in TVA. However, under the Fiduciaries Act of 1949, and I have the code in front of me, there is a section called "The Prudent Investor's Section," which enables a fiduciary to invest in the obligations of any United States corporate agency even though that agency may not be delineated or specifically detailed as a legal agency for the investing of funds. It is the opinion of many people who are well informed that investments in TVA, under our present laws for purposes of fiduciaries, would be an authorized legal investment, provided there was reference to "The Prudent Investor's Section" of the Fiduciaries Act of 1949.

Mr. AGNEW. Mr. Speaker, can the gentleman inform the House whether or not the obligations of any other authorities are considered authorized investments under the law in Pennsylvania?

Mr. FINEMAN. Yes, under the law in Pennsylvania the obligations of the United States Government, of any of the commonwealths of this Nation, even investments in the District of Columbia and Canada are authorized legal investments.

Mr. AGNEW. Any agency of the Federal Government or any state?

Mr. FINEMAN. Yes. There is, the Federal National Mortgage Association Agency, the Federal Farm Credit Agency, the Federal Far Loan Agency, the Federal Home Land Bank Agency, and many others. Also, statewide there are all the authorities that are legal agencies for the investment of funds, such as the General State Authority, the Turnpike Commission and so forth.

Mr. AGNEW. Does the gentleman have any information regarding the interest rates of these TVA obligations as compared with other obligations the State might invest in?

Mr. FINEMAN. Before I answer that question, Mr. Speaker, I would like to point out, and by so doing I think I will anticipate some of the other questions that might be forthcoming, that this is a permissive situation only. This only makes available to the State, or to any of the agencies mentioned in these five bills, TVA as one of the sources in which it can invest its money, there being no obligation, however, on any of these agencies, to commit itself to invest its funds in the TVA. In other words, at such time as any of these agencies have funds available for investment purposes, it would be up to those persons who are charged with the responsibility of investing those funds to determine from all the investment sources that are available whether or not TVA represents the best investment that can be made from the standpoint of yield, from the standpoint of safety factors and other considerations that will be taken into mind at the time the decision is made. I have no specific information as to the yield presently, but I know that the bonds have been recommended, the source of investment has been recommended, to the Commonwealth by the law firm that is bond counsel to the Commonwealth, by the Mellon Bank and Trust Company, which is the fiscal advisor to the Commonwealth, particularly in reference to the retirement funds, the State Employes' Retirement Fund and the State Teachers' Retirement Fund. Both the bond counsel for the Commonwealth and the fiscal advisor of the Commonwealth have recommended TVA as a source of investment.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, recently in the New York Times there was a full page advertisement by the Tennessee Valley Authority urging industrial plants and companies in the northern states to move their plants to the area serviced by the TVA. They had many cogent reasons for such a move, one of which, of course, was the cheaper cost of electricity. I do not know, frankly, how much the passage of these bills might help the Tennessee Valley Authority, but it would not hurt them. It would help them somewhat, and by helping them we might be hurting industry in Pennsylvania; we might be encouraging, indirectly, industrial plants and companies in Pennsylvania to move their plants out of our area and into the area serviced by the Tennessee Valley Authority. In the issue of the Pennsylvania AFL-CIO news which came out today—ordinarily, I do not subscribe much to their editorial comment, however—their editorial in this issue points out that one of the most important things facing the Commonwealth is to keep the industry we have here, keep industry here, expand industry here, and attract new industry to Pennsylvania. Now, the goals and the aims of the Democratic Party and the goals and the aims of the Republican Party are exactly the same in this field. We are all interested in more jobs for the people of Pennsylvania. I could read into the record part of this editorial of the AFL-CIO News, but you all received a copy of it in today's mail. I believe you all agree with the comments in that part of the editorial which I refer to now.

We do not feel we should do anything now, in this House, unless it is of distinct benefit to the Commonwealth of Pennsylvania, which would directly or indirectly encourage industry to move out of our State to deprive our people of additional jobs and to encourage them to move into another area in the United States. I do not think we should do anything to help the Tennessee Valley Authority, and by the passage of these bills we certainly would not be doing anything to hurt them.

The Members on this side of the House have taken the position that since we do not know what the effect of these bills might be and since we have not heard from the Pennsylvania Bar Association Fiduciaries Committee, the members of which are some of the real experts in this field in this Commonwealth, we are inclined to oppose this package of House bills Nos. 70 to 74. I ask the Members on this side of the House to vote against the bills.

Mr. FINEMAN. I was delighted to hear the Minority Leader state that it was the common objective of both the Democratic Party and the Republican Party to keep industry in Pennsylvania and thus provide jobs for the citizens of Pennsylvania. I think that statement bespeaks the intention of the Democratic Party in not wanting to do anything that would be inimicable to that interest and adverse to our desire to want to retain industry in Pennsylvania and to retain a high level of employment for the citizens of Pennsylvania.

It is somewhat far-fetched to indicate as a basis for objecting to these bills that industry might very well scramble out of Pennsylvania if we were to pass these bills. Certainly the Mellon Bank and Trust Company would not like to see industry run out of Pennsylvania. Neither would any of the other agencies that have countenanced and advised favorably for these bills.

Now where is our concern however for giving to the various agencies that invest their funds the opportunity to get the highest yield possible. Was there not conversation on this floor earlier in this term dealing with the retirement funds and about the obligation of the State to make sure that we got the highest yield for these funds? Should not these funds have the opportunity to invest in a source of income which will provide for them the highest yield possible? This is another avenue on which the retirement funds can proceed in getting the biggest return we can on our investment and I want to reiterate and repeat once again that there is no binding commitment on the Commonwealth for any of the agencies covered by these five bills making it mandatory that they invest in TVA.

We are merely saying to them, here is another one that you can add to the choice of 50 or 100 which you already have. After you have considered all the factors, the factor of safety, the factor of yield and interest return, if you feel the TVA is the best return for you then by all means invest in TVA, but if you do not feel that TVA is going to give you the largest return on your dollar, by all means go to another source. I am urging

the Members of this House to vote for this bill because we are evidencing an intention to cooperate with an agency of the Federal Government and at the same time we are not binding ourselves to any commitment.

I might indicate to the gentleman, unless this thought has been running through his mind, that the request to this Commonwealth to participate in this program was made in June of 1959, or rather, I am sorry, of 1960, at a time when the Republicans were still in control of the national administration in Washington.

Mr. POLEN. Mr. Speaker, I would like to clarify the situation regarding these bonds. I think I will be able to do so.

President Eisenhower recommended to Congress that instead of appropriating money—tax money—from the Federal Government for the development of the TVA that they publicly finance it. For that reason these bonds were sold. This is a different type of security than was ever sold before, because this is the first Federal revenue bond. These bonds are secured solely by the revenues of the TVA. They are taxable bonds. I might say that my broker did call me and said he thought they were a good investment, and I gave him my nominal subscription, but the issue was over-subscribed and I did not get them, which would indicate that they received a very favorable financial reception.

Now what we are doing here is simply saying this: This is a new type of bond which is not covered by any of our acts. We are simply making them legal investments as covered in the various bills—that, and nothing more.

Mr. FINEMAN. For the interest of those Members of the House who are concerned with the safety factor involved, there are several points of information I would like to bring to their attention, Mr. Speaker.

First of all, I have mentioned that the Mellon Bank and Trust Company, the fiscal adviser to the Commonwealth, has recommended TVA as a source of investment without saying to the Commonwealth, "You should by all means invest in TVA," however.

Moody's Investment Service has rated TVA bonds as AAA. That is the highest rating that can be given.

Standard and Poor's Investment Service has rated these bonds A-1+, which is the highest rating they give.

TVA investments are also presently lawful investments for any funds, fiduciaries or trust accounts that come under the jurisdiction of the United States. Certainly, if the United States Government has enough confidence in TVA to authorize its funds to be invested in TVA, we should have a like amount of confidence.

Mr. LIPPINCOTT. Mr. Speaker, I understand that the Advisory Committee of the Joint State Government Commission on decedents' estates has been reactivated for the purpose of screening bills and screening this type of legislation. I do not believe they have passed on this investment, and for that reason I think the Members should vote against these bills.

Mr. GAILEY. Mr. Speaker, will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. GAILEY. Will the gentleman advise us whether or not there are obligations of other States or Canada which are presently authorized investments for fiduciaries for this Commonwealth.

Mr. FINEMAN. There are. The Fiduciary Act of 1949 authorizes such investments.

Mr. GAILEY. Can the gentleman advise us whether or not, to his knowledge, obligations of, for example, the Pennsylvania Turnpike Commission or the branches of our State government may be authorized legal investments in other States?

Mr. FINEMAN. All agencies of the Commonwealth are authorized legal investments.

Mr. GAILEY. Does the gentleman know whether or not they are authorized in any States other than Pennsylvania for legal investments?

Mr. FINEMAN. Yes, they are.

Mr. GAILEY. I thank the gentleman.

Mr. Speaker, just a very short statement in reply to the point of view taken by the Minority Leader. It seems to me that his arguments in opposition to this particular package of bills are specious and extremely short-sighted. Certainly no one would deny that the obligations of our agencies here in Pennsylvania, are very important and may be sold in the open market so that we can finance the things that we want to do. For us to take such steps as this, which perhaps might lead to warfare among the other States, each attempting to thwart the sale of obligations of their sister States within our own boundaries, would be very short-sighted. I think the fact that Pennsylvania bonds are sold in other States is in itself an indication of the sense of fair play, the sense of obligation, to a sister State that have been exhibited by all the States here in the United States. I think the argument is specious, and I would suggest that all of us in the House vote for this package of bills.

Mr. McCANN. Mr. Speaker, if I understood correctly the implications, I assume that there would be no Republican votes for these measures. Now to me this is amazing because you and I know quite well whoever have any meetings with bond counsel or fiscal advisors, that you only have so many in Pennsylvania now accepted. You do not run a single bond issue in this Commonwealth without one of them serving either your own agency or the Commonwealth agency. Now, let us take what Mr. Fineman said and study it for a minute.

The fiscal advisors of the Commonwealth—one of the major fiscal concerns in this great State—say "yes." They recommend this highly. Take the Mellon National Bank and Trust Company—absolutely "yes." You have no trouble checking this out. In each case they are recommending these laws for the sole purpose of being able to have Pennsylvania in a position to possibly secure the best interest rate we can, should we ever be able to buy such.

Now, as Mr. Polen as stated, you and I, if you are in a position to buy any, such as Mr. Polen, you could not get any of the last issue or the issue before that. Now, the people who wait and carefully select each bond before they make a decision, Mr. Fineman has given you the facts and names of many others who rate in the Eastern United States. Their answer is AAA for one rating and A-1+ for the other. If you go to anyone to secure this information you only have this source. You have no other. If you went to your own broker in your own county or community, he, in the end, gets his answer from that source.

Now then, to assume that we have no votes on this is to also assume that we are in this position, that perhaps you do not favor the passage of laws that will make each of the Commonwealth's investments sounder should they be able to do that, to make in your own community or your own insurance setup the opportunity for these people to invest your money to get the greatest yield. If each of these say "yes," how can you say "no" and name the one who says so on any of these that you may check. You can find the same answer if you check today, tomorrow or next week.

Now, Mr. Speaker, we, of course, are hoping that there are and will be some votes for these measures because I think Mr. Fineman has done an outstanding job in explaining and being willing to answer any question on any of these bills so that you would be clear, because not I or anyone else in this room is a fiscal or bond counsellor advisor. There are none in this House. Do you say the information they are giving to you is incorrect?

I ask, Mr. Speaker, that there would be some Republican votes for these measures, 70 to 74, and I ask it honestly that you reconsider your situation and cast some "aye" votes for these measures, and I hope all of you may be able to do that.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Gelfand,	McCormack,	Price,
Arlene,	Gray,	McDevitt,	Reibman,
Bachman,	Gremminger,	McDonald,	Reidenbach,
Boies,	Guesman,	McKeever,	Renwick,
Bonner,	Hamilton,	McLaughlin,	Riley,
Branca,	Hankins,	McNally,	Rovansek,
Breth,	Hartley,	Meholchick,	Rubin,
Capano,	Heavey,	Mihm,	Rudisill,
Capitolo,	Irvis,	Mills,	Sakulsky,
Cauley,	Jenkins,	Monroe,	Scarcelli,
Cianfrani,	Jim,	Morley,	Schaaf,
Cioffi,	Jones,	Muldowney,	Schuster,
Clarke,	Kamyk,	Mullen,	Shelton,
Comer,	Kelly,	Munley,	Sherman,
Cooley,	Klein,	Murphy,	Shupnik,
Crossin,	Kornick,	Murray,	Stank,
Curwood,	Kramer,	Musto,	Stone,
Doughten,	Lamb,	Needham,	Sullivan, J. A.,
Eilberg,	Lawson,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Leonard,	O'Donnell, J. P.,	Taylor,
Filo,	Limper,	Parlante,	Tomascik,
Fineman,	Long, Wm. Jas.,	Pashley,	Trusio,
Flynn,	Long, Wm. Jos.,	Perry,	Verona,
Frascella,	Lutty,	Petrosky,	Walsh,
Fry,	Marsh,	Polaski,	Welsh,
Gailey,	Maxwell,	Polen,	Yetter,
Gallagher,	McCann,	Prendergast,	Andrews, Speaker

NAYS—93

Adams,	Fulmer,	King,	Slack,
Agnew,	George,	Kistler,	Snare,
Anderson, J. H.,	Gibb,	Knecht,	Steckel,
Ashton,	Gibbons,	Kooker,	Stimmel,
Auker,	Goldstein, J. H.,	Korns,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Strausser,
Blair,	Goodrich,	Lee, K. B.,	Thompson,
Bossert,	Gramlich,	Lippincott,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobai,
Bowman,	Haudenshield,	Markley,	Varner,
Buchanan,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Pursley,	Wilt,
Eshleman,	Johnson, R. P.,	Royer,	Wood,
Ewing,	Keiser,	Rutherford,	Worley,
Fetterolf,	Kernaghan,	Seltzer,	Wynd,
Foor,	Kessler,	Simmons,	Zimmerman,
Fox,			

NOT VOTING—7

Bush,	Foerster,	Magee,	Wargo,
Dougherty,	Guthrie,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the senate for concurrence.

(During roll call on House Bill No. 70).

PARLIAMENTARY INQUIRY

Mr. AGNEW. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. AGNEW. Mr. Speaker, we are willing to concede that the mistake on the roll call is electronic. You say that nobody around there pushed the switch; and I think it is only fair to say that no Member on this side of the House pushed the switch either, but Mr. Wargo was recorded as voting and it was not we who said he voted, it was the record that said he voted.

Now all we want to do is find out what happened. My parliamentary inquiry is, what do we do in a situation such as this? Do we merely strike his name off the roll, or do we vote over again, rescinding that vote? I am asking the Chair for information.

The SPEAKER. The vote would, of course, be stricken from the record and if that changed the result of the voting then a new roll call could be asked for if that one vote passed the measure.

PARLIAMENTARY INQUIRY

Mr. LIPPINCOTT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LIPPINCITT. If we can take a name off the roll call where it is shown to be incorrect, can we add a name to it when it is shown that the name was not recorded by a mistake in equipment?

The SPEAKER. We could not add a name to it, but you could take another roll call. You cannot add a name to one but if it is proven that somebody is recorded as voting who positively did not vote, the House strikes that name off, the other way around. You simply ask for another roll call.

Mr. LIPPINCOTT. I thank the gentleman.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 71, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Gelfand,	McCormack,	Price,
Arlene,	Gray,	McDevitt,	Reibman,
Bachman,	Gremminger,	McDonald,	Reidenbach,
Boles,	Guesman,	McKeever,	Renwick,
Bonner,	Hamilton,	McLaughlin,	Riley,
Branca,	Hankins,	McNally,	Rovansek,
Breth,	Hartley,	Meholchick,	Rubin,
Capano,	Heavey,	Mihm,	Rudisill,
Capitolo,	Irvis,	Mills,	Sakulsky,
Cauley,	Jenkins,	Monroe,	Scarcelli,
Cianfrani,	Jim,	Morley,	Schaaf,
Cioffi,	Jones,	Muldowney,	Schuster,
Clarke,	Kamyk,	Mullen,	Shelton,
Comer,	Kelly,	Munley,	Sherman,
Cooley,	Klein,	Murphy,	Shupnik,
Crossin,	Kornick,	Murray,	Stank,
Curwood,	Kramer,	Musto,	Stone,
Doughten,	Lamb,	Needham,	Sullivan, J. A.,
Eilberg,	Lawson,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Leonard,	O'Donnell, J. P.,	Taylor,
Filo,	Limper,	Parlante,	Tomascik,
Fineman,	Long, Wm. Jas.,	Pashley,	Trusio,
Flynn,	Long, Wm. Jos.,	Perry,	Verona,
Frascella,	Lutty,	Petrosky,	Walsh,
Fry,	Marsh,	Polaski,	Welsh,
Gailey,	Maxwell,	Polen,	Yetter,
Gallagher,	McCann,	Prendergast,	Andrews, Speaker

NAYS—92

Adams,	Fox,	Kessler,	Slack,
Agnew,	Fulmer,	King,	Snare,
Anderson, J. H.,	George,	Kistler,	Steckel,
Ashton,	Gibb,	Knecht,	Stimmel,
Auker,	Gibbons,	Kooker,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Korns,	Strausser,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Thompson,
Bossert,	Goodrich,	Lee, K. B.,	Tompkins,
Bower,	Gramlich,	Lippincott,	Ujobai,
Bowman,	Gross,	Manbeck,	Varner,
Buchanan,	Haudenshield,	Markley,	Wall,
Davis,	Heffner,	May,	Weidner,
Dengler,	Helm,	McCandless,	Wescott,
Dennison,	Henzel,	McInroy,	Whittaker,
Donaldson,	Hocker,	Merry,	Willard,
Down,	Holliday,	Miller,	Willaredt,
Edwards,	Holman,	O'Dell,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Piper,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Rutherford,	Worley,
Fetterolf,	Keiser,	Seltzer,	Wynd,
Foor,	Kernaghan,	Simmons,	Zimmerman,

NOT VOTING—8

Bush,	Foerster,	Magee,	Royer,
Dougherty,	Guthrie,	Odorisio,	Wargo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 72, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Anderson, S. A.,	Gray,	McDevitt,	Reibman,
Arlene,	Gremminger,	McDonald,	Reidenbach,
Bachman,	Guesman,	McKeever,	Renwick,
Boles,	Hamilton,	McLaughlin,	Riley,
Bonner,	Hankins,	McNally,	Rovansek,
Branca,	Hartley,	Meholchick,	Rubin,
Breth,	Heavey,	Mihm,	Rudisill,
Capano,	Irvis,	Mills,	Rutherford,
Capitolo,	Jenkins,	Monroe,	Sakulsky,
Cauley,	Jim,	Morley,	Scarcelli,
Cianfrani,	Jones,	Muldowney,	Schaaf,
Cioffi,	Kamyk,	Mullen,	Schuster,
Clarke,	Kelly,	Munley,	Shelton,
Comer,	Klein,	Murphy,	Sherman,
Cooley,	Kornick,	Murray,	Shupnik,
Crossin,	Kramer,	Musto,	Stank,
Curwood,	Lamb,	Needham,	Stone,
Doughten,	Lawson,	O'Donnell, J. A.,	Sullivan, J. A.,
Eilberg,	Leonard,	O'Donnell, J. P.,	Sullivan, T. F.,
Farabaugh,	Limper,	Parlante,	Taylor,
Filo,	Long, Wm. Jas.,	Pashley,	Tomascik,
Fineman,	Long, Wm. Jos.,	Perry,	Trusio,
Flynn,	Lutty,	Petrosky,	Verona,
Frascella,	Marsh,	Polaski,	Walsh,
Fry,	Maxwell,	Polen,	Welsh,
Gailey,	McCann,	Prendergast,	Yetter,
Gallagher,	McCormack,	Price,	Andrews, Speaker
Gelfand,			

NAYS—92

Adams,	Fox,	Kessler,	Slack,
Agnew,	Fulmer,	King,	Snare,
Anderson, J. H.,	George,	Kistler,	Steckel,
Ashton,	Gibb,	Knecht,	Stimmel,
Auker,	Gibbons,	Kooker,	Stiteler,
Backenstoe,	Goldstein, J. H.,	Korns,	Strausser,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Thompson,
Bossert,	Goodrich,	Lee, K. B.,	Tompkins,
Bower,	Gramlich,	Lippincott,	Ujobai,
Bowman,	Gross,	Manbeck,	Varner,
Buchanan,	Haudenshield,	Markley,	Wall,
Davis,	Heffner,	May,	Weidner,
Dengler,	Helm,	McCandless,	Wescott,
Dennison,	Henzel,	McInroy,	Whittaker,
Donaldson,	Hocker,	Merry,	Willard,
Down,	Holliday,	Miller,	Willaredt,
Edwards,	Holman,	O'Dell,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Piper,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Seltzer,	Wynd,
Foor,	Kernaghan,	Simmons,	Zimmerman,

NOT VOTING—7

Bush,	Foerster,	Magee,	Wargo,
Dougherty,	Guthrie,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 73, entitled:

An Act amending the act of April 25, 1929 (P. L. 723) entitled "An act regulating the investment of funds by administrative departments boards commissions and officers of the State Government" making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Gelfand,	McCormack,	Price,
Arlene,	Gray,	McDevitt,	Reibman,
Bachman,	Gremminger,	McDonald,	Reidenbach,
Boles,	Guesman,	McKeever,	Renwick,
Bonner,	Hamilton,	McLaughlin,	Riley,
Branca,	Hankins,	McNally,	Rovansek,
Breth,	Hartley,	Meholchick,	Rubin,
Capano,	Heavey,	Mihm,	Rudisill,
Capitolo,	Irvis,	Mills,	Sakulsky,
Cauley,	Jenkins,	Monroe,	Scarcelli,
Cianfrani,	Jim,	Morley,	Schaaf,
Cioffi,	Jones,	Muldowney,	Schuster,
Clarke,	Kamyk,	Mullen,	Shelton,
Comer,	Kelly,	Munley,	Sherman,
Cooley,	Klein,	Murphy,	Shupnik,
Crossin,	Kornick,	Murray,	Stank,
Curwood,	Kramer,	Musto,	Stone,
Doughten,	Lamb,	Needham,	Sullivan, J. A.,
Edwards,	Lawson,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Leonard,	O'Donnell, J. P.,	Taylor,
Filo,	Limper,	Parlante,	Tomascik,
Fineman,	Long, Wm. Jas.,	Pashley,	Trusio,
Flynn,	Long, Wm. Jos.,	Perry,	Verona,
Frascella,	Lutty,	Petrosky,	Walsh,
Fry,	Marsh,	Polaski,	Welsh,
Gailey,	Maxwell,	Polen,	Yetter,
Gallagher,	McCann,	Prendergast,	Andrews, Speaker

NAYS—93

Adams,	Fulmer,	King,	Slack,
Agnew,	George,	Kistler,	Snare,
Anderson, J. H.,	Gibb,	Knecht,	Steckel,
Ashton,	Gibbons,	Kooker,	Stimmel,
Auker,	Goldstein, J. H.,	Korns,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Strausser,
Blair,	Goodrich,	Lee, K. B.,	Thompson,
Bossert,	Gramlich,	Lippincott,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobai,
Bowman,	Haudenshield,	Markley,	Varner,
Buchanan,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	O'Dell,	Willaredt,
Eilberg,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Pursley,	Wilt,
Eshleman,	Johnson, R. P.,	Royer,	Wood,
Ewing,	Keiser,	Rutherford,	Worley,
Fetterolf,	Kernaghan,	Seltzer,	Wynd,
Foor,	Kessler,	Simmons,	Zimmerman,
Fox,			

NOT VOTING—7

Bush,	Foerster,	Magee,	Wargo,
Dougherty,	Guthrie,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 74, entitled:

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457) making obligations of the Tennessee Valley Authority authorized investments.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Anderson, S. A.,	Gelfand,	McCormack,	Price,
Arlene,	Gray,	McDevitt,	Reibman,
Bachman,	Gremminger,	McDonald,	Reidenbach,
Boles,	Guesman,	McKeever,	Renwick,
Bonner,	Hamilton,	McLaughlin,	Riley,
Branca,	Hankins,	McNally,	Rovansek,
Breth,	Hartley,	Meholchick,	Rubin,
Capano,	Heavey,	Mihm,	Rudisill,
Capitolo,	Irvis,	Mills,	Sakulsky,
Cauley,	Jenkins,	Monroe,	Scarcelli,
Cianfrani,	Jim,	Morley,	Schaaf,
Cioffi,	Jones,	Muldowney,	Schuster,
Clarke,	Kamyk,	Mullen,	Shelton,
Comer,	Kelly,	Munley,	Sherman,
Cooley,	Klein,	Murphy,	Shupnik,
Crossin,	Kornick,	Murray,	Stank,
Curwood,	Kramer,	Musto,	Stone,
Doughten,	Lamb,	Needham,	Sullivan, J. A.,
Eilberg,	Lawson,	O'Donnell, J. A.,	Sullivan, T. F.,
Farabaugh,	Leonard,	O'Donnell, J. P.,	Taylor,
Filo,	Limper,	Parlante,	Tomascik,
Fineman,	Long, Wm. Jas.,	Pashley,	Trusio,
Flynn,	Long, Wm. Jos.,	Perry,	Verona,
Frascella,	Lutty,	Petrosky,	Walsh,
Fry,	Marsh,	Polaski,	Welsh,
Gailey,	Maxwell,	Polen,	Yetter,
Gallagher,	McCann,	Prendergast,	Andrews, Speaker

NAYS—93

Adams,	Fulmer,	King,	Slack,
Agnew,	George,	Kistler,	Snare,
Anderson, J. H.,	Gibb,	Knecht,	Steckel,
Ashton,	Gibbons,	Kooker,	Stimmel,
Auker,	Goldstein, J. H.,	Korns,	Stiteler,
Backenstoe,	Goldstein, M. H.,	Lee, A. M.,	Strausser,
Blair,	Goodrich,	Lee, K. B.,	Thompson,
Bossert,	Gramlich,	Lippincott,	Tompkins,
Bower,	Gross,	Manbeck,	Ujobai,
Bowman,	Haudenshield,	Markley,	Varner,
Buchanan,	Heffner,	May,	Wall,
Davis,	Helm,	McCandless,	Weidner,
Dengler,	Henzel,	McInroy,	Wescott,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willard,
Down,	Holman,	O'Dell,	Willaredt,
Edwards,	Horst,	Ogilvie,	Williams, A. D.,
Elvey,	Isaacs,	Piper,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Pursley,	Wilt,
Eshleman,	Johnson, R. P.,	Royer,	Wood,
Ewing,	Keiser,	Rutherford,	Worley,
Fetterolf,	Kernaghan,	Seltzer,	Wynd,
Foor,	Kessler,	Simmons,	Zimmerman,
Fox,			

NOT VOTING—7

Bush,	Foerster,	Magee,	Wargo,
Dougherty,	Guthrie,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 76, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for reporting of amounts of State reimbursement and subsidy on all school district tax notices.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mrs. REIBMAN. Mr. Speaker, I move that this bill

be recommitted to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I ask the gentleman from Philadelphia, I believe it is Mr. A. M. Lee, who had amendments changing the effective date, if he would be kind enough to consent to give the amendments to the chairman of the Committee on Education, and any other amendments that were reday, so the Education Committee would have them with the bill when they reamend the bill.

BILLS PASSED OVER

The SPEAKER. If there is no objection,

House Bill No. 77, Printer's No. 77,
House Bill No. 78, Printer's No. 78,
House Bill No. 79, Printer's No. 79,
House Bill No. 80, Printer's No. 80,
House Bill No. 127, Printer's No. 127 and
Senate Bill No. 1, Printer's No. 1

will be passed over.

The Chair hears none.

Mr. McCANN. Mr. Speaker, for the information of the Membership of the House, it was agreed that on each Monday there would be at least one bill that is considered non-controversial to be voted on. House bill No. 127 was agreed to by all parties. It will be passed over for a Monday vote for the purpose of having a roll call vote.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Washington, Mr. Murphy, rise?

Mr. MURPHY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MURPHY. Mr. Speaker, today I had an opportunity to visit the very fine lounge that we have out here now for the Members to converse and talk over their various matters, but I wonder, Mr. Speaker, if we could not perhaps have a couple of the doors unlocked so we can get in and out. I tried to approach it from the outer hall and was told that I would have to come in and approach in front of the various spectators and visitors we have in order to get in through the Republican side, and I was wondering if perhaps we Democrats could not have the door opened for us.

The SPEAKER. We will discuss the matter with the Floor Leaders and the Chief Clerk.

HOUSE RESOLUTION No. 16

Mr. McCANN. Mr. Speaker, I call up on page 5 of today's calendar, House Resolution No. 16.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 30, 1961.

The allocation of offices and working space in the State capitol buildings is a matter of real concern to the General Assembly and is a subject on which it should be well informed therefore be it

RESOLVED (the Senate concurring) That a permanent commission is hereby created which shall consist of four members of the Senate to be appointed by the President Pro Tempore two from each political party and four members of the House of Representatives to be appointed by the Speaker two from each political party Vacancies shall be filled by the officer making the original appointments always preserving the equal division of the members with respect to party affiliation.

The commission shall be known as the "Legislative Commission on Space Allocation" and it shall be its duty to study the use of office and work space in the capitol buildings to make recommendations for the efficient use and equitable allocation of such space and to make regular reports of its findings and recommendations to the Governor the General Assembly and the Secretary of Property and Supplies.

The commission shall have power to meet and conduct its business at any time during the session of the General Assembly or during the interim between sessions and whenever funds have been provided for the purpose to employ such clerical technical or professional help as may be necessary for its work.

On the question,

Will the House adopt the resolution?

It was adopted.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 5 of today's calendar, Senate Bill No. 2.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 2, entitled:

A Joint Resolution proposing an amendment to article three, section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Adams,	Gallagher,	Limper,	Riley,
Agnew,	Gelfand,	Lippincott,	Rovansek,
Anderson, J. H.,	George,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibbons,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Manbeck,	Rutherford,
Auker,	Goldstein, M. H.,	Markley,	Sakulsky,
Bachman,	Goodrich,	Marsh,	Scarcelli,
Backenstoe,	Gramlich,	May,	Schaaf,
Boies,	Gray,	McCandless,	Schuster,
Bonner,	Gremminger,	McCann,	Seltzer,
Bossert,	Gross,	McCormack,	Shelton,
Bower,	Guesman,	McDevitt,	Sherman,
Bowman,	Hamilton,	McDonald,	Shupnik,
Branca,	Hankins,	McInroy,	Simmons,
Breth,	Hartley,	McKeever,	Slack,
Buchanan,	Haudenshield,	McLaughlin,	Snare,
Capano,	Heavey,	McNally,	Stank,
Capitolo,	Heffner,	Meholchick,	Steckel,
Cauley,	Helm,	Merry,	Stimmel,
Cianfrani,	Henzel,	Mihm,	Stiteler,
Cioffi,	Hocker,	Miller,	Stone,
Clarke,	Holliday,	Mills,	Strausser,
Comer,	Holman,	Monroe,	Sullivan, J. A.,
Cooley,	Horst,	Morley,	Sullivan, T. F.,
Crossin,	Irvis,	Muldowney,	Taylor,
Curwood,	Isaacs,	Mullen,	Thompson,
Davis,	Jenkins,	Munley,	Tomascik,
Dengler,	Jim,	Murphy,	Tompkins,
Dennison,	Johnson, R. P.,	Murray,	Trusio,
Donaldson,	Jones,	Musto,	Ujobai,
Doughten,	Kamyk,	Needham,	Varner,
Down,	Keiser,	O'Dell,	Verona,
Edwards,	Kelly,	O'Donnell, J. A.,	Wall,
Ellberg,	Kernaghan,	O'Donnell, J. P.,	Walsh,
Elvey,	Kessler,	Ogilvie,	Weidner,

Eshback,	King,	Parlante,	Welsh,
Eshleman,	Kistler,	Pashley,	Whittaker,
Ewing,	Klein,	Perry,	Willard,
Farabaugh,	Knecht,	Petrosky,	Willaredt,
Fetterolf,	Kooker,	Piper,	Williams, A. D.,
Filo,	Kornick,	Polaski,	Williams, E. S.,
Fineman,	Korns,	Polen,	Wilt,
Flynn,	Kramer,	Prendergast,	Wood,
Foor,	Lamb,	Price,	Worley,
Fox,	Lawson,	Pursley,	Wynd,
Frascella,	Lee, A. M.,	Reibman,	Yetter,
Fry,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fulmer,	Leonard,	Renwick,	Andrews,
Gailey,			Speaker

NAYS—1

Blair,

NOT VOTING—10

Bush,	Guthrie,	Maxwell,	Wargo,
Dougherty,	Johnson, A. W.,	Odorisio,	Wescott,
Foerster,	Magee,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker, today with the electric roll call you have voted on ten bills. Each roll call in the past has been roughly 20 minutes. If you had ten roll calls today at an average of 20 minutes, it would have taken 200 minutes. The first roll call was at 3:15 p.m., and the roll calls, without debate, would have been in position at about 5:35 p.m. today—and it is now twenty-five of four. This is an example of cooperation. I hope there are no more electrical bugs in it, but it will prove that we can handle, particularly when we get to appropriation bills and heavy housekeeping bills, where we do vote on a given day 50 bills a day or more, that we can do it from a period of 1:00 to 5:30 in that day, just under the roll call, not counting the debate. So I think it will be helpful to this House.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. McCANN. Mr. Speaker, there will be some announcements made and I would like to determine the time for the House session tomorrow since there will be Appropriation Committee hearings tomorrow.

The Appropriation Committee will be sitting on hearings, the announcements will be made. It was our intention to convene the House as early as possible so we would finish and the Membership could go home early, in daylight tomorrow. I would like to ask the House that we proceed because we will debate the rule changes tomorrow, those that pass, pass; those that fall, fall. If agreed to, I was wondering if this House could convene at 11:00 a.m., even though we normally have agreed to 10:00 a.m. on the last day, to give the Appropriation Committee an opportunity to go ahead with their hearings and at the proper time the Members could recess the hearings to come in and vote on the Rule changes, if this could be agreed to, and then they could proceed with the hearings.

Mr. AGNEW. Mr. Speaker, ordinarily that would be agreeable and we are not going to object to it now, but I might point out that some Members made plans to leave for home by train, plane or private automobile, based on a 10:00 o'clock start, and I do not know whether this is one Member or whether it is 20, 30 or 40 Members, Mr. Speaker, but I think if we are going to change the hours we should have as much advance notice as possible. We are not objecting to an 11:00 o'clock start tomorrow, but apparently some Members of the House on your side and on our side made their plans to leave based on a 10:00 o'clock start.

Mr. McCANN. Mr. Speaker, I certainly agree to this. It will be just as easy for the Appropriations Committee to proceed with their hearings and break at a different time. Therefore, I believe, it will be quite all right that this House convenes at 10:00 a.m., finish our business, and next week there is only two days' session and there will be controversial bills next week on those days. There is no hotel space for the third day. So I ask that all the Members be here tomorrow. This House will convene at 10:00 a.m., as agreed to in Rules Committee.

Mr. AGNEW. Mr. Speaker, I do want to make it clear that we are not objecting to a later start if the Majority wants to start at 11:00. If the House will convene in time, that is also fine. So far as the Minority is concerned this week could have been a two-day Session. We are willing to make this the last day this week.

Mr. McCANN. Mr. Speaker, the gentleman is very cooperative. We do have Appropriation Hearings on into the night and tomorrow. Many Members will stay. We will have controversial debate on Rules 19, 61, 46, 48 and 11, I think, if I have them right on the calendar. But, we will debate and let the Rule changes come as they may and vote on a couple of other bills and that will be it. We will move the calendar up on the bills that are coming out of Committee.

COMMITTEE MEETINGS

APPROPRIATIONS—Joint House and Senate Hearing on Department of Commerce Budget, Mr. Polen, Chairman, Room 245, Tuesday, January 31 at 8:00 p.m.

APPROPRIATIONS—Joint House and Senate Hearing on Department of Public Instruction, Public Welfare and Revenue, Room 245, Wednesday, February 1 at 9:00 a.m.

MILITARY AFFAIRS, Mr. Needham, Room 321, Wednesday, February 1 at 9:15 a.m.

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, February 1 at 9:00 a.m.

REPORTS FROM COMMITTEES

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 44, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

Mr. MURRAY from the Committee on Education, reported as amended, Senate Bill No. 29, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system in-

cluding certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

Mr. POLEN from the Committee on Appropriations, reported as committed, Senate Bill No. 40, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section seventeen thereof which authorized the borrowing of moneys to defray State Government expenses for the biennium beginning June 1, 1933.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 1, 1961 at 10:00 a. m. EST.

The motion was agreed to, and (at 3:56 p.m., EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

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SENATE

WEDNESDAY, FEBRUARY 1, 1961.

The Senate met at 10.00 a.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Our Lord and our God, whose goodness crowns each succeeding day, unto Thee we lift our hearts with thanksgiving. Thy mercy is wider than our utmost need and extends to creation's bounds. It this sure confidence, we commit every Member of this Chamber and its Officers and employees. Grant that the combined cooperative labors given by all these entrusted with responsibility shall result in untold blessings unto those whom they serve.

These favors we ask in the name of Him who said: "He that would be greatest among you let him be servant of all." Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SEYLER, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. EHRGOOD and Mr. PECHAN.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS TRADE SCHOOL

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Thaddeaus Sevens Trade School, until the third Tuesday of January 1967, and until their successors have been appointed and qualified:

George C. Crudden, Jr., 102 South Ann Street, Lancaster, Lancaster County.

Howard J. Hanlen, Jr., 729 Second Street, Lancaster, Lancaster County.

Paul R. Yarnall, 2514 Mayfair Drive, Lancaster, Lancaster Counyt.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, Mt. Marys, Elk County, for reappaintment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lyle G. Hall, 602 Hyde Avenue, Ridgway, Elk County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

BILL SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 2.**

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT presented to the Chair **SB 150,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," changing the limit on retail licenses.

Which was committed to the Committee on Law and Order.

Mr. MULLIN presented to the Chair **SB 151,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872)

entitled "The Penal Code," prohibiting the inciting or performance of acts calculated to cite hatred of religious or racial groups, or of persons because of religion or race.

Which was committed to the Committee on Judiciary General.

Mr. FLEMING presented to the Chair **SB 152,** entitled:

An Act amending the act of June 16, 1836 (P. L. 715) entitled "An act relating to Reference and Arbitration," increasing the jurisdition of the Court of Common Pleas of Allegheny County.

Which was committed to the Committee on Judiciary General.

Mr. ROONEY presented to the Chair **SB 153,** entitled:

An Act amending the act of April 29, 1956 (P. L. 58), entitled "The Vehicle Code," empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles, establishing speed limits and providing penalties for violations.

Which was committed to the Committee on Highways.

Mr. WEINER presented to the Chair **SB 154,** entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, authorizing the exemption from taxation of real property owned by persons sixty-five years of age or older.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

SENATE RESOLUTION

WEEKLY ADJOURNMENT

Mr. KALMAN offered the following resolution which was read as follows:

In the Senate, February 1, 1961.

RESOLVED (The House of Representatives concuring), That when the Senate adjourns this week, it reconvene Tuesday, February 7, 1961 at SEVEN o'clock P.M., E. S. T., and when the House of Representatives adjourns this week, it reconvene Monday, February 6, 1961 at THREE-THIRTY o'clock P. M., E. S. T.

Mr. BERGER. Mr. President, may we be at ease?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. KALMAN. Mr. President, I ask for the immediate consideration of this resolution.

The PRESIDENT. Are there any objections to the immediate consideration of this resolution?

Mr. BERGER. Mr. President, my objection is not to the immediate consideration of this resolution. However, I do wish to call to the attention of the Senate the fact that this resolution for reconvening next week calls for Tuesday, at 7:00 p.m.

It is the feeling of many of the Senators, on this side at any rate, that we have always prepared our time schedule for Monday, Tuesday, Wednesday and, if necessary, any other days when our presence is required here in Harrisburg. The additional implication of this resolution, of course, is that a 7:00 p.m. Session is going to mean a rather extended night Session, because we know that certain bills which are definitely controversial now appear upon our Calendar and will be upon the Calendar next Tuesday, The reason for trying to avoid, at all costs, night sessions has been perfectly obvious. They are very, very hard on a number of Members of this Senate.

It appears to me that it would be perfectly reasonable to have our regular Session convene on Monday, as we always do, and take care of certain bills which are not in the category of tax bills. There are many other bills we might consider when they are reported from committee and dispose of them. Then we can arrange our schedule so that we can consider the controversial measures in an orderly procedure, as we always have.

It very definitely is a burden upon many Members on this side to skip over Monday, come in Tuesday evening and then be faced with a long night Session, which will inevitably be the case if this resolution is adopted.

Mr. WEINER. Mr. President, I can understand the feeling of the gentleman on the other side. However, there are certain considerations concerning which we must take cognizance before we can come to any conclusion on this matter.

Historically, the Legislature used to meet Monday evenings and the Session would go on for long periods of time. I have tried to avoid this at all costs because many of the people here have other matters at attend to and it is necessary for them to be in other places. However, I think everyone will agree that there is nothing magic about Monday as opposed to Tuesday, or opposed to Wednesday or any other time.

One of the things that we have been constantly accused of is railroading these bills, and constantly pushing and doing all of these other things. Now we are delaying until Tuesday. One of the reasons for this, among others, is that if there are any opponents who want to be heard on this matter by the Members on the other side, this will give them a full day on Monday to be heard.

The proponents of this bill, who are members of the Administration and who had some duty in drafting some of these measures, will be available all day Tuesday if the Members would like to hear from them before we go into Session. After you gentlemen have heard from some of the proponents of these bills, I do not think the Session will be very long.

Of the twenty bills in the tax package, there are only about two or three that are of any real moment, in the sense of being controversial. The rest of them are housekeeping measures, in the sense that they are accounting measures.

I am going to try during today's Session to go through these bills rather hurriedly—not to debate them—to explain what they are, how much revenue they produce and just exactly what they do. I will try to do that during this Session. The bills are available to all of the Members, and I think between now and next week, which is seven full days, these gentlemen will have an opportunity to go over them and hold hearings in their Districts, as Senator Haluska is going to do, with the people who are for and against these measures. They will also have an opportunity to listen to the people who have something to say as far as the State picture is concerned.

At the same time, it will give us an opportunity to have some of our budget hearings, which have been delayed because some of the Members have not been here. As a matter of fact, we just adjourned a Budget Hearing so the the gentlemen could attend this Session. However, the hearing will continue at three o'clock, and be held again tomorrow and Monday.

I think it is also necessary that all of our people be

here to vote on these measures, whether they be for them or against them. Taking a reading on this matter,—and there are fifty Members, all of whom lead varied lives in varied areas—the best time to get everybody together here will be Tuesday evening.

I think this is not asking too much for these important measures: I do not think anybody is being put out. If we meet here about seven o'clock in the evening, we should be able to conclude our business in about a two-hour period, even with all of the discussion and county-discussion. As I said, there are only two or three measures here that are truly controversial. The rest of them fall in the category of good housekeeping or the elimination of some things that we have been doing for some time.

Mr. BERGER. Mr. President, I can readily understand that if what the gentleman proposes to do with the bills today, and the bills on whatever date we may meet next week, would be the procedure, yes, there would be very little time elapse. However, I cannot anticipate, Mr. President, that the Majority Leader is going to get up and give his explanation of these bills and not invite some comment from this side which will, inevitably, at least double the time that he is talking about. Then, we will have to go all over it again at the next session when we meet, when the bills are on Third Reading.

I cannot for the life of me conceive how this is any timesaver or how it is an advantage to any Member of the Senate. There is no reason—unless the gentleman can give me a very persuasive reason—why we should not meet here Monday. We certainly have no objection to their withholding action on the bills until all of the Members can be in their seats. However, there certainly is no reason why we should not meet here and do our work on Monday, and then when they get ready to roll the tax bills, we will be ready to do it.

Here he is proposing to have two bites of the same cherry by discussing the bills today and coming back and discussing them again next week. It does not add up.

Mr. WEINER. Mr. President, as I stated, there is nothing magic about Monday as compared to Tuesday or and other day in the week.

One of the things that I have been striving for, along with the Members of the Democratic Caucus, is to try to meet here on days when we have something to do. If we have nothing to do, there is no sense coming here and spending the time or just being around here idle. I think if there is nothing to do on this Calendar, unless someone can show me there is something that is earth shaking which must be passed immediately on Monday and will not keep—we should be here on Tuesday, ready to transact this business and get the decks cleared so thhat we can go on with other legislation after these tax measures are out of the way, whether they pass or they fail.

Tuesday is the first day that we will have everyone here and in their seats. Not only the Members on our side, but some of the Members on the other side have expressed to me the fact that they may have some problem about being here Monday. I do not want to make anyone feel I am pressuring them so they can accuse us of continuing to railroad this thing, because we have certainly waited long enough. I have not pressed for these measures to be moved up. I am going to try to get them up to Third Reading today so we can be in a position to work on them Tuesday.

I will invite any discussion or questions here today. We have a whole day here today to work. I invite any questions, discussion, amendments or anything on these bills today, because if we are in error and are making a mistake, I certainly hope that the Members on the other side will feel free to bring this fact to my attention. It might be that I do not see the entire picture. I would be happy to have their advice, as well as the encouragement they could give us in raising this money which the Commonwealth well needs.

Mr. FLEMING. Mr. President, since I have been a Member of this Body, it has been customary to meet on Mondays, Tuesdays and possibly Wednesdays. I believe a great many of the Members, including myself, arrange their private business at home to be taken care of during the latter part of the week.

Now here we come, and with apparently not a good reason—changing the procedure and meeting at seven o'clock on Tuesday evening. As the Minority Leader so capably pointed out, we are then involving the Members in a long evening Session because I think none of us are so naive as to believe there will not be many arguments for and against these tax measures.

I think we established several years ago—certainly not by a Rule of the Senate, but a tacit rule accepted by all—that we would attempt, to the best of our ability, to adjourn the Sessions each day as close to 6:00 p.m. as we possibly could. We have tried to do that. Sometimes we have gone a little over. However, I think the health and the welfare of the Members generally has been protected by that rule—unwritten rule, if you please—or by the procedure of adjourning as close to six as we could.

I think it is setting a terrible precedent in the early stages of this Session to begin a week at seven o'clock in the evening.

Again, at the risk of being repetitious but as it was so ably pointed out by the Minority Leader, there are other bills on the Calendar. Perhaps they are not earth shaking, but they are certainly bills that must be disposed of in some way, shape or manner. Why cannot those of us, who can be here on Monday at the regular convening time of 3:00 p.m., come and take care of those matters?

It is not necessary that we have fifty Members in their seats all of the time. Certainly, that is most desirable but due to sickness and other causes, many men do not get here, both Republicans and Democrats. However, if we have a quorum of twenty-six Members, there is no reason why we cannot go through the orderly procedure of having regular Sessions of this Senate.

Mr. WEINER. Mr. President, I believe the gentleman, whom I consider one of the better Legislators and one of the more conscientious Legislators of this or any other body, well knows that you cannot pass any measure unless you have the votes to do so. If the Senator will advise me how many votes they are willing to give us to pass these measures, I will be happy to meet on Monday, Tuesday or any other day that he desires.

I have just looked over the Calendar to make sure that what I saw yesterday was not changed today, and the only measures that are on this Calendar are the tax measures. Outside of those, there are only two other

bills which, if they never pass in this Session, would not make any difference at all. Not that they are not important, but they are not of such import that we could not let them go.

I might also point out that these Members, who are not well, would have a chance to rest all day Monday and all day Tuesday, and have a chance to have on early dinner before they come here ready to work.

I think we can discuss these measures today, whether we debate them or just get into a discussion of them. In addition to that, if you call the—and I have offered this and I still offer it to you— proponents of these measures, the Administration, to answer any questions in your Caucus on Tuesday and you do not have to rush to a Session and miss the opportunity to fully hear these people, you will be in a much better position to vote on these measures and handle them in an intelligent manner.

The presence of only twenty-six Members, I am sure the Senator will agree, would not be enough to transact this business or transact any business, because you will always find there are some people who are constantly opposed to some measures as well as those people who are constantly in favor of them.

I would like to point out to the Senator again that the Legislature, historically, used to meet on Monday night—late on Monday night—sometimes going into Session around eight or nine o'clock in the evening. They met again the next night because many of the people at that time, due to travel restrictions and communications, were unable to get here.

We are spending a lot of time on a matter which really does not require much discussion or much time at all, because I think there is nothing magic about the days that we meet here. The most important thing is that when we meet, we do something and accomplish our work.

Mr. FLEMING. Mr. President, I certainly would be in no position to advise the gentleman how many votes on this side of the House he has for the tax measures. My guess, Senator—purely a guess—is that you have hardly any. I doubt if you have any.

However, I would suggest, as a matter of procedure since we have some twenty-two Standing Committees in the Senate of Pennsylvania and since I heard the Senator say that this is going to be workmanlike and a businesslike Session,—and I realize my suggestion may be treading on a prerogative of the Majority—that he suggest to the Chairmen of the various Committees that they schedule meetings for Monday. If there are some good bills,—and, unquestionably, there are good bills reposing in the committees—let them be discussed on Monday, reported out of committee, and we will have that Calendar about which he has spoken so many times.

Mr. WEINER. Mr. President, I will yield to the Minority Leader, if he wants to make a statement.

Mr. BERGER. No, all I wanted to do was to make certain, Mr. President, that what I said was understood correctly. We would not certainly be disposed to try to move any bills of a controversial nature when there was not a full attendance, in so far as it would be possible to attain one.

It is not the fact of moving the bills on Tuesday which disturbs me. It is the matter of having a Session and doing some business on Monday, and then being prepared for Tuesday or Wednesday, as we always have been.

There is no use going over the same ground again. However, a night Session on such matters as these tax bills is a very, very objectionable thing, I believe, to a great majority of the Members of the Senate on both sides.

Mr. WEINER. Mr. President, I have heard no objection voiced here by the gentlemen on this side of the aisle with whom I have discussed it. I might even say—and I do not think I am breaching any confidence—that some of the gentlemen on the other side of the aisle offered no objection when I discussed it informally with them when it was just a germ of an idea.

I do think the position of the gentleman from Allegheny is well taken. I want to say, if some of the Committee Chairmen would like to have meetings on Monday and discuss some of the measures they have in their committees, I think that should be done and could very easily be done by some of the Members. I have no objection to that. I am sure no one has any objection to that. It is a good point, well taken. I hope the Committee Chairmen will heed the gentleman's advice and schedule meetings if they feel it is necessary or they want to do that at that time.

Also, there will be Budget Hearings on Monday, which I think will take up the time of some of the Members who are here, as well. I think there will be enough to do here if you come to Harrisburg on Monday or Tuesday morning.

The PRESIDENT. There being no objection to the immediate consideration of this resolution, the Senate will proceed to its consideration.

On the question,

Will the Senate adopt the resolution?

Mr. FLEMING. Mr. President, I ask for a roll call vote.

The PRESIDENT. A roll call being requested, the Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. KELLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were required by Mr. FLEMING, and were as follows, viz:

YEAS—23.

Camiel,	Kalman,	Murray,	Silvert,
Devlin,	Lane,	Ripp,	Staisey,
DiSilvestro,	Mahady,	Rooney,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Weiner,
Haluska,	McGinnis,	Sesler,	Yatron,
Hays,	Mullin,	Seyler,	

NAYS—20.

Bell,	Keller,	Propert,	Taylor,
Berger,	Kessler,	Scott,	Van Sant,
Chapman,	Kromer,	Shafer,	Wagner,
Fleming,	Madigan,	Stevenson,	Ware, III,
Hawbaker,	Mallery,	Stroup,	Wolfe,

So the question was determined in the affirmative, and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL INTRODUCED AND REFERRED

Messrs. YATRON, DEVLIN, STROUP and SEYLER, by unanimous consent presented to the Chair **SB 155,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30),

entitled "Public School Code of 1949," providing for the creation and operation of community colleges; giving certain powers to the State Council of Higher Education; increasing the power of school districts to levy additional taxes for the operation of community colleges; and providing for certain payments by the Commonwealth for students enrolled in community colleges.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Constitutional Changes and Federal Relations, reported, as amended, **SB 23.**

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 3—Mr. BERGER. Mr. President, for the reasons stated at yesterday's Session, I request that Senate Bill No. 3 go over in it order.

The PRESIDENT. There being no objection, the bill is passed over in its order.

SB 28—Mr. WEINER. Mr. President, I request that Senate Bill No. 28 go over in its order.

The PRESIDENT. Is there objection?

Mr. FLEMING. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. FLEMING. Mr. President, I would like to know why the Majority Leader is now asking for this bill to go over in order when he objected so strenuously yesterday to its going over in order.

Mr. WEINER. Mr. President, as I stated earlier, I have great admiration for the gentleman from Allegheny County. However, he is able to do arithmetic as easily as I can. If he will do that simple arithmetic as I have done it, I think if he were in my place, he would take the same course of action.

Mr. FLEMING. I thank the gentleman, Mr. President. I am only happy that the record will now show that it was he who asked for the bill to go over in order.

Mr. WEINER. Mr. President, if the record does not show it, I ask that it does show it. The reason is that we do not have enough votes to pass this bill.

The PRESIDENT. There being no objection, Senate Bill No. 28 is passed over in its order.

BILL OVER IN ORDER TEMPORARILY

SB 53—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 20—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 31—Mr. WEINER. Mr. President, I request that Senate Bill No. 31 be passed over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, my reason for requesting that this bill go over in its order is because Senator Mallery wanted to offer some amendments. We are holding this bill until such time as we are able to check this with a number of people who might be interested in this measure.

The PRESIDENT. There being no objection, the bill will be passed over in its order.

BILLS ON SECOND READING

HB 82—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, this bill, House Bill No. 82, is the beginning of the tax measures. This first tax bill is set up for the purpose of making changes in our fiscal period. As everyone well knows, the fiscal period ends May 30th and the new one begins June 1st. We will, as a result of this bill, when it is passed, change our fiscal year to begin with July 1st and end with June 30th. The reason for doing this is so we can follow the Federal fiscal period. I think we are one of the four states remaining which does not have its fiscal period running concurrent with the Federal period. Also, the State period differs from the various school districts, so that we constantly have to calculate in order to agree with these different fiscal periods. We feel this is good housekeeping.

Therefore, our first year of operation will actually be thirteen months in length until we come to the end of this fiscal period.

I would like to clear some confusion that I have seen in print and also have heard some of the Members discussing. Our fiscal period for this year will end the same as always, on May 30th, and the new year will begin June 1st, but it will run until the following June 30th and the new period will begin on July 1st. I am now talking about July 1, 1962.

As far as this period is concerned, and as far as the auditing and the amounts that you see in the budget are concerned, they are for a thirteen month period. If you look at these amounts, you will find the money being made available for a thirteen month period. Whenever we talk about money being made available, it is for a thirteen month period. If you want to find out the amount per month, you divide by thirteen to get the answer. This will not occur after 1962. The 1962-1963 fiscal year will be on the usual twelve month basis.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second and third section and title were read and agreed to.

Ordered, To be transcribed for a third reading.

HB 83—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, the purpose of this bill is to transfer money from the Banking Department Fund to the General Fund. The purpose of this is, in the interest of good housekeeping, to try to have all our money go into the General Fund, appear there and be allocated from that fund for those purposes. If we possibly can—and we have been doing it over the last I would say, six years anyway and it was done even before that by the other Administrations—we have to do away with these special funds that have grown up

over the years so that we do not mix our moneys together. Then if any department wants any money, we know how much is in the till to pay it and we do not have to go around looking for these special funds which, over the years, sometimes lose the original purpose which was intended by the Legislature.

This bill transfers $125,000 to the General Fund from the Banking Department Fund.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. Weiner. I will, Mr. President.

Mr. BERGER. Mr. President, do I understand from the gentleman that this bill is intended to eliminate a special fund?

Mr. WEINER. No sir. If I said that, I am sorry. I did not mean to give that impression.

Mr. BERGER. Very well.

Mr. WEINER. What we are doing is transferring the surplus from it. These funds are all being studied.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

Ordered, To be transcribed for a third reading.

HB 84—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, the money in this fund, which is approximately $152,107.19, is being transferred to the General Fund from the fund that used to be known as the Federal Unemployment Relief Fund. This money that we are talking about represents the money left over from the days of the depression when emergency relief was first organized, and then later on was followed by the W.P.A. and P.W.A. These were matching funds that were set up by the State. There is no longer any need—or we hope there will not be a need—for this continuance, and so we are transferring this money back to the General Fund.

The reason that the bill states—and this was brought up by one of the gentlemen on the other side. As I stated earlier, despite their disbelief, I am very anxious to have these comments and matters brought to my attention so that I can also inform myself on these matters. However, the bill states on page 2 that the money is "made for the payment of general assistance by the Department of Public Welfare. It shall not be an additional appropriation . . ."

We felt since the money was used originally or spent originally for the purpose of assistance, we are returning it for that purpose. We are trying to meet this need by using it in this same area.

There is nothing sacred about this. It could very easily go right back to the General Fund or be paid back to the Retirement Fund, from which we borrowed the money originally. The money is insignificant in respect to the amount that we have borrowed, which is sixty-two millions of dollars, and we felt it should go back to that regular purpose.

Mr. BERGER. Mr. President, the principle stated by the Majority Leader is probably correct. However, at the same time, our question was that having just finished an allocation of some millions of dollars—$63,000,000, I believe—to the Department of Public Assistance, this would, the way the bill is written, still be an additional appropriation to the Department of Public Assistance because it must be used for general assistance.

I do not quarrel with putting it in there. However, I still cannot agree that it is not an additional appropriation for that purpose.

Mr. WEINER. Mr. President, this was for general assistance. The bill says, though: "It shall not be an additional appropriation . . ." The gentleman may have a point well taken. It is just a matter of how you do your bookkeeping or how you want to carry this through.

I think his position could be just as easily carried out as the position taken here. I have tried to set forth here the reason this position was taken. As I said, the gentleman's position may be just as valid as the one I took on it. I have no quarrel with that at all.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

Ordered, To be transcribed for a third reading.

Mr. BERGER. Mr. President, may we be at ease just a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

BILL OVER IN ORDER

SB 85—Mr. WEINER. Mr. President, Senate Bill No. 85 is not part of the tax package. Therefore, I respectfully request that Senate Bill No. 85 go over in its order.

The PRESIDENT, Is there objection?

Mr. WEINER. Mr. President, I did not mean to interrupt the Senate's being at ease, which the Minority Leader requested.

Mr. BERGER. Mr. President, the reason I asked that the Senate be at ease is very simple. With respect to these bills appearing on Second Reading, we have not as yet on this side—and I doubt very much if the other side has—had an opportunity to Caucus on them.

Mr. WEINER. Other than the tax package; that is correct, Mr. President.

The PRESIDENT. There being no objection, Senate Bill No. 85 will go over in its order.

BILLS ON SECOND READING

HB 85—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER. Mr. President, is the Majority Leader intending to make some explanation?

Mr. WEINER. Yes sir, I would like to at this time.

Mr. President, this bill would eliminate the Toll Bridge Fund. The amount of money involved is $159,000. The bond issue that was used to purchase these toll bridges will be paid by October 1961. It is anticipated the balance will be $159,000. This amount will remain after all the debts, interest and the funded debt are paid.

The reason this was set up—I think the Members might well remember—was that in 1949, there was a ruling by the Attorney General that the Motor License Fund could not purchase privately owned bridges. The balance

will, therefore, be transferred to the General Fund. This is the legislation which does this. This is part of the good housekeping that I was talking about in this matter.

I am perfectly willing to state that there may be some other valid reason to transfer this money elsewhere, which might be just as valid as the reason I gave here for transferring it to the General Fund. However, the people in charge of the bookkeeping feel they would like to do it this way. If someone has a more compelling reason than they have given, I will be happy to listen to that.

Mr. BERGER. Mr. PRESIDENT, here it is.

As I understand it, this is money which will be in excess of the amount needed to retire the bonds, which money was received from tolls. Consequently, it was paid by highway users and I can see no reason in the world why it should not go into the Highways Fund. It was for highway purposes in the beginning and, for a technical reason, they simply advanced the money out of the General Fund. However, this is money over and above what was advanced for the retirement of the bonds.

Mr. WEINER. Mr. President, the reason this is being returned to the General Fund is that the people who are charged with keeping this money and doing the bookkeeping have been advised by an opinion of the Attorney General that this money could not go to the Motor Fund. They have stated that the reason they could not take the money from the Motor Fund to buy the bridges is also the reason why the money cannot be given to the Motor Fund now.

The Attorney General has stated that the money to get this thing started originally came from the General Fund and, therefore, must be returned to the place from which it came.

That is why I stated earlier that the gentleman's reasoning may be valid or more valid than ours. However, I think he, and the Members of this Body, will recognize that we are bound by certain rules and regulations also. I do not think, if any of these gentlemen were fiscal officers, that they would want to fly in the face of that ruling.

Mr. BERGER. Mr. President, the money is going back into some fund of the Commonwealth. However, the whole point is that it came from highway users and, therefore, it probably should go into the Highway Fund. If they have a ruling that it cannot go into the Highway Fund because it did not come out of it, well and good. However, actually this money did not come out of any fund. This money is going to be over and above what was borrowed originally.

Mr. WEINER. Mr. President, if the gentleman will get us a ruling and prepare the legislation, I will be very happy to cosponsor a bill with him, putting the money back into the Motor Fund.

As I stated, there is nothing sacred about it going one place or another, as long as the Commonwealth gets the money and uses it for the purpose intended.

If the Attorney General will allow us to do this, and the Governor will sign the bill, I will be most happy to cosponsor it with him. It does not make any difference which pocket the money goes into, as long as it goes into the right one.

Mr. BERGER. Mr. President, I may have misunderstood the gentleman. I understood they had a ruling that it could not go into the Highway Fund.

Mr. Weiner. Mr. President, the only reason I stated that it could not go in is because of the Attorney General's ruling. However, if we want to go in the face of that and do it by legislation, and if the Governor will sign it, I will be most happy to cosponsor a bill with you.

Mr. BERGER. Mr. President, I have no intention of drawing such a bill. I merely want to make the record clear that if there is a ruling that this cannot go into the Highway Fund, allright. However, it appears to us that is where the money should go and the Highway funds seems to be a little hard up all of the time.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

Ordered, To be transcribed for a third reading.

HB 86—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, this measure deals with the bond issue to finance World War I veterans. The amount of money involved here is $115,089. All the bonds have been retired and the date to file claims for World War I bonuses has long since passed. The balance in this bond fund is being transferred to the General Fund.

I think there was an amendment which was put in by the House. I want to explain that, if you see that in your bill. This was a typographical error which was corrected. Whoever had prepared this measure had typed in the wrong word. They put "Toll Bridge Act," and what they meant was "Veterans' Compensation Act."

Therefore, that is the only amendment presented by the House. It is merely a stenographic error, which was corrected.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section and title were read and agreed to.

Ordered, To be transcribed for a third reading.

HB 87—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER. Mr. President, House Bill No. 87 provides for the transfer of money from the General Fund to the State Stores Fund. When the Act was originally passed in 1939, it allowed them $15,000,000 in order to go out and make purchases.

This is similar to a man who goes into business and does not have the capital to do so. Therefore, he goes to a bank and borrows the money to begin to purchase an inventory and purchase his merchandise. After he does so, the bank wants to be repaid, from his profits, on the note or on whatever he has signed or obligated himself for. I think we will all agree that since 1939, in the twenty-one years which have elapsed, the cost of living and even the cost of liquor has gone up, somewhat.

Recently, what has happened is that the Commonwealth does not receive the full discount for paying its bills. The Commonwealth is in the same position as any other person who buys merchandise. If it pays its bills within a certain length of time, it receives a certain discount. If it does not pay its bills within a certain length of time, it is not

entitled to the discount. Also, some of the suppliers have been complaining that their bills have been going too long. The Liquor Control Board is faced with the problem of keeping this amount on hand, to be returned to the General Fund on a turn-around basis. They then hold off some times and build up this amount.

The purpose of putting this money in is to build up this fund. It also will change the time limit for the retransfer of such money to the General Fund from this measure, which is not later than thirty days after the end of such fiscal year or period. I think this is merely good housekeeping.

Whether $30,000,000 is the magic number, as compared to $20,000,000, or whether it should be $40,000,000, as compared to $30,000,000 I do not know. I do not know whether anybody here could advise us as to which amount is better than the other. I do not know very much about the sale of liquor and, therefore, I will be very happy to hear from any of the experts on the subject.

Mr. BERGER. Mr. President, I do not wish to qualify but, at the same time, there is certainly no discussion indicated on the amount of money in this. However, we have been talking a lot about housekeeping measures. Whether or not this was expedient at the time the fund was established over there, I do not know. However, I cannot understand why this $30,000,000, which is paid into the State Stores Fund from the General Fund, is then paid back into the General Fund. There must be a secret there. Then it must be paid back again into the State Stores Fund.

Why would it not be simpler to have some kind of a housekeeping bill, if you will, whereby this fund could be audited and remain there as a capital fund for the State Stores, rather than having it retransferred, transferred back again and back and forth, at the end of every fiscal year? It would be subject to audit and, certainly, there could be nothing wrong with that.

Mr. WEINER. Mr. President, I believe what the gentleman is speaking about is generally done now, in a general sense. What we are hoping to do by putting in this money is to draw down immediately all the profits into the General Fund, instead of waiting for this turn-around period.

The Liquor Board and the people who operate the stores find themselves in the position where there are certain periods of the year when they have a greater outlay than possibly income. This may occur during the holidays. Therefore, we are trying to provide them with enough capital in order for them to keep up their inventory and, at the same time, permit the General Fund to withdraw all the profits as they come in. In that way, they will not feel this constant pinch of building up this fund and when it is required, they will have it on hand.

Philosophically speaking, I do not think our viewpoints are very much different on this matter. However, I think the gentleman from Potter is correct on the handling of this measure, as opposed to our view. I do not, however, think that our viewpoint is in such sharp conflict, nor is it wrong. When you get into accounting or bookkeeping problems, I believe there is much to be said on both sides; perhaps on all three sides, rather than two sides.

Mr. BERGER. Mr. President, I simply wondered why it had not been done before. Since we are cleaning things up, I wonder why it might not be done now. If there is an accounting reason or anything else, I do not particularly care. Obviously, if you read the bill, it says they put it back into the General Fund. Then, obviously, they are out of money and they have to get it back. Therefore, there should be some arrangement whereby, at least, that bookkeeping process would be simplified.

Mr. President, I would like to inquire of the Majority Leader if he will permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. What is the significance of the repay- fiscal year, rather than at the end of the fiscal year?

Mr. WEINER. The reason for that, Mr. President, is to allow for the auditing and the accounting of the fund. In that way, they are able to do it. They are allowing themselves a thirty-day leeway in order to audit it and get it back.

I guess there is nothing sacred about the thirty days. It could be thirty days before when they would have to cut off or cut down their operation, in order for this audit to take place before they could start up again. This occurs in every business. There are regular audits and certain things are terminated on certain dates, in order for businesses to have a cut-off date.

Mr. BERGER. Mr. President, I do not think it is worthwhile debating at length, but they certainly have gotten along all right before. I merely wondered whether it had any significance as to good housekeeping or what have you. Apparently, for at least twenty years they have done it the other way.

Mr. PROPERT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. PROPERT. Can the gentleman tell me where this $30,000,000 will be shown in the budget, at the end of the fiscal year?

Mr. WEINER. This is not shown in the budget.

I feel a little bit out of my territory in discussing this matter with the gentleman from Montgomery. I know he is an accountant and knows his business well. However, it is not a receipt item, nor is it an expended item. It would balance itself out. In other words, if the Commonwealth were to go out of business tomorrow morning and completely shut down its operation, this $30,000,000 would be dispensed with in order to pay off all the debts and everything which is involved. It actually would show up in the State Stores Fund as the money used by the Liquor Control Board in making their purchases, the same as any capital in any business.

Mr. PROPERT. Is it not true that the General Fund will be minus $30,000,000, when this working capital is in the State Stores Fund? Before, it had to be paid to the General Fund before the end of the biennium, whereas now it is thirty days after the biennium.

Mr. WEINER. No, sir. It says: "not later than thirty days . . . " It could be one day thereafter, it could be ten days thereafter, or it could be twenty days thereafter. It will show up in the sense that they now have $15,000,000 which we gave them to start operating the

business. It will show up an additional $15,000,000, if we were to carry such an item. In other words, if we were to be going out of business and listed all the assets and all the debits, you would be able to do it on that basis. However, we are not going out of business. We expect to be in business another week or two. In that sense, we will not show it because this is the capital with which they operate.

In other words, when any man goes into business, he borrows money from the bank. This money he carries on his books as an item of debit which he owes to the bank. At the same time, it is an asset of the business. It is the capital on hand which he has to work with. Let us assume, for the sake of this discussion, that the business is still solvent and the man wants to pay everybody off and go out of business. He would then pick up that amount which he borrowed from the bank and merely return it to the bank. He would then clear his books, clear the amount, and it would be neither a receipt item nor a debit item. In the strict sense which we are talking about, it is a debit item if you want to show the assets for a profit and loss statement or for a balance sheet. However, barring those two eventualities, it is neither a receipt nor an expenditure.

Mr. PROPERT. I think the Majority Leader has been talking about the State Stores Fund. My question is, where is this $30,000,000 shown as an asset or as an income item in the General Fund?

Mr. WEINER. Mr. President, the way we have it now is that we carry the $15,000,000, which we have loaned them, in the State Stores Fund. This is represented by inventory, as well as the money they have borrowed. In other words, the money they borrowed from the General Fund appears as inventory in the stores. If we went out of the liquor business, we would sell off our inventory and have our $15,000,000 back. It would then be returned to the General Fund and be right back where it started. This is more or less like a revolving item so that they can continue to do business.

We are saying that the cost of living and the cost of these inventory items have gone up. In order to keep our shelves full, to meet the needs of our customers, we are increasing the capital which we have taken and putting it back into the State Stores Fund. Therefore, the State Stores Fund will now show $30,000,000 instead of $15,000,000. It is not cash on hand because that cash is taken from the General Fund. However, it is money which we can put our hands on any time we might need it, by merely selling out our stock and going out of business.

Mr. PROPERT. Mr. President, do I understand that the Majority Leader will permit amendments, on Third Reading, to all these tax bills?

Mr. WEINER. Yes, if they are indicated.

Mr. KESSLER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President. I am available for questioning. I do not know whether I can answer them all, but I am available.

The PRESIDENT. He is in the mood for questioning today, Senator Kessler.

Mr. KESSLER. It is my understanding that in the past, the Liquor Control Board invariably depleted its inventory in the last month or two months of the biennium. It withheld its payments to suppliers so as to make this repayment to the General Fund.

Would it not be better if we changed the Liquor Control Law so that the Board could retain $30,000,000 of its profits as working capital, and avoid the necessity of either delaying payments to their suppliers or depleting their inventory so as to make this transfer possible? Certainly, they cannot transfer the inventory of the liquor stores. I know, in the past, they have cut down their inventory in order to make this payment, and many suppliers have been kept waiting for their funds until this bookkeeping transaction could be made.

Do you think we could amend the law?

Mr. WEINER. I think that you and I are saying the same thing, but probably not in the same way. If I am incorrect, please correct me.

I am saying there are certain times of the year—I do not know if it is toward the end of the biennium, but there are certain times of the year—when they have to expend a great deal of money to keep their shelves full because the demand is greater at that time of the year. At that point, they have expended their money and their inventory goes up. As they get closer to the end of the biennium, they need this money in their fund in order to return it back to the General Fund, if it is needed. At this point, the suppliers will continue the supply in order to meet the demand, whatever that might be, and they are not being paid. They do like many businesses do when they do not have the money to pay their bills. They know that their credit is still good and the supplier sort of goes along, maybe grudgingly, as it were, and he takes out his grudging feeling which he has by not giving them a discount. Therefore, they hold off until they build up the fund to $15,000,000, at which time they make the turnaround and send the money back to the General Fund, which retransfers it back to them, and then they go on with their business again until the next time.

Mr. KESSLER. Is it not simpler to change the law so that the Liquor Control Board could retain whatever funds —say, up to a maximum of $30,000,000—which they need as inventory and working capital, instead of turning all of the profits over to the General Fund? I think it is approximately $90,000,000 that they turn over each biennium.

Mr. WEINER. Except, you see, we have the other problem, as well. Of course, if you and I were strictly speaking in a business sense of operating a liquor store, I would say that you are absolutely right and I would go along with you 100 per cent.

However, we have the other problem of the Commonwealth of Pennsylvania standing, with open arms, waiting to receive this extra money with which they can continue to operate. There are certain times of the year which do not necessarily happen to coincide with the liquor business, when they are having their greatest profits, but when the Commonwealth needs its profits. They are drawing it down at a faster rate than possibly the liquor stores can accumulate this money.

I think you will agree with me—and I think Senator Propert put his finger on it—that there are times when you reach the point when you have to pay the bank back, as it were. The bank, in our sense, is the General Fund. That money is due back to the General Fund. They will

have to repay that to us first, and then they can go on on their own capital. I hope the time will arrive in this Commonwealth when there will be enough profits derived for them to pay back the $15,000,000 and hold onto the $15,000,000, which they will have thereafter, and go on their own way.

Mr. KESSLER. Are they permitted to do that under the law now?

Mr. WEINER. No, sir, they are not. We are constantly drawing off the profits. We are constantly tapping this reservoir and drawing the money off for other purposes which are needed and to which the Legislature has allocated money.

Mr. KESSLER. The fact is that the Liquor Control Board is so low now in their cash—I think they have about $6,000,000—that they cannot pay their bills. There is always a delay in getting their payrolls through. It seems to me that we should try to rearrange that system somehow or other if we can.

Mr. WEINER. I would agree with that. Whether this is the method or not, I am not sure. However, I certainly will talk to Mr. Baldwin, who is sitting here, about this measure. He has heard this debate and I am sure he would welcome any suggestion that you might have, to run this on a more businesslike basis.

Basically, our only problem is that the parent corporation, which happens to run this subsidiary, is constantly in need of money. The parent must look to the son all the time in order to continue to live. This, I am afraid, causes the son some great difficulty, even though he operates a profitable business.

Mr. MAHADY. Mr. President, I think we are overlooking a fundamental fact here. We have a number of laws on the books, even down to the supervisors, whereby you cannot carry a debt over the current year. That has been found to be good practice.

Here, they are extending that carrying-over for thirty days. It is a bookkeeping transaction. It does not appear in the budget because of the fact that it will show that the General Fund is owed, on the books, so much money. That is the only place where there is an entry. In other words, the General Fund is owed $15,000,000 and, in the past, they would scurry around before the fiscal year ended and pay it back. Now, under this bill, we are giving them thirty days and an additional $15,000,000. Therefore, the credit of the Liquor Control Board, which means in the end the Commonwealth, is good.

The transaction is, if you are going to depart from the principle, that you are going to make short-term indebtedness into long-term indebtedness. In that case, we usually require an Act of Assembly or, in the lower bodies, we require they go for a bond issue. That is the principle which is involved. The solution is in line with the policy which we have always followed; that a fiscal year ends all short-term indebtedness, unless authorized by a higher power. You are the higher power, if you want to do it. However, if you keep them there accounting and pushing, there is less likelihood that they will be back for another increase.

Mr. LANE. Mr. President, this is nothing new, as all of us know. This bill amends the Act of May 25, 1939, as amended by the Act of April 17, 1947. We have followed this practice for a good many years and it has worked out pretty well.

There are actually two amendments to this bill. On the one hand, we are increasing the allocation from $15,000,000 to $30,000,000. On the other hand, we are changing the transferral period to not more than thirty days after the end of the fiscal year. This is really sort of a simple bookkeeping operation. This $30,000,000 actually is a revolving fund.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second and third sections and title were read and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 88—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

REQUEST THAT BILLS GO OVER IN ORDER

HB 88, 89, 90, 91 and **92**—Mr. BERGER. Mr. President, I request that House Bills Nos. 88, 89, 90, 91 and 92 go over in their order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I would like to comply with the gentleman's request. However, I think, in order for us to move ahead and to be able to proceed on these measures, as I outlined earlier, I would like to ask that these bills be read for the second time today.

This is a part of the tax package, beginning with House Bill No. 82. We did not ask for any of these other bills to go over in order and, therefore, I think we should go ahead on these as well.

Mr. BERGER. Mr. President, we have now reached the point which I anticipated was going to trouble us on these tax bills.

Senator Weiner has stated that he wishes to discuss these tax bills on Second Reading. There is nothing sacred about it but, traditionally, we have always tried to debate our tax bills on Third Reading. We are now going to have two go-arounds on this very same subject, inevitably.

It would seem to me that it would be much better, as long as they are willing to wait until 7:00 p.m. on Tuesday to come back into Session, to have these bills go over in order and take care of the entire subject at one time.

MOTION THAT BILLS GO OVER IN ORDER

Mr. BERGER. Mr. President, as long as the gentleman has objected, I move that House Bill No. 88, House Bill No. 89, House Bill No. 90, House Bill No. 91, and House Bill No. 92, on pages 4 and 5 of the Calendar, go over in order.

Mr. WEINER. Mr. President, I object to the gentleman's motion.

The PRESIDENT. Is there a second to the motion?

Mr. FLEMING. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I object to the motion for the following reason:

If what the gentleman said is true—and beginning with the premise that it is true—we certainly will not be in a position to do anything about it. We will be right back

where we are today, when we come back on Tuesday, if we agree to his motion. His position might be well taken. It might be advisable to only talk once about these measures. I would be happy if we could do that and put these bills in a position where we can vote on them. If we leave them on Second Reading today, when we come back here on Tuesday, they will still be on Second Reading. The position the gentlman is taking will then have to be taken again and will go on like this ad infinitum and these bills, actually, will never get to Third Reading.

Therefore, Mr. President, for that reason, I object to the motion.

May we please have a roll call?

The PRESIDENT. A roll call having been requested, the Clerk will proceed to call the roll.

(During the calling of the roll, the following occured):

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were required by Mr. WEINER, and were as follows, viz:

YEAS—19

Bell,	Keller,	Propert,	Taylor,
Berger,	Kessler,	Scott,	Wagner,
Flack,	Kromer,	Shafer,	Ware, III,
Fleming,	Madigan,	Stevenson,	Wolfe,
Hawbaker,	Mallery,	Stroup,	

NAYS—24

Camiel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady,	Ripp,	Staisey,
Donolow,	McCreesh,	Rooney,	Stiefel,
Haluska,	McGinnis,	Sarraf,	Weiner,
Hays,	McMenamin,	Sesler,	Yatron,

So the question was determined in the negative, and the motion was defeated.

S B 53 CALLED UP

SB 53—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2, of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE AMENDMENT OFFERED

SB 53—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STROUP, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 4, page 7, lines 1 to 12, by striking out "housing accomodations" in line 1, all of lines 2 to 11, and "(1)" in line 12, and inserting: "(1) housing accommodations comprising or containing five or more housing units, owned or otherwise subject to the control of one owner, whether or not contiguous, or (2) any parcel or parcels of real property or lot or lots, whether or not contiguous, available for the building of five or more housing units, owned or otherwise subject to the control of one owner. "Such 'commercial housing' includes housing accommodations held or offered for sale or rent (1) by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner; (2) by the owner himself; or (3) by legal representatives.

"(k)".

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I have no objection to the amendment being offered at this time. However, I think Senator Stroup well knows that when we discussed this bill the other day, we took all the amendments on Second Reading. I am not blowing the whistle on him or anything else. We have had agreements between ourselves as to certain times when amendments could be offered. At that time, all the amendments were offered. I think this amendment, being offered by Senator Stroup, is the same one he offered the other night.

I think the purpose of this amendment is quite obvious and I am not even going to bother to talk about it. I think it is not in keeping with what we generally do here.

Mr. STROUP. Mr. President, this amendment, as I stated before, is designed to bring Senate Bill No. 53 within the confines or in conformity with the Pittsburgh Housing Ordinance, which was adopted by Governor Lawrence, then Mayor of Pittsburgh, and the Democratic-controlled Council, on December 15, 1958, and which became effective June 1, 1959,

If I recall correctly, Governor Lawrence was very proud of this social achievement for the city of Pittsburgh. He announced throughout the Commonwealth, when he was campaigning for the position of Governor of this Commonwealth, that it was his intention to bring into the Commonwealth the type of government which he had instituted in the city of Pittsburgh. Certainly, much of that has been accomplished.

In this particular Senate Bill No. 53, we find that the provisions of it are much more stringent and much more burdensome upon our fellow citizens than the provisions of the Pittsburgh Housing Ordinance, by reason of the fact that the Pittsburgh Housing Ordinance makes it possible for any individual who owns four or more residences, or housing units, to dispose of them as he or she shall see fit. However, Senate Bill No. 53 limits the right of disposal of real property of an individual in the Commonwealth to one personal residence or, if a duplex or a two-residence home is owned, to the sale of that if he is a resident of one of those units.

Therefore, you can see, my good friends and Senators, this bill, Senate Bill No. 53, goes far beyond the Pittsburgh Housing Ordinance. I ask you to give consideration of this amendment for that reason. I can see no reason, whatsoever, for the citizens of the Commonwealth to be asked to endure or to come under the provisions of this bill, which are much more strict than that which the city of Pittsburgh enjoys.

I should like to further point out one additional matter to you. On page 22, of Senate Bill No. 53, we find that a specific effort has been made—and I think successfully made in so far as the language of the bill is concerned—to preserve the Pittsburgh Housing Ordinance in full force and effect. It will, therefore, continue in full force and effect for time immemorial. Yet, at the same time, the rest of the Commonwealth does not have that same benefit.

I cannot understand the attitude of the Administration in presenting this type of a bill, when they, themselves back in their own home district, have a better situation than they give to the rest of the Commonwealth.

For that reason, Mr. President, I have resubmitted this

particular amendment, with further explanation, and request a roll call vote.

Mr. WEINER. Mr. President, I merely wish to repeat what I said the other night. I think the record will indicate that I answered the same argument that the gentleman made at that time.

I believe the gentleman who put his finger on what this measure is, and what it stands for, was Senator Mcmenamin, when he said this was merely a statement of basic decency, basic morality and basic Christian principle. I think that still stands and nothing has been changed in this measure.

Therefore, Mr. President, we object to the amendment and I ask my colleagues to vote "no" on it.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. STROUP and were as follows, viz:

YEAS—20

Bell,	Keller,	Propert,	Taylor,
Berger,	Kessler,	Scott,	Van Sant,
Flack,	Kromer,	Shafer,	Wagner,
Fleming,	Madigan,	Stevenson,	Ware, III,
Hawbaker,	Mallery,	Stroup,	Wolfe,

NAYS—24

Camiel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady,	Ripp,	Staisey,
Donolow,	McCreesh,	Rooney,	Stiefel,
Haluska,	McGinnis,	Sarraf,	Weiner,
Hays,	McMenamin,	Sesler,	Yatron,

So the question was determined in the negative, and the amendment was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MALLERY. Mr. President, may I interrogate the Democratic Floor Leader?

The PRESIDENT. Will the gentleman from Philadelphia, Senator Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. MALLERY. Do I understand, Mr. President, that if this bill passes, then we will have two Fair Employment Practice Laws on the statute books, with one applying to Pittsburgh or the county of Allegheny?

Mr. WEINER. No. Mr. President.

On page 22, of Senate Bill No. 53, it states: "Section 12 Construction and Exclusiveness of Remedy." Under Section (b), under the above heading, I believe the first sentence will take care of the gentleman's question.

I have consulted the Attorney General on this matter, and I am sorry that I did not have the opportunity to mention this fact to the Senate. I was going to do that before the bill passed. I was going to advise the Members that I have consulted the Attorney General on this measure and found that this takes care of that problem. This definitely will apply to every community.

Mr. MALLERY. Will it repeal the law which applies only to Pittsburgh?

Mr. WEINER. No, Mr. President. Their measure will stand. This will be an adjunct to it, in the sense that the local community can enact or take whatever action is indicated in their local community. In other words, in Philadelphia, we have a Human Relation Commission, dealing with problems which now relate to unemployment and, to a certain extent, with housing. They can either make it stronger or weaker, as they see fit.

As I stated earlier, this is merely an expression of public policy. Yesterday, we even changed, in the amendment, the remedies under this bill in order for it to become more of an investigatory body. Before they take any action whatsoever, the Human Relations Commission will run this thing through. If the F.E.P.C. operation is any indication of what will happen, there will probably be no prosecutions under it. There will probably be nothing except an investigation and an education process carried out.

Mr. MALLERY. Mr. President, this is not entirely clear to me.

If the Pittsburgh law is not repealed by this bill, then it seems to me we will have one law for Pittsburgh and a law for the rest of the Commonwealth.

Mr. WEINER. This is the reason, Mr. President, I stated earlier that the fears which the people were expressing were not well founded. If the local community wishes to take whatever appropriate indications they want to take, under this general policy, nobody is going to tell them to do so. In other words, if your local community wants to make it stronger than this bill, they can do so. If they wish to make it weaker than this bill provides, they can do so. However, they will have a general policy from which to operate. This is true of many areas, not only with this type of legislation, but in other legislation, as well. We do not try to legislate for any local community on a problem of this type, which is strictly educational and local in nature. Therefore, no one is affected by it who does not want to be affected by it.

Mr. BERGER. Mr. President, I just want to clear up one point.

I believe the Majority Leader stated that under the "Exclusiveness of Remedy" clause, the procedure would be in accordance with the terms of this Act. Am I correct, Mr. President?

Mr. WEINER. Yes, Mr. President. However, if I may, I want to qualify that answer.

This applies in so far as the local community decides not to go beyond this Act. However, if they decide to take more stringent action or less stringent action, they can do so because the local police power is the basic police power which seems to operate in these areas. As you well know, the District Attorney in any area can apply any general law that he sees fit to apply. The only time when we supersede the local police power with the Attorney General is if he abuses these powers or does not act.

Mr. BERGER. Mr. President, it is my understanding and it states on page 22, line 9, of Senate Bill No. 53, as follows:

" acts declared unlawful by section five of this act the procedure herein provided shall when invoked be exclusive . . ."

Mr. WEINER. Mr. President, I do have here a letter which I think was sent to every Senator. It is written on the City of Pittsburgh stationery and lists the members of the Commission, two of whom are Emery F. Bacon and Dominic F. Dornetto. They discuss this entire problem and state therein that:

"The Commission of Human Relations, a representative

group of fifteen citizens, after twenty months experience in administering a fair housing practices ordinance, urges members of both parties in the Senate to vote favorably on Senate Bill No. 53. There is no reason to amend this measure and there is no profitable reaon for further debate."

The letter goes on to point out their experience has shown that:

". . . no revolution takes place with the passage of such legislation. The transition is gradual and orderly and is brought about by persuasion, negotiation and conciliation. There have been no fines or court orders and none were needed."

This is merely a series of regulations. This is their experience and, I can tell you, the experience in Philadelphia is the very same.

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. FLEMING. Mr. President, I desire to speak very briefly on this bill.

The PRESIDENT. The roll call has started. However, if there is no objection, you may proceed.

Is there any objection to Senator Fleming speaking on this bill?

Mr. WEINER. Mr. President, I never want to be a part of shutting off any debate. If the gentleman has something to say which is illuminating on this bill, which we have missed, I will be very happy to hear from him. I am sure the other Members also would.

Mr. FLEMING. Mr. President, I am sure that I cannot qualify to the extent that the Majority Leader has suggested; namely, that I give an illuminating speech. However, I would like to express my opinion.

Mr. President, I am opposed to the passage of this type of legislation. I did offer an amendment to it on Second Reading which the Senate, in its wisdom, rejected. I certainly believe that we are tampering with the fundamental right of citizens to own and dispose of their property, as they see fit. I think that is a right which is interwoven with human rights. If we start to tamper with that, we will have done a distinct disservice to human rights in the end.

If I may, I would like to quote very briefly from a speech made by Doctor Charles B. Nutting, presently Dean of the National Law Center at George Washington University and formerly Dean of the Law School of the University of Pittsburgh. I think the following might sum up a very pertinent point which many people overlook:

"'To the extent that it is enforced, it invades a very important area of individual freedom. To the extent that it is employed as a threat, it is a hypocritical misuse of legal processes.'"

With that, Mr. President, I certainly agree.

Now, Mr. President, I would like to clear up one other point for the Members of this Senate. It has been said around the corridors of the Senate—and many Senators have been led to believe—that the Pittsburgh Presbytery is unanimously in favor of this legislation. I merely want to clear up the point—and, as a Presbyterian, I believe I should clear it up—that the Pittsburgh Presbytery is not unanimously in favor of this measure.

I would merely like to say that Reverend Dale K. Milligan, Chairman of the Stewardship and Promotion Committee of the Pittsburgh Presbytery, has issued a statement to that effect. There is no question that when this matter was brought before the Pittsburgh Presbytery, in 1959, on the then House Bill No. 322, there was a decided majority voted to endorse that measure. Likewise, Mr. President, there was a very sizable minority which voted against it.

Just recently, on January 12, the question was again brought up in the Pittsburgh Presbytery and they were told at that time, by one of the members on their committee, that there was no legislation before the Legislature at this time on this measure. Again I quote to you, Mr. President, that a motion to reconsider was tabled for one month. At the next meeting, they were again going to review their position on this particular type of legislation.

I know that has no effect on any of the votes in the Senate of Pennsylvania, but I very much resent any implication or insinuations on the part of some of the proponents of this measure, when they lead you to believe that a very large segment of a particular church is unanimously in favor of this type of legislation.

Mr. BELL. Mr. President, I would like to make a brief statement.

The PRESIDENT. You will have to ask unanimous consent of the Body, sir.

Mr. BELL. Then may I debate the bill?

The PRESIDENT. The roll call has started. Unless the Body wishes to give you unanimous consent, it would be impossible for us to hear you.

Mr. WEINER. Mr. President, as I stated earlier, we extend the same courtesy to every Senator, and if Senator Bell has something which should be brought to our attention before we vote on this bill, I think he should have an opportunity to do so.

The PRESIDENT. You may proceed, Senator Bell.

Mr. BELL. Mr. President, I am very sorely perplexed by the conditions which this bill, if passed, will place on the citizens of my county.

At present, in Delaware County, we have good will between the races. I have always been proud of the fact that in Delaware County, we never had any of the incidents which have broken out in some other parts of the Commonwealth and in nearby States. Delaware Countians respect each other. We like each other; we work together. Our children go to school together. I am looking forward with fear as to what could happen in Delaware County if there were statutory, forced integration in some of our districts.

I fear that a bill like this, forced on our county, could readily lead to racial strife and hate; the things that we, as Americans, have seen occur in other sections and, yes, even in this Commonwealth.

I do not want to be one who is responsible for causing hate—race hate, race strife—in a county where we have always lived side by side.

I have also been contacted by some of the churches, and perhaps I will step on some toes very heavily. I feel that the church is where integration should commence. Yet in our churches, I have gone to Negro churches and I have been stared at because I have been the only white person there. I have seen Negroes go to white churches and be stared at because they were the only Negroes

there. In my faith, the Christian faith—I do not think this is comical, gentlemen. I think you have before you one of the most serious problems that is going to hit this Session.

I say this. Integration should start in the church, and it has not started in the church in Pennsylvania. It is for this reason—because I do not like racial strife, and because I respect the man of the other race not for the color of his skin, but for the color of his blood—that I do not want to bring to my county the racial hate that we have witnessed in other places.

The PRESIDENT. The Clerk will resume the calling of the roll.

Mr. STROUP. Mr. President, may I ask unanimous consent to make a few brief remarks?

Mr. WEINER. I believe this is the second time today this gentleman is speaking on this same measure. I know that once was on the amendment, which we had heard the day before. However, in the interest of democracy and of hearing everyone out, the proponents as well as the opponents, I think the gentleman should be heard.

The PRESIDENT. You have unanimous consent of the Senate, Senator Stroup, to address the Senate.

Mr. STROUP. Mr. President, I certainly appreciate the consideration which the Majority Leader accords me.

I have been somewhat reluctant, as one new in this august Body, to take my feet and raise my voice against certain measures to which a goodly portion of this very splendid assembly seems to be in favor.

Nevertheless, I do feel that I would be derelict in my duty and my obligation to the great majority of my constituents, and to many millions of the people of the Commonwealth of Pennsylvania, if I did not make every effort to point out, Mr. President, that this particular measure initiates a striking at one of the bedrocks and one of the foundation stones of the fundamentally human rights which have been ours as Americans for many centuries.

It is not my purpose—and, of course, there is no need for me to travel the long road back to the past—to show exactly how and through what torturous methods we, as Americans, have arrived to this very precious right of private property. As I said before, it is a human right, and it is woven right into our entire society. Yet, in this particular legislation, I caution all my colleagues that we are beginning to wear away at that which was hard won through many, many years. It seems to me our forefathers would caution us that when we start a program such as this, which denies a fundamental freedom to our people, then we open the door to future acts of the same type.

We here attack freedom of choice. We here attack the right of a man to determine to whom he will dispose of his property if he has more than two particular units. We here begin to tell our people that those rights are now going to be taken away from them by sovereign power when, centuries ago, we had to get those rights from a sovereign power.

Therefore, on behalf of my constituents and many millions of people who I know feel the way I do about this type of legislation, I ask the cooperation of my own colleagues, and the gentlemen who are of the same frame of mind on the other side of the aisle, to vote down Senate Bill No. 53.

Thank you very much, Mr. President, for your consideration.

Mr. WEINER. Mr. President, I merely wish to say a very few words, in order to answer the comments which have been made. However, I do not think or feel that they need answered because we have covered that ground.

Mr. President, I think one of the functions of government has been to protect the weak against the strong, as well. These principles, which these gentlemen have reiterated, are all true, except they are saying them negatively and we are saying them, in this bill, positively. I feel that if a person wants to do something and is able to do so, I think he should have the right to do so.

I agree with the gentlemen on the other side that it is a shame that we have to concern ourselves with this, and that people cannot be decent to each other and respect each other as brothers, thus making it necessary for others to take action on their behalf.

I now ask for a roll call on this measure, Mr. President.

The PRESIDENT. The Clerk will call the roll.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, bowing to the inevitable things which do happen in the Legislature, I would like to state that, having voted under a misapprehension, I would like to change my vote from "aye" to "no."

One of the sponsors of this bill is not in the Chamber at the moment. He was present earlier, but he is not here now. We, therefore, do not have his vote recorded on the official count. Therefore, I would like to change my vote to "no" in order to recover this measure at the appropriate time.

The PRESIDENT. The gentleman will be so recorded.

Mr. LANE. Mr. President, due to the unusual circumstances, I, too, wish to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. SARAFF. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, has the vote been announced yet?

The PRESIDENT. The vote is being calculated and will be announced in a moment.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Kalman,	Murray,	Seyler,
Devlin,	Mahady,	Ripp,	Silvert,
DiSilvestro,	McCreesh,	Rooney,	Stalsey,
Donolow,	McGinnis,	Scott,	Stiefel,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Mullin,		

NAYS—20

Bell,	Kessler,	Propert,	Van Sant,
Berger,	Kromer,	Sarraf,	Wagner,
Fleming,	Lane,	Stevenson,	Ware, III,
Hawbaker,	Madigan,	Stroup,	Weiner,
Keller,	Mallery,	Taylor,	Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, it appears that one of the sponsors of this bill, who was sitting in this Chamber up until the time the vote was taken, suddenly and mysteriously disappeared. Nobody can find him. Therefore, I am going to ask the Chair to find the gentleman and bring him to the Bar of this Chamber. I think we all know who I am speaking about. I do not think that is asking for any kind of action. I did not ask for the doors to be closed, but I think this is a little bit extraordinary. I do not think this is in keeping with the principles which we know are the ones which operate best here.

I have no objection to anyone walking out of here on any measure. It is not so important that we pass this bill now. If we do not pass it during this Session, we will pass it during the next Session. However, I think these kind of tactics certainly are not in keeping with the operation of the Senate and of a democratic body. I have grave misdoubts concerning the operation of any kind of measure in this form.

I well understand the feelings of the gentlemen on the other side, Mr. President. I even understand why they might have done what they have. However, my feeling is against the gentleman, himself. I think you have to have integrity first, and I think you should behave in that manner. If you are against the measure, vote against it; if you are in favor of it, you should vote for it. If you feel that you cannot do either, you can vote "present." However, to disappear from the Chamber, after you have been sitting here, because you feel a controversial measure is coming up, I think is certainly not in keeping with the integrity which people have a right to expect of their elective representatives.

Therefore, Mr. President, I request that this gentleman be found and be brought into this Chamber.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. Berger. Mr. President, I very strenuously object to the request made by the Majority Leader on that phase.

I do not know to whom he is referring. At the same time, I think it is not within the province of the Majority Party, the Minority Party, or anyone else to put a tracer on any Member of this Senate who may be about whatever business he has to transact. If he is not present for a roll call, then he loses his vote.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, during my first term in the Senate—I believe it was in 1935—an amendment to the Workmen's Compensation Law was presented, which provided there shall be no discrimination because of race, creed or color. A Conference Committee was appointed and I was one of the Committee. Representative Brown, who was then a Member of the House and differed with all of his Democratic colleagues who opposed that amendment, joined me and the other Republican Member. By reason of this fact, that amendment is still in the Workmen's Compensation Law.

Personally, I have many people of the colored race in my District. I respect them as much as I do other people of the white race, who deport themselves as good citizens should deport themselves. I just want to make note that I definitely am not in favor of being unfair to people of any race. No one has, nor ever can, accuse me of that.

If I had the opportunity today, Mr. President, to vote on a bill, such as is the present law in Pittsburgh or Allegheny County, I would have voted for it.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I respect the gentleman for his views and I am very happy to see people here who have the courage of their convictions.

My position in this matter is that if you are elected by the people, then your business is to be here and vote on these measures. I feel we should either be in favor of them or against them. This business of shilly-shallying and wishy-washying is certainly not the type of thing for which the people elect you. If you do not want to do this, then do not run for office. I think the people have a right to know who votes on these measures and what they vote for. There are many measures which come before this Body that are not politically expedient for all the Members to vote upon. I voted on tax measures that are not popular in my District and which might hurt me. However, I am asking—and I think I have the right to ask—regardless of whether you are in favor of a measure or against it, that you be here. If you then find you cannot do something about it, I think you have the right to vote "present." Nobody will quarrel with that. However, to deliberately leave the Chamber and not be here, I think should be decried by this entire Body, regardless of which side we sit on.

PERMISSION TO ADDRESS SENATE

Mr. SCOTT asked and obtained unanimous consent to address the Senate.

Mr. SCOTT. Mr. President, I am one of three Members of my Party who have cosponsored this particular measure. I sat here, heard the roll call taken, and voted in accordance with my convictions.

It so happens that the other two Republican cosponsors of this measure are absent. One happens to be out of the State. The other happened to be out of the Chamber at the time the roll call was taken.

I would like to ask Senator Weiner if he intends next Monday to interrogate or to ask that the other Republican Member, who is not here, also be brought before the Bar or the Well of the Chamber. I think in all fairness, to avoid any embarrassment and because it is a known fact that many Members of this Body on previous occasions have left this Chamber so that they would not have to vote on a particular measure, I am going to ask the Majority Leader to reconsider his demand and his request.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, if the record is searched, you will find that I mentioned no name of anyone concerned. I left everyone come to their own conclusion. What I said applies to every Member of this Chamber,

whether he be on our side of the aisle or the other side of the aisle. I think our duty is to be here and to vote on these measures.

I have not pressed for bringing these people in here. I put this to the Chair, who presides over this Body. I have not pressed it. I did not even ask for a second on it. However, I think it is something which we ought to consider very seriously, because I think we get into the position of deminutio capitis. We are diminishing ourselves right in our own Chamber by our own Members. I think we have a position to uphold in what we do as far as the people of Pennsylvania are concerned. I think these tactics do not help us.

PERMISSION TO ADDRESS SENATE

Mr. SCOTT asked and obtained unanimous consent to address the Senate.

Mr. SCOTT. Mr. President, I agree with Senator Weiner that this type of tactic may not help us. However, these tactics are not unknown to this Chamber, and these tactics have been practiced on many occasions in the past.

Senator Weiner said he is not pressing the matter. I presume then that he means what he says, and that he is not pressing for his previous request.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I presented this to the entire Body and addressed my remarks to the Chair, and I did not ask for a second on this matter.

I am well aware that some men are unable to come here at some times. This happens to all of us. We are dealing with human beings; not with machines. One of the sponsors of this bill is on leave of absence. Even if he had not asked for leave of absence, if I had known he was not here, I would not have expected him to be here, nor would I expect him to be brought here.

The thing I am decrying here is to be present in this Chamber and, realizing there is a vote imminent, to leave the Chamber. I think this is ducking your responsibility as a Legislator.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, this is a very important situation, as I view it; particularly the request which was made by the Majority Leader.

I now inquire of the Chair, as long as there is a quorum in the Senate upon which business may be done, whether any authority exists anywhere to require a Member to be here on the floor for a vote.

The PRESIDENT. We have been checking that possibility, and the Chair feels it would be a matter left to the Body. As we know, the Constitution provides that each House shall have its own rules and shall proceed under those rules. Therefore, the majority would determine whether or not we would have a rule that would require the presence of the Membership.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I think we have exhausted this subject and I think everyone is well aware of the situation. Everyone has to be the keeper of his own conscious and his own conduct. I think these gentlemen, who are elected to this Body, are generally recognized as the leaders of their communities. If they have such little regard for their communities and such little regard for themselves as Members, I think that is something they should take up, and I think the people in their communities will take that up at the appropriate time.

RECESS

Mr. WEINER. Mr. President, I would like to now ask for a Senate recess until 1:20 p.m., for the purpose of having some refreshment so that we may return here to the Second Reading Calendar.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:20 p.m.

AFTER RECESS

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

The PRESIDENT pro tempore. The time of recess having elapsed, the Senate will be in order.

At this time, the Chair invites the gentleman from York, Senator Seyler, to the rostrum to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

Mr. WEINER. Mr. President, may we return to page 4 of the Second Reading Calendar? I believe we are on House Bill No. 88, Printer's No. 88. There was a motion by the Minority Leader that this bill go over in its order, and I believe the motion was defeated. May we now read this bill for the second time?

I think the Minority Leader's motion—if I am in error, he will correct me because he is right here—covered all the bills up to, and including, House Bill No. 92, on the Second Reading Calendar.

THE PRESIDING OFFICER. The motion was defeated, and, therefore, we are now on House Bill No. 88.

BILLS ON SECOND READING

HB 88 and **89**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDING OFFICER. The presence of the Lieutenant Governor being noted, the Chair will now return the gavel to the President of the Senate.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILLS ON SECOND READING

HB 90—Mr. BERGER. Mr. President, I desire to offer an amendment to this bill.

Mr. WEINER. Mr. President, on House Bill No. 90, the present amendment proposed would strike out the seven cents and put in four cents. The present rate on this tax is three cents permanent and two cents temporary, and are increasing this by two cents.

I would like to bring to the attention of the Members of the Legislature that this bill—this is the use tax—will bring in $6,965,000. This is the smaller of the two bills. The two cents are estimated to yield during the 1961-1962 period—thirteen months, as I explained earlier in House Bill No. 82—$74,000,000, of which $7,400,000 is returned to the municipalities. The two cents is calculated on this basis: One cent to be used on the Interstate System and the second penny to be used on the 100 per cent State System, which is actually broken down in this fashion. Eight-tenths of a cent is used by the Commonwealth and the remaining two-tenths is returned to the municipalities.

I object to this amendment because of the program as set up by the Secretary. He feels that he needs this money to accomplish this purpose. I, therefore, ask my colleagues to vote "no."

Mr. BERGER. Mr. President, before putting this to a vote, I would like to say first of all in the discussion about these tax measures, I think we said that we would be working them over twice and I think that is true.

These gasoline tax measures, particularly, ought to be held in abeyance. However, that motion has been defeated and I realize it. If we send them up to Third Reading and then put in the amendments, I will be perfectly willing to accept that, if the Majority Leader will not open debate on the bills on Second reading. That is what I have been trying to do all day.

I have a further reason—and a very good reason I believe—to wait to discuss these amendments, and that is that we hope to have Secretary Martin before our Caucus on Tuesday, and we would like to have some clarification on a number of points contained in these tax measures. If we can eliminate debate on Second reading, we will accomplish the same thing on Third Reading by offering our amendments then and working on them.

Mr. WEINER. Mr. President, the gentleman will have no further trouble from me. The gentleman will have no further difficulty with me on that score.

Mr. BERGER. Mr. President, I understand the usual process which has been prevailing of offering amendments to any bills on Third reading will be observed.

Mr. WEINER. Yes, sir. Mr. President, if I understand the gentleman correctly, is he now withdrawing this amendment?

Mr. BERGER. Mr. President, I will withhold the amendment at this time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 91 and **92**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 93—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

HB 93—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 94—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

HB 94—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 95—Read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. KESSLER. Mr. President, on Monday, January 16, a number of House and Senate leaders were invited to the Governor's Office for a preview of the budget. At that time, we were given a number of papers, one of which listed a series of States which had a sales tax but did not give any discounts to the vendors. The statement said that of the thirty-five States and the District of Columbia imposing a sales tax, the following eighteen States do not give discounts to vendors. I took that on face value. However, on checking, I find that it is not quite right, because of those eighteen States listed, eight of them do provide for the vendor—the retailer—to keep the breakage on the sales tax and, in many cases, that breakage amounts to much more than the commissions provided in some of the other States.

Of those eighteen that were listed, Maine was shown as permitting the retailer to retain the breakage. In Michigan, in computing the tax for any month, the vendor may deduct fifty dollars from the gross proceeds taxable. Therefore, there is some reimbursement there.

Actually there are only seven States which do not either provide a discount or a commission of the thirty-five which have a sales tax.

It seems to me that instead of reducing the commission for sales tax collections, we really should increase it because I have heard of no retailer who claims that he does not have to put in additional funds of his own in order to collect this tax. Just recently, the Sales Tax Bureau issued Regulation 502A, which covers the keeping of records. This is a rather voluminous regulation. The record-keeping is a tremendous problem for the average retailer. It seems to me that we are decidedly unfair to our tax collectors, you might say, in not reimbursing them appropriately for the work they are doing for the Commonwealth.

I would like to register my objection to the removal of this sales tax commission, particularly when under our laws we have the most difficult sales tax of most any State for the collection of that tax. It seems to me it is a very unfair burden to place upon these people who are doing a service for the Commonwealth.

Mr. WEINER. Mr. President, I find myself in complete agreement with Senator Kessler; that this is a very difficult sales tax. This is what I have been saying ever since I have been here. I could not always convince the gentleman to see my point of view, but I am glad that he and I are getting closer and closer together on this issue.

The regulation he was talking about was issued due to the fact that they are having some difficulty with some of the taxpayers in trying to compute the sales tax. Some of them are on a formula or use formulae in determining the amount involved. This regulation is merely a suggestion which they can use. If they follow this regulation and use this suggestion—and I think they give two alternate methods of doing it—and have to appear before them, they stand a much better opportunity of having their position taken by the Sales Tax Enforcement Division. If they do not follow their suggestion, they have a more difficult time I think in making out their case with them.

In the same vein, we do not reimburse employers—the United States Government does not and neither does the State—for collecting Workmen's Compensation, Unemployment Compensation, Social Security, Income Tax and all of these other myriad taxes that have grown up and must be collected by the employer, must be reported and must be audited. Anyone who has more than two or three employees needs an accountant to handle this. I know this does not make Senator Propert unhappy. However, an accountant is needed to run these things down because the average small businessman cannot handle this very well.

Once you open this door any wider, you are going to have difficulty. We are faced with the problem of where to get the money to accomplish the services which the State needs. I think this is one place that we can do it without any difficulty. Because of the difficulty in collecting the tax, I am sometimes afraid that the Commonwealth does not get the entire amount that is due it. I am not using this as a means of saying that someone does not completely return the tax. I am sure that all of these people mean well and are men of good will who would be very happy to return it all, but they have difficulty in collecting it and perhaps the Commonwealth does not get its fair share.

The purpose in removing this percentage is to try to help the Commonwealth get, not only its fair share, but its just share.

I think there is some merit to what the Senator said. If we look at a different time, at a different place and when things were different, I would agree with him that we should increase the amount. However, because we are where we are and we have to face reality and face the situation as it exists, and because of the number of people who are making demands upon the State for different services in different areas, I am afraid we just cannot turn a deaf ear and we must look into the cupboard and find any loose change that is lying around and use it. This is one of those areas.

Mr. KESSLER. Mr. President, may I make one observation on the Majority Leader's remarks? The collection of the Social Security Tax and Unemployment Compensation by an employer are almost negigible compared to the problems he runs into when he is collecting sales taxes. A store might have 100 employees and they make deductions once a month, or at the most twice a month, from the employees' wages. However, that same store may have three, four or five thousand sales transactions per day—not per month—which have to be accounted for, and that becomes a tremendous problem.

Mr. WARE. Mr. President, I think another observation is in order at this point, too; to wit., that it certainly has not been established to my satisfaction that the budget which is proposed is a tight budget or is a close budget.

I would like to make a comparison with my own family, with your permission. Just because all of our youngsters ask for a weekly budget of a certain sum, this does not say that we grant it. We frequently reduce it, I think we should explore that possibility with this budget, as well as how we may exhaust every last means of raising the last dollar.

Mr. WEINER. Mr. President, that is one of the reasons why we are holding hearings. I hope that Senator Ware will avail himself of that information. I will assure him that if there is any further information he needs I will try to make it available. After he examines the budget carefully, if he finds we do not need the money, I will be the first one to go with him and see if we can cut down taxes. I do not think there is any man sitting in this room who wants to vote for taxation if we can possibly avoid it. I am hoping the day will come when I can vote for reducing some of these taxes or removing them.

I think Senator Ware will find a lot of company on this side. If we do not need the money, and he can show us that we absolutely do not need it, I will certainly be happy to cosponsor with him any measure that will reduce the taxation and remove the people who are asking for this money.

Mr. WARE. Senator Weiner, probably you and I think more closely alike than I realized. However, Mr. President, I have the further thought that it is our responsibility to determine the budget first, and then explore the means by which we may raise the funds required by that budget.

Mr. WEINER. Mr. President, that is one of the reasons why the hearings are being held during these days and why they are holding them tomorrow, Monday and Tuesday. We are hoping to get through the largest departments, such as the Department of Welfare, Department of Public Instruction and the Department of Revenue. I have announced it here so that everyone will have an opportunity to go to the hearings.

If additional time is needed or there is some area that the Senator would like to probe into, if he will take it up with me and some of the other Members over here, we will be glad to accord him whatever time might be needed to do this.

In keeping with this, we have to try to get on with the business of the Commonwealth and get on to the other measures that are before us.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

HB 96, 97, 98, 99, 100, 101, SB 136 and **137**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION OVER IN ORDER

Senate Concurrent Resolution, **Serial No. 101**—Without objection, the resolution was passed over in its order at the request of Mr. WEINER.

HOUSE MESSAGES

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

The Clerk of the House of Representatives being introduced, presented for concurrence House Concurrent Resolution No. 1, which was referred to the Committee on Rules.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

BILL ON FIRST READING

Mr. SILVERT. Mr. President, I move that the Senate do now proceed to the first reading of the bill reported from committee for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bill was as follows: **SB 23.**

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT BY THE SECRETARY

The following announcement was read by the Secretary of the Senate:

REPUBLICAN CAUCUS ..... 3:00 P. M.
DEMOCRATIC CAUCUS ..... 5:00 P. M.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until **Tuesday, February 7, 1961, at 7:00** p. m.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:56 p. m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 1, 1961

The House met at 10:00 a.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Chair desires to attend the Appropriations Committee hearing and is asking the gentleman from Armstrong to preside. Proceedings will begin according to the pleasure of the Majority Leader.

Mr. HELM IN THE CHAIR.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Eternal God, we thank Thee for this blessed Nation of ours and for the opportunities which this Nation and its people have to guide the destiny of the free peoples of the world. Bless all those in leadership responsibilities and bestow upon them Thy wise counsel to move steadily forward without fear of criticism or failure. Especially, do we ask Thee to bless these members of the House of Representatives of this Commonwealth, and grant them Thy blessed peace: through Jesus Christ, Thy Son our Lord, Who liveth and reigneth with Thee and the Holy Ghost, ever One God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, January 31, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. WEIDNER and PIPER. HOUSE BILL No. 284.

An Act amending "The Permanent Registration Act of Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), authorizing registrars to visit the residence of certain ill, aged disabled persons.

Referred to the Committee on State Government.

By Messrs. WEIDNER and PIPER. HOUSE BILL No. 285.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), further regulating places of registration.

Referred to the Committee on State Government.

By Messrs. POLASKI and TAYLOR. HOUSE BILL No. 286.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to partially exempt certain persons from taxation of real property.

Referred to the Committee on Judiciary.

By Messrs. FINEMAN, McCANN, AGNEW and TOMPKINS. HOUSE BILL No. 287.

An Act amending the act of October 2, 1959 (P.L. 1251) entitled "An act relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; * * *" changing the name of the Chief Clerk elected by the House of Representatives to the Executive Director.

Referred to the Committee on Rules.

By Messrs. WELSH, LAWSON and HARTLEY. HOUSE BILL No. 288.

An Act amending the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168), excluding the Commonwealth and its political subdivisions from the definition of employer.

Referred to the Committee on Rules.

The SPEAKER pro tempore. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, to help expedite things the Minority Leader has asked for a 15-minute caucus. We could grant such a caucus while this procedure is going on. There would be no objection to that, would there? Then we could move things right along. He needs to discuss two rules.

REPUBLICAN CAUCUS

Mr. AGNEW. I thank the Majority Leader, and call a caucus immediately in the Republican Caucus Room for 15 minutes.

Mr. McCANN. It is understood, Mr. Speaker, that the Speaker can go ahead and read bills and refer them while this is going on.

The SPEAKER pro tempore. The Minority Leader has requested a 15-minute caucus for the Republican Members of the House. The Republican Members will report immediately to the Republican Caucus Room on the third floor.

Mr. McCANN. Mr. Speaker, would you wish to attend that caucus and have someone else preside for any reason?

The SPEAKER pro tempore. I believe they can handle the situation very well.

Mr. McCANN. You have already covered it, then? very good.

BILLS INTRODUCED AND REFERRED

By Messrs. WELSH, LAWSON and HARTLEY. HOUSE BILL No. 289.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), further prescribing a minimum work week for State employes and providing for the payment of time and one-half for all overtime work.

Referred to the Committee on State Government.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 290.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the purchase of certain supplies, equipment and materials manufactured in Pennsylvania.

Referred to the Committee on State Government.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 291.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing that one

member of the Industrial Board shall be a qualified fire protection engineer.

Referred to the Committee on State Government.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 292.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that rubbish be covered when transported and fixing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 293.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), excluding certain contracts or purchases for operation of public works from requirement of advertising and bidding.

Referred to the Committee on Boroughs.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 294

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting the sale of liquor and malt and brewed beverages on Christmas Day.

Referred to the Committee on Liquor Control.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 295.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting the purchase or possession of liquor or malt or brewed beverages by minors eighteen years of age or over.

Referred to the Committee on Liquor Control.

By Messrs. O'DELL and BLAIR. HOUSE BILL No. 296.

An Act amending the "Fire Safety Building Regulation Law," approved April 27, 1927 (P. L. 465), further regulating ways of egress in certain buildings.

Referred to the Committee on State Government.

By Messrs. STANK, McDEVITT, FLYNN and ROVANSEK. HOUSE BILL No. 297.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the appointment of personnel in institutions within the Department of Public Welfare.

Referred to the Committee on State Government.

By Messrs. STANK, BOWER and PETROSKY. HOUSE BILL No. 298.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing membership of the State Board of Medical Education and Lincensure.

Referred to the Committee on Professional Licensure.

By Messrs. HOLMAN, LIPPINCOTT, McNALLY and MURPHY. HOUSE BILL No. 299.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the disposition of certain fines and forfeitures.

Referred to the Committee on State Government.

By Messrs. WILLARD, GOODRICH, FARABAUGH, RENWICK and CURWOOD. HOUSE BILL No. 300.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring informations to be brought before the nearest available magistrate or justice of the peace.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. RUTHERFORD, ESHLEMAN, BONNER and MURPHY. HOUSE BILL No. 301.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for separate computation of tuition for junior high school tuition pupils and senior high school tuition pupils at the request of the receiving district.

Referred to the Committee on Education.

By Messrs. FARABAUGH, PRENDERGAST, and McNALLY. HOUSE BILL No. 302.

An Act amending the "Pennsylvania Fertilizer Law of 1956," approved May 29, 1956 (P. L. 1795), providing for the filing of reports and statements by certain persons, changing the method of sampling, inspection and analysis.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and McNALLY. HOUSE BILL No. 303.

An Act amending the act of April 30, 1929 (P. L. 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock: * * * further providing for the annulling, vacating and forfeiting of the articles of associations and letters patent issued to such associations; and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and McNALLY. HOUSE BILL No. 304.

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for prifit, * * * further providing for the annulling, vacating and forfeiting of the articles of associations and letters patent issued to such associations; * * *.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and DAVIS. HOUSE BILL No. 305.

An Act amending the act of September 23, 1959 (P. L. 923), entitled "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof; * * *; further regulating fences; and deleting certain requirements relating to the keeping of records.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARBAUGH, PRENDERGAST and McNALLY. HOUSE BILL No. 306.

An Act amending the act of July 22, 1913 (P. L. 928), entitled "An act relating to domestic animals; * * * providing methods of improving the quality thereof, and of preventing, controlling, and eradicating diseases thereof; * * * and providing penalties for the violation of this act,"

prohibiting persons from impending or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. ROVANSEK, FARABAUGH and PRENDERGAST. HOUSE BILL No. 307.

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915, (P. L. 587) changing certain penalties and providing for license suspensions.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. ROVANSEK, FARABAUGH and PRENDERGAST. HOUSE BILL No. 308.

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," further providing for the paying of premiums; imposing powers and duties on the Secretary of Agriculture; further determining what associations are to receive money from the Commonwealth; and deleting certain war time and obsolete provisions.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, RENWICK and PRENDERGAST. HOUSE BILL No. 309.

An Act amending the "Olemargarine or Butterine Law," approved June 30, 1947 (P. L. 1154) defining certain terms.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, RENWICK and PRENDERGAST. HOUSE BILL No. 310.

An Act repealing section 6 of the "Oleomargine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, McNALLY and PRENDERGAST. HOUSE BILL No. 311.

An Act amending the "Olemargarine or Butterine Law," approved June 30, 1947 (P. L. 1154), increasing certain fees.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, RENWICK and PRENDERGAST. HOUSE BILL No. 312.

An Act amending the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154) providing for the use of the word margarine.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and McNALLY. HOUSE BILL No. 313.

An Act amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547), creating the State Soil and Water Conservation Commission and districts; imposing powers and duties thereon; * * * and making editorial corrections.

Referred to the Committee on State Government.

By Messrs. LIPPINCOTT, GIBBONS, Mrs. KERNAGHAN and Mr. ISAACS. HOUSE BILL No. 314.

An Act amendnig the act of September 8, 1959 (P. L. 846) entitled, "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes," providing that certain papers may be destroyed without reproducing the same.

Referred to the Committee on Counties.

By Messrs. WILLAREDT, FETTEROLF and Mrs. HENZEL. HOUSE BILL No. 315.

An Act amending the act of September 23, 1959 (P. L. 941), entitled "An act authorizing the Department of Property and Supplies * * * to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County," further providing for an easement in lands situate in the Township of Skippack, Montgomery County.

Referred to the Committee on State Government.

By Messrs. SAKULSKY, REIDENBACH, MAXWELL and MILLS. HOUSE BILL No. 316.

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines and prescribing permit fees; and providing penalties," prohibiting the sale or delivery of explosives to persons not complying with this act and imposing penalties and imposing additional duties on manufacturers.

Referred to the Committee on State Government.

By Messrs. VERONA, SNARE, ESHBACK and PRENDERGAST. HOUSE BILL No. 317.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P.L. 30) providing for architects' plans to be furnished by the Department of Public Instruction.

Referred to the Committee on Education.

By Messrs. BLAIR and VERONA and Mrs. REIBMAN. HOUSE BILL No. 318.

An Act amending the "Third Class County Board Assessment Law" approved June 26, 1931 (P. L. 1379), imposing certain minimum limitations on making assessments.

Referred to the Committee on Counties.

By Mr. FLYNN, Mrs. HENZEL and Messrs. ASHTON and ROVANSEK. HOUSE BILL No. 319.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

Referred to the Committee on Townships.

By Messrs. CURWOOD, MURRAY, PRICE and PIPER. HOUSE BILL No. 320.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance

thereof; * * *," changing the age at which a member of a police force may retire.

Referred to the Committee on Municipal Corporations.

By Messrs. McCORMACK and A. D. WILLIAMS.
HOUSE BILL No. 321.

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases, and for the allowance of expenses and compensation in such cases," extending the benefits of the act.

Referred to the Committee on Judiciary.

By Messrs. M. H. GOLDSTEIN, WILT, GELFAND and McCORMACK. HOUSE BILL No. 322.

An Act providing for the assignment of counsel to persons accused of crime.

Referred to the Committee on Judiciary.

By Messrs. HORST, GEORGE and STANK.
HOUSE BILL No. 323.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), specifically exempting from taxation all property used for public highways.

Referred to the Committee on Counties.

By Messrs. MURRAY, GUESMAN and WYND.
HOUSE BILL No. 324.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), prohibiting the passing of other vehicles near schools.

Referred to the Committee on Motor Vehicles.

By Messrs. MURRAY, JENKINS and WYND.
HOUSE BILL No. 325.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), prescribing further payments by the Commonwealth to school districts on account of pupil transportation.

Referred to the Committee on Education.

By Messrs. SAKULSKY, MILLS, MAXWELL and BACKENSTOE. HOUSE BILL No. 326.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the annual vacation of police officers.

Referred to the Committee on Cities—Third Class.

By Messrs. PERRY, MAY, FRASCELLA and GELFAND. HOUSE BILL No. 327.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania exempting personal and property taxes of retired persons over the age of sixty-five from the requirement of uniformity.

Referred to the Committee on Judiciary.

By Mr. JIM. HOUSE BILL No. 328.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

Referred to the Committee on Boroughs.

By Messrs. MURRAY, GUESMAN and JENKINS.
HOUSE BILL No. 329.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for compensation for school directors.

Referred to the Committee on Education.

By Messrs. McCORMACK, SHUPNIK, HAMILTON and GAILEY. HOUSE BILL No. 330.

An Act defining and regulating the conduct and activities of officers and employes of the Commonwealth and firms, partnerships, associations and corporations in which such persons are members or stockholders; * * *.

Referred to the Committee on Judiciary.

By Messrs. LAMB, CLARKE, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 331.

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Referred to the Committee on Judiciary.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 332.

An Act amending the act of July 5, 1957 (P. L. 485) entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; * * *" Changing the expiration dates of licenses and registrations and further providing for the marking of labels.

Referred to the Committee on Liquor Control.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 333.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 334.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) further regulating the transfer of dog and kennel licenses; making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases, and providing for the payment of damages in certain cases.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 335.

An Act amending the act of June 29, 1923 (P. L. 929), entitled "A supplement to an act, approved the twenty-first day of March, one thousand nine hundred twenty-three (P. L. 28), entitled 'An act for the prevention of fraud and the protection of the public health; relating to milk * * *' defining condensed, concentrated, and evaporated skimmed milk, and compounds thereof; * * *" removing certain limitations.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 336.

An Act repealing the act of May 24, 1917 (P. L. 266), entitled "An act regulating the packing of apples, providing penalties for violations, and imposing certain duties upon the Department of Agriculture."

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, PRENDERGAST and YETTER. HOUSE BILL No. 337.

An Act providing for the issuing, administration, enforcement and termination of marketing orders on agricultural commodities; imposing powers and duties on the Secretary of Agriculture; providing for the creation and operation of an advisory board; prescribing the contents of orders; and providing for the imposition and collection of fees.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. SAKULSKY and MAXWELL. HOUSE BILL No. 338.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) requiring overhead exhaust outlets on diesel motor vehicles.

Referred to the Committee on Motor Vehicles.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 339.

An Act to regulate nominations and elections for offices of judge of a court of record; providing for nonpartisan nominations and elections for said offices; * * *.

Referred to the Committee on Judiciary.

By Messrs. McCANN, AGNEW, ROVANSEK and GEORGE. HOUSE BILL No. 340.

A Supplement to the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), extending the provisions of the act to govern the rights, duties, and obligations of nonprofit hospital and other health care employers and their employees; * * *.

Referred to the Committee on Labor Relations.

By Mr. VARNER, Mrs. MARKLEY, Mrs. REIBMAN and Mr. SHUPNIK. HOUSE BILL No. 341.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), granting credit for prior school service upon certain additional payments into the fund.

Referred to the Committee on Education.

By Messrs. GRAMLICH, DAVIS, MERRY and YETTER. HOUSE BILL No. 342.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting trade in decorations, paper wearing apparel, leis, hats and noise makers with paper fringe that are not of fire-resistant material and labeled as such.

Referred to the Committee on State Government.

By Messrs. WALSH and KAMYK. HOUSE BILL No. 343.

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. PERRY, J. A. SULLIVAN, LAWSON and WELSH. HOUSE BILL No. 344.

An act authorizing deductions from wages or salary of any Commonwealth employe for payment of certain union dues and the payment of such moneys to the union treasurer.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. ADAMS. RESOLUTION No. 20

In the House of Representatives, January 31, 1961.

Legislative Route 06113, popularly known as the Pricetown Road, starting at the Reading City line and extending through the townships of Muhlenberg, Alsace, Ruscombmanor and Rockland, and ending at New Jerusalem, in Berks County, is a narrow, dangerous roadway, which has been the scene of frequent serious traffic accidents, several resulting in multiple fatalities.

It is of vital importance to the residents of Berks County that immediate, decisive action be taken by the Department of Highways to alleviate the dangers on Legislative Route 06113 in Berks County, and make it suitable to perform its proper functions as a safe traffic artery through the populous area which it serves and extend it to other areas which should have free and safe highway access to the various municipalities in Berks County; therefore be it

Resolved, That the Department of Highways is hereby requested to make an examination and study of the feasibility of widening, improving and reconstructing Legislative Route 06133 between the Reading City line and New Jerusalem, and of extending this State route to Allentown, Pensylvania, as a new and modern highway, and to take such measures as may be possible and practicable in order to carry out the findings uncovered by its examination and study.

Referred to the Committee on Rules.

By Messrs. TOMASCIK, AGNEW, TOMPKINS and McCANN. RESOLUTION No. 21

In the House of Representatives, January 31, 1961.

President Dwight D. Eisenhower is now a private citizen of this Commonwealth, having established a residence in Cumberland Township, Adams County, near Gettysburg.

He has completed two terms as President of the United States leaving behind him a record of unselfish devotion to the people of this nation. His record as a distinguished statesman and world leader for peace and international unity is outstanding.

It is both fitting and proper that the Commonwealth of Pennsylvania should welcome President and Mrs. Eisenhower to their adopted home; therefore be it

Resolved (the Senate concurring), That President and Mrs. Eisenhower be welcomed to this their first permanent home; and be it further

Resolved, That President Eisenhower be commended for his extraordinary efforts on behalf of world peace and international harmony; and be it further

Resolved, That President Eisenhower be invited to address a joint meeting of the House of Representatives and the Senate; and be it further

Resolved, That a joint committee be appointed consisting of three members from the House of Representatives and three members from the Senate to escort President

Eisenhower to the rostrum of the House; and be it further

Resolved, That the three members from the House shall be Mr. Worley, Mr. McCann and Mr. Tomascik; and be it further

Resolved, That the Senate committee consist of Senator DiSilvestro, Senator Berger and Senator Weiner as members of this joint committee: and be it further

Resolved, That Mr. Worley, the Representative of Mr. Eisenhower's district is hereby made Chairman of this committee and Mr. Worley shall proceed at his earliest convenience to the home of President and Mrs. Eisenhower and personally present the former President with a copy of this resolution and make full arrangements for the address by the President before a joint meeting of the House and Senate.

Referred to the Committee on Rules.

By Messrs. GELFAND, SHERMAN, PERRY and GALLAGHER.

RESOLUTION No. 22.

In the House of Representatives, January 31, 1961.

Whereas, There are many areas within the Commonwealth of Pennsylvania which are sources of chronic unemployment; and

Whereas, There are many areas within the Commonwealth burdened with a surplus of labor; and

Whereas, These conditions have created many cases of hardship as well as placing additional burdens upon the communities wherein these areas exist; and

Whereas, There are numerous industries, firms and merchants which employ Pennsylvania residents and which manufacture and sell commodities utilized by agencies and departments of the Commonwealth; and

Whereas, Said industries, firms, concerns and merchants oft times require additional sales stimulus in order to continue in operation and continue employment of Pennsylvania residents and;

Whereas, Said industries, firms concerns and merchants in many instances are not sucessful in their efforts to sell said commodities to the agencies and departmens of the Commonwealth, therefore be it;

Resolved, That all agencies including the Department of Property and Supplies, making purchases for the Commonwealth of Pennsylvania be urged to give preference to industries, firms, concerns and merchants having their place of business within the Commonwealth and which give employment to residents of Pennsylvania; and be it further

Resolved, That copies of this resolution be sent to the Governor and the Secretary of the Department of Property and Supplies.

Referred to the Committee on Rules.

By Messrs. DOWN and MURRAY.

(Concurrent) RESOLUTION No. 23.

In the House of Representatives, January 31, 1961.

From time to time the various practices, rules and regulations of the Milk Control Commission have been subjected to wide public criticism.

Members of the General Assembly have been asked by various groups of consumers and producers as to the propriety of the commission's rules, regulations and practices, including those relating to fixing of milk and cream prices and the reasons why milk produced in this Commonwealth and distributed in a neighboring state is cheaper when bought there by a Pennsylvania consumer than in the state wherein it was produced; therefore, be it

Resolved, (the Senate concurring), That the Speaker of the House of Representatives appoint a committee of three members of the House and the President pro Tempore of the Senate appoint three members of the Senate, who together shall constitute a joint committee to make a thorough study of the rules, regulations and practices of the Milk Control Commission, including price fixing of milk and cream; and be it further

Resolved, That the committee may meet, hold hearings, take testimony and make its investigation whether the General Assembly is in session or in recess. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce any books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee make a report of their findings and recommendations to this session of the General Assembly as soon as possible.

Referred to the Committee on Rules.

SENATE RESOLUTION FOR CONCURRENCE

SENATE RESOLUTION SERIAL No. 107.

Memorializing the Congress of the United States to support and enact a temporary Unemployment Compensation Act to extend unemployment benefits.

Referred to the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. WORLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WORLEY. I want the record to show that I had planned to vote for and that I favor the policy and purpose of House bills Nos. 70, 71, 72, 73 and 74 when these bills passed this House of Representatives on January 31, 1961, and I voted against these bills at that time only for the reasons set forth by the Republican Floor Leader, Mr. Agnew, in his remarks at that time.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

BILL RE-REFERRED

Mr. POLASKI from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Municipal Corporations, House Bill No. 156, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employes of certain associations within the act.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

REPORT FROM COMMITTEE

Mr. LUTTY from the Committee on State Government, reported as amended, House Bill No. 56, entitled:

An Act amending "The administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing departments, boards and commissions to train personnel.

RESOLUTION

PROPOSING AMENDMENT TO HOUSE RULE 22

Mr. McCANN offered a resolution which was read by the Clerk as follows:

In the House of Representatives,
Wednesday, February 1, 1961.

Resolved, that Rule 22 is hereby amended in paragraph 4, item 13, by striking out:

"Highways; to consist of 20 members" and inserting in lieu thereof the following:

"Highways; to consist of 22 members".

On the question,

Will the House adopt the resolution?

Mr. AGNEW. Mr. Speaker, this was not discussed in our caucus and, just by way of explanation, the Majority Leader requested yesterday that the Highways Committee be increased from 20 to 22 members, adding one Democrat member and one Republican.

In compliance with his request we feel that we can go along with this and very happily do so.

Mr. McCANN. Mr. Speaker, the remarks stated by Mr. Agnew are correct and the committee will have one additional Republican and one additional Democrat Member which will be later incorporated in the supplement of the Committee on Committees' report.

The SPEAKER pro tempore. The Chair is requesting the gentleman from Cameron, Mr. Tompkins, to vote for the Chair and to vote aye.

Mr. McCANN. Under the House rules I have asked the Speaker presiding to cast the Speaker's vote, Mr. Andrews, aye, who proposed this amendment.

The SPEAKER pro tempore. Under the rules the Speaker's vote cannot be cast unless he is present in the hall of the House.

Mr. McCANN. Well, then, under this situation, the gentleman are at the Appropriations Committee hearing. Of course, the votes are sufficient; no question. Do you want me to bring them in or let them proceed with the hearing?

The SPEAKER pro tempore. The Chair notes that the Members of the Appropriations Committee hearing are entering the hall of the House. So we will hold the vote until the Members are given on opportunity to arrive in the hall of the House.

Mr. McCANN. Mr. Speaker, Mr. Bower is here. We do not need the Members who are on the Appropriations Committee. They can proceed. They are going to 11:00 o'clock and they are right in the middle of testimony. They can proceed and do not need to come and vote.

The SPEAKER pro tempore. The Chair has no objection. The Committee has the permission of the House to leave. All Appropriations Committee members may return to their committee meeting.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER pro tempore. One hundred fifty-seven Members having voted in the affirmative and one in the negative, the question was determined in the affirmative and the resolution was adopted.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 44, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 217, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the definition of "unprotected birds" to exclude snowy owls.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 29, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools, amending, revising, consolidating and changing the laws relating thereto," increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 40, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, repealing section seventeen thereof, which authorized the borrowing of money to defray State Government expenses for the biennium beginning June 1, 1933.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS PASSED OVER

There being no objection

House Bill No. 43, Printer's No. 43,
House Bill No. 51, Printer's No. 51,
House Bill No. 53, Printer's No. 53,
House Bill No. 77, Printer's No. 77,
House Bill No. 78, Printer's No. 78,
House Bill No. 79, Printer's No. 79,
House Bill No. 80, Printer's No. 80,
House Bill No. 127, Printer's No. 127, and
Senate Bill No. 1, Printer's No. 1,

were passed over at the request of the SPEAKER pro tempore.

Mr. McCANN. Mr. Speaker, we are going to vote on House Resolution 1 and, of course, separately the Rules.

Nos. 19, 46, 48 and 61. We are going to divide the questions. The Appropriations Committee is going to break at 11 o'clock. Could we start to debate on the one they want to under House Resolution No. 17?

The SPEAKER pro tempore. Does the gentleman desire to call up House Resolution No. 17?

Mr. McCANN. Mr. Speaker, I am in position to call up House Resolution 17 and then divide the question.

The SPEAKER pro tempore. The Chair hears no objection. The Chair lays before the House, House Resolution No. 17.

HOUSE RESOLUTION No. 17

RESOLUTION PROPOSING AMENDMENT TO HOUSE RULE 19

In the House of Representatives, January 30, 1961.

Resolved That Rule 19 be amended by adding thereto the following

RULE 19 B COMMITTEE OF THE WHOLE QUESTION TIME

The House upon motion made only by the Majority Leader and seconded only by the Minority Leader may by majority vote resolve itself into a Committee of the Whole for "Questions and Answers" relating exclusively to departmental legislation pending on the House calendar

Questions must be in writing signed by the members requesting information and be sent to the Majority or the Minority Leader

The Majority and Minority Leaders shall present questions received from the members to the Committee on Rules for examination When approved by the committee a copy of the question shall immediately be forwarded by the House leaders jointly to the head of the department affected together with a written request that he appear before the Committee of the Whole House at a designated time to answer the questions submitted to him The Committee may at its discretion ask for a written reply

Questions for oral answer which have been approved by the Committee on Rules shall be printed each with a number under an appropriate heading on the House calendar at least two legislative days in advance of the time fixed by the House for the sitting of the Committee of the Whole

Members will be recognized by the Chair to ask the questions in the order they are listed on the House calendar after which the head of the department to whom the question has been directed will be recognized for reply

When the head of a department has answered a question the Speaker at his discretion may permit members to put supplemental questions arising out of the reply but there shall be no debate

When the Committee of the Whole is sitting for "Questions and Answers" the Speaker shall preside

A motion may be made in the House to print the "Question and Answer" proceedings in the Legislative Journal

RESOLUTION PROPOSING AMENDMENTS TO HOUSE RULES 46 AND 48

Resolved That the Rules of the House be amended as follows

RULE 46 FIRST READING BILLS

Rule 46 which reads

"Bills shall be read the first time in their order on the calendar They shall be considered without debate Amendments shall not be proposed nor is any other motion in order on first reading"

is hereby amended by substituting therefor the following

"Bills reported from committees as amended shall be read the first time in their order on the calendar Bills reported from committees as committed shall be read for the first time if in print when reported They shall be considered without debate Amendments shall not be proposed nor is any other motion in order on first reading"

RULE 48 THIRD READING BILLS

Rule 48 is hereby amended by striking out paragraph 2 which reads

"Amendments on third reading may not be considered except by a majority vote of the Members elected"

and inserting in lieu thereof the following

"Any member may move to amend a bill during its third reading"

RESOLUTION PROPOSING AMENDMENT TO HOUSE RULE 61

Resolved That Rule 61 be amended by adding thereto a new paragraph as follows

RULE 61 DEBATE

"With the unanimous consent of the House a member may make a statement not exceeding ten minutes in length concerning a subject or matter not pending before the House for consideration providing the Majority and Minority Leaders have agreed on a time the member is to ask for recognition"

The SPEAKER pro tempore. Does the Majority Leader desire to have the rule read at length?

Mr. McCANN. Rule 19 first, Mr. Speaker, separately.

The SPEAKER pro tempore. Does the gentleman desire to have the rule read at length?

Mr. McCANN. I do not, but if the membership desires the same, I certainly would appreciate it.

The SPEAKER pro tempore. What is the desire of the Minority Leader?

Mr. AGNEW. We do not need it, Mr. Speaker, but if we cannot take a roll call vote until 11 o'clock, you might as well read it at length. We do not have any extensive debate prepared for it.

The SPEAKER pro tempore. The Clerk will read the rule for the information of the Members.

The amendments to Rule 19 were read by the Clerk as follows:

Resolved That Rule 19 be amended by adding thereto the following

RULE 19 B COMMITTE OF THE WHOLE QUESTION TIME

The House upon motion made only by the Majority Leader and seconded only by the Minority Leader may by majority vote resolve itself into a Committee of the Whole for "Questions and Answers" relating exclusively to departmental legislation pending on the House calendar

Questions must be in writing signed by the members requesting information and be sent to the Majority or the Minority Leader

The Majority and Minority Leaders shall present questions received from the members to the Committee on Rules for examination When approved by the committee a copy of the question shall

immediately be forwarded by the House leaders jointly to the head of the department affected together with a written request that he appear before the Committee of the Whole House at a designated time to answer the questions submitted to him The Committee may at its discretion ask for a written reply

Questions for oral answer which have been approved by the Committee on Rules shall be printed each with a number under an appropriate heading on the House calendar at least two legislative days in advance of the time fixed by the House for the sitting of the Committee of the Whole

Members will be recognized by the Chair to ask the questions in the order they are listed on the House calendar after which the head of the department to whom the question has been directed will be recognized for reply

When the head of a department has answered a question the Speaker at his discretion may permit members to put supplemental questions arising out of the reply but there shall be no debate

When the Committee of the Whole is sitting for "Questions and Answers" the Speaker shall preside

A motion may be made in the House to print the "Question and Answer" preceedings in the Legislative Journal

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, evidently we are finished at this point with debate or whatever discussion there may be on the proposed amendment to rule 19. Of course, we are ahead of schedule consistently, for which I am most pleased at all times. The Appropriations Committee, when they were here a while ago and talked to us, stated that at 11 o'clock they would be taking a break, from 11 until 2, I believe, so I was wondering if there is any other person wanting to debate this for a matter of a few minutes. I would appreciate it at this point.

The SPEAKER pro tempore. Does the Minority Leader desire to be recognized?

Mr. AGNEW. No, Mr. Speaker, but I will second the Majority Leader's remarks and ask if anybody would like to make a speech on the proposed amendment to House rule 19.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, will the Majority Leader consent to be interrogated on the amendments?

Mr. McCANN. Mr. Speaker, I will.

Mr. MURPHY. Mr. Speaker, will you have the Majority Leader explain to me, being rather a novice at legislative procedure, who may make such a motion for a meeting of the Committee of the Whole under the present rule?

Mr. McCANN. Any Member of this House, while the House is in session.

Mr. MURPHY. Mr. Speaker, would the amendments to this rule now preclude any Member and restrict the motion to the Majority and Minority Leaders? Is that correct?

Mr. McCANN. No, Mr. Speaker, the present rule 19 as it now exists in your rule book, still is and will be in existence if the amendment passes, but the amended rule 19 provides the procedure that is outlined, if you have your mimeographed copy in your possession, which means that no Member of this House, while the House is in session, would be excluded from making such a motion. Of course, then it would have to carry, sir.

Mr. MURPHY. In other words, Mr. Speaker, as I understand it, a Member still has his right to make the motion for a meeting of the Committee of the Whole?

Mr. McCANN. Under the present rule 19 as it now is in the book, and as it would remain, permits each Member to still have that right, sir.

Mr. MURPHY. Mr. Speaker, the word "only" in line 5, perhaps the Majority Leader could explain that to us, "only by the Majority Leader." Does that mean only on matters affecting departments?

Mr. McCANN. Only on matters affecting legislation pending on the House calendar before this House. The Committee of the Whole question can be raised on any item, whether it is legislation or any other item, at any time, and should it carry it can then proceed to operate as a Committee of the Whole. This strictly pertains to legislation, and nothing else, which would have gone through a committee and is on the House calendar before the membership of this House. Then read 19(b).

Mr. MURPHY. Then, Mr. Speaker, as I understand it, that is only for legislation which has already come out of committee and is on the calendar?

Mr. McCANN. Absolutely correct.

Mr. MURPHY. And on matters which are not on the calendar, which are somewhere else, perhaps in committee, any Member could still call for a Committee of the Whole to consider that legislation?

Mr. McCANN. He could call for a Committee of Whole on 19 on that or any other item.

Mr. MURPHY. But the Members would then be restricted in one particular phase and that is on legislation which is on the calendar?

Mr. McCANN. That is right, Mr. Speaker.

Now, if 19(b) was adopted and a bill has been introduced by proper membership sponsor and assigned by the Speaker to a committee and the committee has acted on it and reported same to the floor, it is now on the House calendar and in print in front of you. Under 19(b) it would set up a procedure which would help to have this House operate in regard to answering technical and helpful questions.

A good example I can use, Mr. Speaker and Members of this House, is that two years ago there were technical bills before this House. One was on UC; the other was on retirement, which you all voted for; everybody in here voted for it. The two people who knew the answers very well were Martin Mihm of Allegheny County and Adam Bower of Northumberland County, yet I assure you, when you voted for it, you did not know what you voted for, but you voted to help yourself. Technically, these are the types of things which are very difficult to explain, and the proper place for explanation of such a technical feature would have helped under this procedure. We tried to do it in each respective caucus.

Mr. MURPHY. Mr. Speaker, it is unfortunate that only two Members of the House understand this particular bill that we all voted and passed. I was not aware of that at the time. I would have voted no, or re-referred it to a committee.

Mr. McCANN. Mr. Speaker, I strike that from the record in this respect: when I talk about technical features of a retirement bill, I never want to imply that the Members do not know what is in the bill. But if someone

started to work with a retirement bill and our retirement procedure, state employes; legislative retirement, judiciary retirement, separate retirement bills that have been passed into law, I am sure it becomes very complicated and very difficult for some people to be able to understand the provisions of the bill dealing with 1/180th, 1/140th, $50 for each year, $250 for each year, compounded annually, semi-annually, each of these technical questions, prior service, state service, legislative service, other service, but I assure you that the gentleman did know what he voted for on those bills.

Mr. MURPHY. Mr. Speaker, I thank the gentleman. I have one further question, does the amendment to this resolution merely intend to protect some various administrative departments or department heads, whereby the Members of this Legislature will have to submit written questions and then give the department heads time to prepare their answers on those questions? That is, my question is, is it merely intended to protect those various department heads from appearing before us and accepting oral interrogation?

Mr. McCANN. Mr. Speaker, I do not believe I can quite answer the question in its entirety in this manner. I do not know the last time the record shows this House acted as a Committee of the Whole. We have passed such a motion but I do not know when. As to protecting the department heads, the answer would be that it is not for protection in the sense of trying to protect them from assisting us, but in an effort to help them to also have the question which would be printed and in order and their replies to us dealing with that particular subject that is on the calendar of legislation, because that is the purpose.

Mr. MURPHY. I thank the gentleman, Mr. Speaker.

The SPEAKER pro tempore. The Chair now recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, since the Majority Leader is stalling for time and solicits inquiries, I would like to ask him this, is there anything this House is going to do today other than to vote on these resolutions?

Mr. McCANN. Yes, on these resolutions, and just a few minutes ago we got the agreement dealing with the Senate on the timetable for next week.

Mr. LIPPINCOTT. Is there any reason why we could not have voted on these resolutions before we adjourned yesterday?

Mr. McCANN. No, there would be no reason, but then we still would have had to have the House in session today on this resolution dealing with next week, which has been agreed to now. The Senate will come in on Tuesday at 7:00 p.m. We will not adjourn this House even though we are finished with all business, awaiting in recess until such time as certain bills have passed in which the Speaker shall sign the same that evening, whatever the time may be on Tuesday, February 7.

Mr. LIPPINCOTT. Mr. Speaker, that was not agreed upon yesterday.

Mr. McCANN. It could not have been because it was agreed late in the night or early this morning.

Mr. LIPPINCOTT. Is that the only reason we had to stay over?

Mr. McCANN. Actually, Mr. Speaker, to be honest, yes. I voted everything yesterday.

Mr. LIPPINCOTT. That was not the explanation given yesterday though, was it?

Mr. McCANN. I did not have the answer yesterday.

Mr. LIPPINCOTT. I thank the gentleman.

The SPEAKER. Is the Majority Leader ready to vote?

Mr. McCANN. Mr. Speaker, it is 11:00 o'clock. I understood the Appropriations Committee is out. I see Mr. Hocker here now. It was my understanding that they would bread at 11 until 2.

Mr. Speaker, I think we might just take one minute. The gentlemen are coming in now. They have recessed their meeting. We will be ready then as soon as they walk into the hall of the House.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. AGNEW and TOMPKINS and were as follows:

YEAS—161

Adams,	Fulmer,	Long, Wm. Jas.,	Scarcelli,
Agnew,	George,	Long, Wm. Jos.,	Schaaf,
Anderson, J. H.,	Gibbons,	Lutty,	Seltzer,
Anderson, S. A.,	Goldstein, J. H.,	Manbeck,	Shelton,
Arlene,	Goodrich,	Markley,	Sherman,
Ashton,	Gramlich,	Marsh,	Shupnik,
Auker,	Gray,	May,	Simmons,
Bachman,	Gremminger,	McCandless,	Slack,
Backenstoe,	Guesman,	McCann,	Snare,
Blair,	Hamilton,	McDevitt,	Stank,
Bonner,	Hankins,	McDonald,	Steckel,
Bossert,	Hartley,	McInroy,	Stimmel,
Breth,	Heavey,	McKeever,	Stone,
Buchanan,	Helm,	McLaughlin,	Sullivan, J. A.,
Capano,	Henzel,	Meholchick,	Sullivan, T. F.,
Capitolo,	Hocker,	Merry,	Taylor,
Cauley,	Holliday,	Mihm,	Thompson,
Cianfrani,	Holman,	Miller,	Tomascik,
Cioffi,	Horst,	Monroe,	Tompkins,
Clarke,	Irvis,	Morley,	Trusio,
Comer,	Jenkins,	Muldowney,	Ujobai,
Crossin,	Jim,	Mullen,	Varner,
Curwood,	Johnson, R. P.,	Munley,	Verona,
Davis,	Jones,	Murphy,	Wall,
Dengler,	Keiser,	Musto,	Weidner,
Donaldson,	Kelly,	Needham,	Welsh,
Doughten,	Kernaghan,	O'Dell,	Wescott,
Down,	Kessler,	O'Donnell, J. A.,	Whittaker,
Edwards,	King,	Ogilvie,	Willard,
Eilberg,	Kistler,	Pashley,	Willaredt,
Elvey,	Klein,	Perry,	Williams, A. D.,
Eshback,	Knecht,	Petrosky,	Williams, E. S.,
Eshleman,	Kooker,	Piper,	Wood,
Fetterolf,	Kramer,	Polaski,	Worley,
Filo,	Lamb,	Polen,	Wynd,
Fineman,	Lawson,	Pursley,	Yetter,
Flynn,	Lee, A. M.,	Renwick,	Zimmerman,
Foor,	Lee, K. B.,	Riley,	Andrews,
Fox,	Leonard,	Rubin,	Speaker
Frascella,	Limper,	Rudisill,	
Fry,	Lippincott,	Rutherford,	

NAYS—16

Dennison,	Gross,	McNally,	Stiteler,
Farabaugh,	Isaacs,	Price,	Strausser,
Gailey,	Korns,	Reibman,	Walsh,
Goldstein, M. H.,	Maxwell,	Sakulsky,	Wilt,

NOT VOTING—31

Boles,	Foerster,	Kamyk,	Parlante,
Bower,	Gallagher,	Kornick,	Prendergast,
Bowman,	Gelfand,	Magee,	Reidenbach,
Branca,	Gibb,	McCormack,	Rovansek,
Bush,	Guthrie,	Mills,	Royer,
Cooley,	Haudenshield,	Murray,	Schuster,
Dougherty,	Heffner,	O'Donnell, J. P.,	Wargo,
Ewing,	Johnson, A. W.,	Odorisio,	

So the question was determined in the affirmative and the amendments were agreed to.

Mr. McCANN offered the following amendments to House rules 46 and 48.

The amendments to House rules 46 and 48 were read by the Clerk as follows:

RESOLUTION PROPOSING AMENDMENTS TO HOUSE RULES 46 AND 48

RESOLVED That the Rules of the House be amended as follows

RULE 46 FIRST READING BILLS

Rule 46 which reads
"Bills shall be read the first time in their order on the calendar. They shall be considered without debate. Amendments shall not be proposed nor is any other motion in order on first reading," is hereby amended by substituting therefor the following:
"Bills reported from committees as amended shall be read the first time in their order on the calendar. Bills reported from committees as committed shall be read for the first time if in print when reported. They shall be considered without debate. Amendments shall not be proposed nor is any motion in order on first reading."

RULE 48 THIRD READING BILLS

Rule 48 is hereby amended by striking out paragraph 2 which reads
"Amendments on third reading may not be considered except by a majority vote of the Members elected."
and inserting in lieu thereof the following
"Any member may move to amend a bill during its third reading."

On the question,

Will the House agree to the amendments?

Mr. AGNEW. Mr. Speaker, our position is in opposition to proposed amendments to rules 46 and also 48, which is a follow-up to rule 46, and I would assume that if one falls the other one would too. Now, our reasons for opposing the proposed amendments to rule 46 are as follows:

We feel that generally there is nothing basically wrong with the proposed rule change. However, this change would give the Majority one more weapon if they wanted to stampede the House, pervert the Legislative processes, and draft important Legislation the same week it is introduced. A bill could be introduced on Monday and, assuming it could be in print, and it could, it could be reported from committee by merely going through the motions of a vote as important legislation has been so far this session, without any consideration by the members of the Committee. It can be given first reading automatically and in a three-day session, which is normal, can be ready for final passage the same week, before Members of the House have had an adequate opportunity to study the bills, before the public has been alerted to the possible impact of the bills and before the newspapers of the State have had a chance to inform the public.

We feel by keeping House rule 46 the way it is right now, we will gain one additional legislative day and we will be able to give legislative proposals the soundest consideration that is worthy of this great body. We feel that any attempt to amend this rule, now that we know what the Majority has in mind for this session, is not consistent with proper legislative processes and we, therefore, as a party oppose any change to House rule 46.

Mr. McCANN. Mr. Speaker, the present rule 46 provides any bill may be read in the first time only with unanimous consent, no other way. Prior to this session, when a bill was introduced it was printed in pink. When they came out of committee they were printed in white. We believed it was a waste of money on printing and that the bills should be printed in white, not in pink. Therefore, all bills are printed in white and not duplicated in printing of the same bill when the committees adopt it. With that theory in mind then, we discussed the possibility prior to this session, or at the start of the session, of changing rules 46 and 48 because rule 48 provides that bills on third reading have to have unanimous consent to be amended and so forth.

Thus, if we agree to rule 46, permitting the bills to come out of Committee and be read the first time, we will also have to give the right on third reading that no one could object to offering amendments, meeting the unanimous consent, but such amendments would have to be adopted by the majority vote to be incorporated into the bill.

This was discussed very carefully. In fact, this proposition on 46 and 48 did not originate with me in its entirety. When it was discussed, I accepted the idea in its entirety and was willing to ask my caucus to support this because I say that legislative days on moving up bills are important in this manner.

There is nothing you can do to a first reading bill no matter what you want to try to do under the present House rules. You cannot recommit it. You cannot amend it. You cannot debate it. You cannot vote for it ar against it on First Reading. What does First Reading serve except Constitutional purpose? No question about it. So, when a bill would come out of committee it would be read the first time. I, at first, had no objections to only bills that were not amended in Committee, but this proposed rule covers those bills whether they were amended or not.

Now, then, by the very fact that certain measures were reported from committee and could be reported from committee under such a House rule and voted in a week, the answer is that it still can be done and probably will be done wherever necessary in the case of the present rule. This House is not bound by any law, only by the vote of its membership, as to the number of days we are in session.

At any given week, when an objection is raised on a bill on a Monday, and not read the first time, it is a simple matter to have a four-day session, and that bill will be in a position to be voted on Thursday or the third day following, under our present House rules.

I am no more of a person than you are to say, even though they accuse us many times of using tactics to railroad, it is not true. There is no difference between midnight sessions on a calendar day under our Constitution than there is a 10:00 o'clock day or a 11:00 o'clock day, as it is another calendar day. There is no difference under the present House rules in passing a bill out of committee, when the committee agrees, and voting that bill on first reading in its proper sequence, second reading and third reading, and final passage the fourth calendar day of the given week. To me it makes sense, I accept the proposition as it was outlined, and then after I had accepted it, all of a sudden the red flag is waved now that this rule is no good. Well, this rule can fall by the wayside and if it falls we operate under the existing rules under which you have been operating and you will continue to operate for the balance of this session. Perhaps in another session and another time.

There is one thing I would like to find out, though, if

this rule, as it is written here now, is not acceptable to the Minority of this House, has the Minority at this time, and I will interrogate the Minority Leader on this point, has the Minority at this time a substitute proposition that they might care to present, and, if so, what is that proposition? Perhaps it will be a proposition which will then be applied, except — and what are the exceptions? These are things that I hope the Minority Leader will think about before I interrogate him. If there are no Reupblican votes for 46 and 48, then the two rules will stay as they are and the proposed amendments will fall. This makes no difference to us, if this is what you want. We favor these rules and we also know, as well as you do, that at any time an objection is raised under the unanimous consent, there are parliamentary procedures by which you can proceed to set aside the rules. It takes 106 votes. You can make the motion or we can make the motion. When you have 106 you can suspend any rules of this House; that is a fact. You cannot suspend the Constitution, but you can the rules.

Now then, Mr. Speaker, with that in mind, our caucus did favor voting for 46 and 48. We favor it in maybe more than one form; we favor it even on bills that are not amended coming out, read the first time, or we favor it in bills that are also amended to be read the first time, because we make our print on the next bill and in its proper form there is nothing you do to a bill on first reading.

I do not deny the fact that a bill amended in committee is a little different from a bill that is not amended, because you have the bills that went into committee in your possession as a Member of this House and can check it very carefully. You can check it one day sooner. You cannot check an amended bill that has come out of committee until that bill is printed for you to check the amended version.

Mr. Speaker, I desire to interrogate the Minority Leader.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Agnew, permit himself to be interrogated?

Mr. AGNEW. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. McCANN. Mr. Speaker, on the proposed amendment to 46, as it is now before this House, you have indicated that you oppose this proposed amendment. Is that correct?

Mr. AGNEW. That is correct.

Mr. McCANN. Mr. Speaker, will the gentleman inform this House if he has any substitute to offer for consideration of 46 as it is now written or that he may offer for consideration?

Mr. AGNEW. Mr. Speaker, I have no alternative by way of amending the proposed amendment. We do not want to shut the door, certainly, to any proposed change. However, I asked the Majority Leader if he wanted to sit down and discuss possible changes in the wording to any of these proposed amendments, and apparently he did not. Perhaps he misunderstood me. We are willing to consider re-wording any of these amendments, certainly. We do not want to take a dogmatic position on any proposed rule change, but when you ask me right now whether I have a proposed change, I do not.

Mr. McCANN. Mr. Speaker, I bring to the attention of the Minority Leader that no such discussion has been requested, nor have I requested any. I ask if any thought has been given to this, which certainly would carry exceptions, and those exceptions considered, whatever they may be, when they are proposed.

Would the Minority Leader be in any position to discuss this if it only pertained to bills that came out of committee without amendments?

Mr. AGNEW. I thought the change right now, Mr. Speaker, your proposed amendment there, is for those reported out of committee as committed without being amended by the committee.

Mr. McCANN. Will the gentleman repeat his answer?

Mr. AGNEW. Perhaps I misunderstood the question, but my answer is, that is the way your proposed amendment reads now, that only bills that come out of committee as committed are read for the first time. I will read it, "Those reported from committee as committed shall be read for the first time if in print when reported." Perhaps I musunderstood the gentleman's question.

Mr. McCANN. That is correct. Did not the first offer of consideration include "with amendments," bills coming out of committee with amendments to be read the first time?

Mr. AGNEW. The proposed amendment, Mr. Speaker, reads as follows—

Mr. McCANN. I agree as to what the proposed amendment reads, but in the conference, Mr. Speaker, were not bills considered even with amendments?

Mr. AGNEW. In the conference, Mr. Speaker, we discussed a variety of possible rules' amendments. Yes, I believe that was discussed, as were a number of other proposals in the same field. We have before us though one particular proposed amendment to House rule No. 46.

Mr. McCANN. That is correct. Mr. Speaker, that House rule No. 46 is not as covered by the conference. That only covers bills coming out of committee that are not amended, is that correct?

Mr. AGNEW. When a bill comes out of committee as committed. That is correct.

Mr. McCANN. As committed. At this position you are going to oppose that rule on those bills, is that correct?

Mr. AGNEW. That is correct.

Mr. McCANN. Mr. Speaker, I thank the gentleman.

The SPEAKER pro tempore. Does the Majority Leader desire to continue with debate on this amendment?

Mr. McCANN. Mr. Speaker, I just wanted to finish the statement by saying that I am going to bring this House rule to a vote. It will not pass. There are not 106 Democrats here; the total number of Republican membership is not here.

Mr. Speaker, I am going to say we favored this; we favored it for more reasons than one, to operate efficiently and properly in this House, and if the rule falls, which it will, then we will operate under the existing rule, which means that any bill coming out of committee may be read for the first time only with the unanimous consent of this House, which is the present rule.

Mr. AGNEW. When the Majority Leader says there will be no Republican votes for this proposed amendment, he may have information I do not possess. Republican Members are not bound by any caucus action as to how their votes will be cast. All that I can tell the gentleman is that the general tenor of expression in our caucus was in opposition to this proposed amendment.

In answer to the Majority Leader's comments, I might point out that the other chamber has not printed their

bills in pink for a number of years now, and yet they do require first reading, although in many instances they automatically pass to second. I believe just this week they refused to give first reading consideration to the tax program the day the bills came out of committee, so they still have that rule in the other chamber even though they do not print it in pink. I might point out, in any emergency, certainly on a non-controversial matter, we would be willing to give unanimous consent to first reading. All the rules of the House can be waived in any emergency by 106 votes. We can give first reading to a bill if it should be necessary. However, we do not feel that it is necessary in most instances to ram legislation through this House in a short period of time. Let me point this out, if this proposed amendment had been in effect when we passed the tax program two weeks ago, or last week, it would have come out of committee—and remember the bills were only available for study on Monday—the bill would have come out of committee on Monday, would have been given first reading automatically, second reading on Tuesday, and we could have had a post-midnight session on Tuesday so the bills would have finally passed the House about 30 hours after they first became available for study and after they first came out of committee. Now this is not the way a legislative body should operate. It is not the way a legislative body should deliberate. In any emergency, in any non-controversial matter, we can now give them first reading when they come out of committee, or, if the majority in either instance, Republican or Democrat, can do it by waiving the rules with 106 votes, we do not feel there is any real reason to make this amendment generally.

I might say, perhaps if we leave House rule 46 the way it is, it just may give one point of protection to the public against a legislative majority that may refuse to act as a legislative body should and acts as a rubber stamp for the executive. It will give the public one more day for full consideration of any proposal that comes before the Legislature.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I had planned to interrogate the gentleman from Greene, Mr. McCann, as he was being shocked by the Speaker. Of course, we all recognize that the Speaker was quite a shocker, especially in the days when he was an Independent and conducted his caucus in a telephone booth.

What Mr. Agnew has brought out is this: That a bill can be introduced and reported from committee at 11:00 o'clock on Monday night, first reading; Tuesday, second reading; 12:01 Wednesday, passage.

We should be concerned not only with the rights of the Minority, but we should be concerned with the rights of the people and the rights of Members on both sides of the House to be protected against bipartisan cooperation between the Majority and Minority leadership.

I call again to the interest and attention of the Members on both sides of the aisle what happened in 1959 when it was my duty to oppose unanimous consent to have a bill read on first reading. That was a bill which would have added $250,000 extra to the legislative payroll and it was not in the public interest.

I say the gentleman on the other side of the House should oppose this bill because it is not sound. It does not protect you. Whenever you have emergency legislation which requires speed, then you can follow the ordinary processes.

To repeat, we should live in a government of rules, and not of men, and we would be better all the way down the line.

Mr. LIPPINCOTT. Mr. Speaker, I wish to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, is the purpose of this amendment really so you can set up a procedure to railroad bills through or is it the purpose of this amendment to provide generally for a more orderly process in the House?

Mr. McCANN. Mr. Speaker, the purpose is certainly never intended to railroad any bills at any time. The announcement of the schedule for the week in print goes to the Members one and two week ahead. On each given week the times and the dates of the sessions are stated. There has never been any plan, nor will there be any plan, unless an emergency arises, and we are all in agreement with what Mr. Goldstein said. The sessions are Monday, Tuesday and Wednesday, or Monday and Tuesday, as next week, or Monday, Tuesday, Wednesday and Thursday.

Mr. LIPPINCOTT. We certainly agree, Mr. Speaker, that the tax program was not such an emergency and that is why we objected to rushing it through.

If, as the gentleman indicates, he is trying to achieve a more orderly process in the House, I have a suggestion that might be put into this amendment that would make it feasible and perhaps satisfactory to our Members. That would merely be by saying that the bill shall be read the first time unless there is an objection.

In other words, you could establish the normal order of reading it the first time, which we agree may be a good thing, but we should have the right to object if we want more time. I say that you could read the bill for the first time, as we do toward the end of the session, and then provide, however, that if there is an objection to it the bill will not be read the first time.

Mr. McCANN. Mr. Speaker, this, of course, is reversing the present rule. The bill can only be read the first time with unanimous consent. This would change it to, the bill shall be read the first time, except when objected to. At least, that would be a step in the right direction if that is what you propose.

Mr. LIPPINCOTT. I have not discussed this and it has not been reviewed in our caucus, but you asked if we had any alternative and I think that might be an alternative.

Mr. McCANN. Mr. Speaker, on the Rules Committee, of course, are three Minority Members, Mr. Agnew, Mr. Helm, and Mr. Tompkins. This was never discussed as proposed by Mr. Lippincott, that is, to the best of my knowledge, it was never discussed. But we will let the bill go to a vote and, if this is the agreement of their caucus, we can accept, provided they believe this is what will be helpful for an orderly procedure. I want to prove to you that there is no intention of ever railroading anything.

The schedule last week was Monday, Tuesday, Wednesday and Thursday. There is no intention of ever putting a bill through this House Monday, Tuesday and Tuesday night, unless we would be in some kind of a catastrophe and you people would also be clamoring that we get it done in the least number of hours humanly possible.

Mr. LIPPINCOTT. If the gentleman thinks there may be merit in that proposal—our caucus has not discussed

it—could the bill be held over until next week and we will take it up and see how our people feel about it?

Mr. McCANN. Mr. Speaker, if the proposed changes meet with approval, we would accept them. All they would do is simply say that all bills shall be read the first time, except when an objection is raised. The present rule says that all bills moving in an orderly manner can only be read the first time with unanimous consent of this House. If one person stands up and objects, that bill cannot be read without going through the parliamentary procedures.

I will leave it go over if this is an offer from their caucus to amend this proposed rule.

Mr. AGNEW. Mr. Speaker, if this is to be considered as an offer on the part of our caucus, it is an offer only to consider any proposed change. We are willing to consider this, as we are willing to consider any proposed wording in any amendments to the House rules.

If the gentleman wishes to make a motion to lay this matter on the table, certainly we will consider it. It seems on first blush to be reasonable, but we do not want to be in a position of committing our caucus to the recommendation made by the gentleman from Delaware at this time.

Mr. McCANN. Mr. Speaker, except one item, 46 and 48 are a combination. If this was adopted in the rule and then a bill came out of committee and you objected to the reading of that bill, then rule 48 also has to have the objection about the amendment, as it is a parallel package. A bill that would come out of committee the first time and there was no objection to its reading when it was read the first time, there could be no objection raised to offering an amendment on third reading, so that the package would be uniform.

If this is such an offer, which is a step, in my opinion, in making this House operate more efficiently and properly in every manner, I will consent to 46 and 48 being set aside at this point.

MOTION TO LAY AMENDMENTS TO HOUSE RULES 46 AND 48 ON TABLE

Mr. McCANN. Mr. Speaker, I move that the amendments to House rules 46 and 48 be laid upon the table.

On the question,
Will the House agree to the motion?

One hundred and twenty-seven Members having voted in the affirmative and forty-eight in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. McCann offered the following amendments to House rule 61.

The amendments were read by the Clerk as follows:

RESOLUTION PROPOSING AMENDMENT TO HOUSE RULE 61

RESOLVED That Rule 61 be amended by adding thereto a new paragraph as follows.

RULE 61 DEBATE

"With the unanimous consent of the House a member may make a statement not exceeding ten minutes in length concerning a subject or matter not pending before the House for consideration providing the Majority and Minority Leaders have agreed on a time the member is to ask for recognition."

On the question,
Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, the proposed amendment to House rule 61 deals only with subjects that are not pending in this House. You are talking about a piece of legislation which is on the calendar. It does not apply in any way. What was the purpose of this proposal? At a given time every day, if four or five people desire to speak on something that is in the newspaper or on some situation that is not pending in this House in any manner but it is of some interest to them or their constituents, all they will do is notify their Floor Leader, Mr. Agnew, that they wish to speak today on what the President of the United States said, or somebody else, or anything. The name would go on his sheet showing that he has two or three people to speak. On our side we will do the same thing. The Member would only inform me that he desires to speak.

Now then, we meet and work on our calendars. We do try to ask, do you have anyone speaking on any subject other than what is on the calendar. All this does is to make a uniform system. It is no gag rule, as someone proposed the other day, because if you are talking about something that is on the calendar, that rule does not apply to the calendar. It does not apply to the calendar, it is for other subjects in an attempt to make uniformity. What is done now? You get up, you speak on a subject, another gentleman comes up and speaks, and we have to try to work the schedule in between. We do work it in, there is no question about it. There has not been a Member that I know of who has ever been denied the right to speak on any subject when he wishes to make a statement on the floor of this House.

I may not have been around long enough to know when the occasion occurred where they tell me they used to move some previous question and so forth and stop all discussion. I was not here. This was years ago. At the present time, for any Member desiring to speak on a subject, we make arrangements for him to speak. It does not pertain to the calendar. That rule has been proposed simply for an orderly manner. Someone has stated, and I believe this has some merit, if you cannot say it in ten minutes, you do not have much to talk about to begin with. That is how the ten minutes was selected. There you are.

Mr. AGNEW. Mr. Speaker, I agree with the Majority Leader. For instance, the Gettysburg Address is about two minutes and twenty seconds. I also agree with the Majority Leader that the proposed amendment to House rule 61 was made in good faith, that the intent is merely to facilitate matters of this type, to give more opportunity to Members to speak on matters not properly pending before the House.

However, I think that those who have objected have some justification because of the wording of the proposed amendment. I agree that if the Democratic Floor Leader would arbitrarily object to any Republican Member speaking, then the Republican Floor Leader could arbitrarily object to any Democrat speaking, and I am sure we would not get in a position where there would be such retaliation. I think if we adopted this rule there

would be absolutely no question about its fair operation in protection of any Member of this House and his right to speak during a session.

However, there was some objection in our caucus that if we make a permanent change in the rule, next session or four or six years from now, or sometime thereafter, it might be interpreted in a manner which could act as a gag upon the right of any Member of this House to so speak.

I do not know how extensive the opposition is on our side of the House to this proposed amendment, but there is some, I know. Because there is at least some objection, I am taking the position that I will personally cast my vote against it because I do not want anybody to think, as I am sure the Majority Leader does not, that either one of us is seeking any additional power or authority or control over the right of any Member of this House to speak. I think that states my position as well as I can state it.

Mr. McCANN. Mr. Speaker, so there will be no misunderstanding in the wording of the rule, if that is the case, there is no Republican Member under this rule who will come to me to state he wishes to speak; nor would any Democrat go to the Minority Floor Leader at this session to state he wishes to speak. Thereby, neither side can object in any way to those names on the list due to the fact that they have made an orderly arrangement. I hope that those who come after we are gone as Members of this House will always reserve the right of every person to be heard on the subjects upon which he wants to speak. This only deals with orderly manner.

One question has been raised, which I do not know the answer to, but we will say that I asked to speak as a Member under this rule and I talked to the Floor Leader, and, after I had spoken, I raised a very highly controversial, technical on political point. There is no question that if the speech was from this side, there might be rebuttal from the other side. You have that right to speak by going to your Floor Leader and saying, I would like to speak, because he might have two other people speaking in order on that list. That is all it does, gives an orderly manner, and nothing else in any way.

Mr. FINEMAN. Mr. Speaker, it seems to me that this particular amendment to House rule 61 might likewise favorably be considered with the amendment which has been proposed by the gentleman from Delaware, Mr. Lippincott. I know of no rule in the House presently except under a question of personal privilege in connection with considerations presently under debate which would allow a Member to take the floor to debate any subject not incident to the question of personal privilege or in no way related to the subject then under debate. However, as a matter of practice it is permitted even without seeking unanimous consent. I say this is a matter of practice. Looking at the proposed amendment in one light, it is somewhat restrictive in that we must now get unanimous consent where we do not seek it presently and where we are allowed to speak as a matter of practice. On the other hand, it is an enlargement of the rules in that there is nothing in the rules that says a Member can get up and debate except under a matter of personal privilege or in connection with the matter under debate, so perhaps the happy resolution or the happy resolvement of this matter might be to have this rule also amended with the proposal that has been made by the gentleman from Delaware, Mr. Lippincott. I would earnestly suggest to both the Majority and Minority Leaders that perhaps this rule or resolution also ought to lay over for that consideration.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Andrews.

Mr. ANDREWS. Mr. Speaker, if the Members have their rules handy, they will see on page 113, a daily order of business. It is the duty of the Speaker to see to it that the House proceeds in conformity with the rules outlined. The matter is outlined in the daily order of business.

If a Speaker in the past had functioned in accordance with the rules and Members are allowed to speak about something not pertinent to the pending order if business, the Chair would have been empowered, and perhaps in view of the convenience of the House, would have been impelled to rule that the Member was out of order at that time, because he was not addressing himself to any order of business then before the House.

Now the Chair has been very lenient, not only when this Speaker has been in the Chair but past Speakers have been very, very lenient, and it is a discretion that is distasteful to the Chair to say that the Member is out of order, when very distinctly he is out of order. He is taking up time, discussing something of his own particular notions, something that he is interested in and which perhaps no other Member of the House might be interested in, and he is impeding the conduct of the House in adherence to its order of business.

And so it would be very gratifying to the Chair if a rule of the kind that is now pending were passed to relieve the Chair from the obligation to adhere to the order of business, because there are times when Members want to get away for various reasons, they want to get the regular order of business transacted, and the Chair must recognize this Member who wants to talk about something not pertinent; another Member, not pertinent.

It is distasteful to the Chair to have to rule any Member out of order, but if the practice of discussion without reference to the order of business continues and the time is expanded, ultimately the Chair will be required to rule the gentleman out of order and he will have to take the case to the House as a whole to gain the right to speak.

And so I say, as a somewhat experienced Member on this floor, I think it would be conducive to the conduct of the business of this House in an orderly fashion if some arrangements were made whereby the Member who wanted to talk about something not pertinent to the orderly business was given his opportunity and his right to do so.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Farabaugh.

Mr. FARABAUGH. Mr. Speaker, I desire to interrogate either the Speaker or the Majority Leader.

The SPEAKER pro tempore. Will the Majority Leader consent to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. FARABAUGH. Mr. Speaker, if this proposed rule be passed, would it prevent anyone from getting unanimous consent to speak on any subject?

Mr. McCANN. Mr. Speaker, the present rules now provide that you are supposed to secure unanimous consent to speak on any subject not pertinent to the House at that time. That is the present rule.

Now then, if this rule were adopted, you would not secure unanimous consent because there would be two or three, or whatever the case may be, who would be speaking on subjects they desire to speak on in an orderly manner and, as I stated to the Minority, they could not object to your speaking and neither could we object to any one of their people speaking in an orderly manner. And as the Speaker stated, now you are supposed to secure that consent before you speak when you speak about any subject other than that which is before the House at that time.

Mr. FARABAUGH. Mr. Speaker, I am not sure the gentleman got my point. If this proposed rule passes, would it take away that possibility of getting unanimous consent to speak on some other subject at a time not when certain things are being conducted, but at other times?

Mr. McCANN. No, Mr. Speaker, this House can at any time grant unanimous consent to do any single thing it wants to do at any time. If, right at the end of the roll call, even though you are in the middle of a calendar, should this occasion arise, and the House consents unanimously, the answer is, yes, this is what you can do.

Mr. FARABAUGH. Another question, Mr. Speaker: In the event any Member of the House wanted to discuss any subject, can he do so without a limit of time with the consent of the Majority and the Minority Leaders?

Mr. McCANN. In a true sense, Mr. Speaker, you do not have to secure my consent or the Minority Leader's consent. It is only that Mr. Farabaugh is going to speak on a subject, and your name will go down and in an orderly manner you will speak. I cannot refuse you that consent under the proposition as outlined in this rule.

Mr. FARABAUGH. Ten minutes?

Mr. McCANN. Yes.

Mr. FARABAUGH. Thank you, Mr. McCann.

The SPEAKER pro tempore. The Chair now recognizes the Speaker, Mr. Andrews.

Mr. ANDREWS. You know, with unanimous consent or with 106 votes, the House can do pretty much what it wants to, or can do what it wants to. And on unanimous consent the Chair is also a Member of the House and as a Member of the House can refuse his unanimous consent. Then the Member would have to appeal to the House to everrule the Chair or to overrule any other Member of the House who objected, and you would have a prolonged parliamentary situation.

You know this fact is not generally appreciated, but the Speaker serves from day to day. A lot of Members of this House think the Speaker is elected for a term. The Speaker is not elected for a term. He serves from day to day and right in the next 15 minutes, if there are 106 Members who want to toss him out, they can do it. It might be a good idea.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. AGNEW and TOMPKINS and were as follows:

YEAS—111

Adams,	Gallagher,	Long, Wm. Jos.,	Reidenbach,
Anderson, J. H.,	George,	Marsh,	Renwick,
Anderson, S. A.,	Gibbons,	McCandless,	Riley,
Arlene,	Goodrich,	McCann,	Rovansek,
Bachman,	Gray,	McDevitt,	Rubin,
Backenstoe,	Gremminger,	McDonald,	Rudisill,
Boles,	Guesman,	McKeever,	Rutherford,
Bonner,	Hamilton,	McLaughlin,	Schaaf,
Bossert,	Hankins,	McNally,	Shelton,
Breth,	Hartley,	Meholchick,	Sherman,
Capano,	Heavey,	Merry,	Snare,
Capitolo,	Holman,	Mihm,	Stank,
Cauley,	Irvis,	Monroe,	Stimmel,
Cianfrani,	Jenkins,	Morley,	Stone,
Cioffi,	Jim,	Muldowney,	Sullivan, J. A.,
Clarke,	Jones,	Mullen,	Sullivan, T. F.,
Comer,	Kelly,	Munley,	Taylor,
Crossin,	King,	Murphy,	Tomascik,
Curwood,	Kistler,	Murray,	Trusio,
Doughten,	Klein,	Musto,	Verona,
Eilberg,	Kramer,	Needham,	Walsh,
Farabaugh,	Lamb,	O'Donnell, J. A.,	Welsh,
Filo,	Lawson,	Pashley,	Williams, E. S.,
Fineman,	Lee, A. M.,	Perry,	Worley,
Flynn,	Lee, K. B.,	Petrosky,	Wynd,
Fox,	Leonard,	Polaski,	Yetter,
Frascella,	Limper,	Polen,	Andrews,
Fry,	Long, Wm. Jas.,	Reibman,	Speaker

NAYS—67

Agnew,	Fulmer,	Kooker,	Slack,
Ashton,	Gelfand,	Korns,	Steckel,
Auker,	Goldstein, J. H.,	Lippincott,	Stiteler,
Blair,	Goldstein, M. H.,	Manbeck,	Strausser,
Bower,	Gramlich,	Maxwell,	Thompson,
Buchanan,	Gross,	May,	Tompkins,
Davis,	Helm,	McCormack,	Ujobai,
Dengler,	Henzel,	McInroy,	Varner,
Dennison,	Hocker,	Miller,	Wall,
Donaldson,	Holliday,	O'Dell,	Weidner,
Down,	Horst,	Ogilvie,	Willard,
Edwards,	Isaacs,	Piper,	Willaredt,
Elvey,	Johnson, R. P.,	Price,	Williams, A. D.,
Eshback,	Keiser,	Pursley,	Wilt,
Eshleman,	Kernaghan,	Sakulsky,	Wood,
Fetterolf,	Kessler,	Seltzer,	Zimmerman,
Foor,	Knecht,	Simmons,	

NOT VOTING—30

Bowman,	Gibb,	Magee,	Scarcelli,
Branca,	Guthrie,	Markley,	Schuster,
Bush,	Haudenshield,	Mills,	Shupnik,
Cooley,	Heffner,	O'Donnell, J. P.,	Wargo,
Dougherty,	Johnson, A. W.,	Odorisio,	Wescott,
Ewing,	Kamyk,	Parlante,	Whittaker,
Foerster,	Kornick,	Prendergast,	
Gailey,	Lutty,	Royer,	

So the question was determined in the affirmative and the amendments were agreed to.

HOUSE RESOLUTION No. 1

Mr. McCANN. Mr. Speaker, I call up on page 4 of today's calendar, House Resolution No. 1.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 5, 1961.

Resolved (the Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact a temporary Unemployment Compensation Act which would extend unemployment compensation benefits for an additional period of three months within each unemployed's benefit year for each eligible unemployed who has exhausted or will exhaust all benefits to which he is entitled under the act of the Commonwealth of Pennsylvania approved December 5 1936 (1937 P L 2897) known as the "Unemployment Compensation Law" during each such unemployed's current benefit year and which would grant the necessary funds to the State's Unemployment Compensation Funds to carry out said extension and be it further

Resolved That copies of this resolution be transmitted to the presiding officer of each house of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States

On the question,

Will the House adopt the resolution?

Mr. BONNER. Mr. Speaker, I would like the record to note that Representative McDonald from Schuylkill County and I sponsored the same resolution at the last session and it was not called up, but we are voting for this resolution now.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. AGNEW and TOMPKINS and were as follows:

YEAS—161

Adams,	Gailey,	Leonard,	Riley,
Agnew,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Arlene,	George,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibbons,	Manbeck,	Sakulsky,
Auker,	Goldstein, J. H.,	Marsh,	Schaaf,
Bachman,	Goldstein, M. H.,	Maxwell,	Seltzer,
Backenstoe,	Goodrich,	May,	Shelton,
Boies,	Gray,	McCandless,	Sherman,
Bonner,	Gremminger,	McCann,	Simmons,
Bower,	Guesman,	McCormack,	Slack,
Breth,	Hamilton,	McDevitt,	Snare,
Buchanan,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Cauley,	Heavey,	McKeever,	Stimmel,
Cianfrani,	Helm,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Henzel,	McNally,	Sullivan, T. F.,
Clarke,	Hocker,	Meholchick,	Taylor,
Comer,	Holliday,	Merry,	Thompson,
Crossin,	Holman,	Mihm,	Tomascik,
Curwood,	Horst,	Miller,	Trusio,
Dengler,	Irvis,	Monroe,	Ujobai,
Dennison,	Isaacs,	Morley,	Varner,
Donaldson,	Jenkins,	Muldowney,	Verona,
Doughten,	Jim,	Munley,	Wall,
Down,	Johnson, R. P.,	Murphy,	Walsh,
Edwards,	Jones,	Murray,	Weidner,
Ellberg,	Keiser,	Musto,	Welsh,
Elvey,	Kelly,	Needham,	Willard,
Eshback,	Kernaghan,	O'Donnell, J. A.,	Willaredt,
Eshleman,	Kessler,	Ogilvie,	Williams, A. D.,
Farabaugh,	King,	Pashley,	Williams, E. S.,
Fetterolf,	Kistler,	Perry,	Wilt,
Filo,	Knecht,	Petrosky,	Wood,
Flynn,	Kooker,	Piper,	Worley,
Foor,	Korns,	Polaski,	Wynd,
Fox,	Kramer,	Polen,	Yetter,
Frascella,	Lamb,	Price,	Zimmerman,
Fry,	Lawson,	Pursley,	Andrews,
Fulmer,	Lee, A. M.,	Reibman,	Speaker
	Lee, K. B.,	Reidenbach,	

NAYS—10

Anderson, J. H.,	Davis,	Gross,	O'Dell,
Blair,	Gramlich,	Lippincott,	Stiteler,
Bossert,			Tompkins,

NOT VOTING—37

Bowman,	Guthrie,	Mills,	Schuster,
Branca,	Haudenshield,	Mullen,	Shupnik,
Bush,	Heffner,	O'Donnell, J. P.,	Stone,
Capitolo,	Johnson, A. W.,	Odorisio,	Strausser,
Cooley,	Kamyk,	Parlante,	Wargo,
Dougherty,	Klein,	Prendergast,	Wescott,
Ewing,	Kornick,	Renwick,	Whittaker,
Fineman,	Lutty,	Royer,	
Foerster,	Magee,	Rudisill,	
Gibb,	Markley,	Scarcelli,	

So the question was determined in the affirmative and the resolution was adopted.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lycoming, Mr. Whittaker.

Mr. WHITTAKER. Mr. Speaker, how am I recorded as voting?

The SPEAKER pro tempore. The gentleman is not recorded.

Mr. WHITTAKER. I was outside the House, Mr. Speaker, with a spontaneous nose bleed, and I just came in the House and voted. It said "aye" on the board.

The SPEAKER pro tempore. The gentleman must be in his seat to vote.

The remarks of the gentleman will be spread upon the record of the House.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I believe there are some more committee reports. At this point I would like to notify the membership there is no more voting today. The House will be in session two days next week, Monday and Tuesday, Tuesday at the early hour, and the House will not adjourn but will recess until later in the night. The membership will not have to stay. Only two of us have to stay for the Speaker to sign the bills during the night.

The SPEAKER pro tempore. The Chair would like to inform the Members that the Speaker will have some important announcements to make and requests that you will remain for just a few more minutes.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

February 1, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, February 7, 1961 at seven o'clock p. m., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, February 6, 1961 at three-thirty o'clock p. m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker, House Bill No. 194 in the printing carries that it was introduced by Renwick, Flynn, Zimmerman and Alan D. Williams, Jr. Mr. Williams did not sign that bill. The name of the gentleman who signed it is Allan W. Holman, Jr.

You would say this would be a printing error. Perhaps it is, but they say to me it is pretty hard to read some of these signatures, and here is an example.

I want the record to show that Mr. Williams did not sponsor House Bill No. 194, but I am going to ask at this time, please help these people who have to decipher our signatures by trying to do a little better, if you can. Please do that.

Can anything be done to correct that? This bill is going to be before a committee next Tuesday and it carries Mr. Allan W. Holman, Jr., instead of Mr. Alan D. Williams, Jr.

The SPEAKER pro tempore. The Chair would suggest that when the bill is reported from committee, if it happens, that the bill be reprinted with that change indicated.

Mr. McCANN. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I think I might mention on the subject that the Majority Leader spoke of that last year we made some requests—I believe I had made the request—that the covers on these bills should contain more space so you could put four sponsors on a bill so you would not have to squeeze them in. I think that would serve the purpose.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, for the information of the Majority Leader, if he checks that bill I think he will find that Mr. Holman's signature is very plain on it. I do not know how they could have made the mistake.

Mr. McCANN. If that is the case—of course they state that some signatures are not clear, Mr. Speaker—then this is actually an error on the part of those people who transcribe the bills for the printer or the proofreading, when it is printed and comes back. I certainly thank the gentleman and I apologize for whoever made the mistake.

Perhaps Mr. Williams also would want to sponsor it, but that I would not know.

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, to be the first one to violate the new rule 61.

The SPEAKER pro tempore. Does the gentleman request unanimous consent?

Mr. McCORMACK. No, Mr. Speaker, I just want to raise a rhetorical question as to whether or not this would be a proper subject-matter, as has just been discussed about the signatures, for us to resolve ourselves into a Committee of the Whole to decide whether the signature was legible.

Mr. McCANN. Mr. Speaker, I present the supplemental report of the Committee on Committees and at this point, Mr. Speaker, I would like to say that the Committee on Committees' report will be complete now, except for the special election in Berks County. There will be either a Democrat or a Republican elected and changes will have to be made when that person is seated in this House following that special election. I have no alternative but to ask the Chief Clerk that following this report we proceed to have the legislative directory put in print, which means that it will show for each Member in this House his or her committee assignments; it will show the assignments of every committee. If I ask them to continue to wait, we will not get the legislative directory out, as each of you want. You have it now only in mimeograph form with changes. So with this report we are going to proceed to order the directory to be printed and the Berks County Member will not be in that report. After the report is printed, the only thing we can do is to put in a supplemental loose sheet with the assignments to committees.

I do not believe the Republican changes in their report were properly sent to me by their committee and by Mr. Agnew but they are incorporated and have been checked by Mr. Moore. It does not need to be read at lnegth, other than it just carries the changes as agreed vice each person.

RESOLUTION

SUPPLEMENTAL REPORT OF THE COMMITTEE ON COMMITTEES

Mr. McCANN offered a resolution which was read considered and adopted as follows:

In the House of Representatives, February 1, 1961.

Resolved, that in compliance with the provisions of Rule 22 of the House, it is recommended that the members named herein be and are hereby elected members of the Standing Committees of the House of Representatives as designated:

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Guesman, Arthur O., vice, Murray, John J.

BOROUGHS

Gross, Stanley H., vice, Brenninger, Floyd K.

CITIES-COUNTIES, FIRST CLASS

Vacancy, vice, Gross, Stanley H.

COUNTIES

McDonald,John J., vice chairman, vice, Meholchick, Stanley A., Vice Chairman; O'Donnell, James A. vice, Filo, Jules; Foerster, Thomas J. vice, Meholchick, Stanley A.

EDUCATION

Murray, John J. vice, Polen, J. Dean.

ELECTIONS

Vacancy, vice, Markley, Marian E.

FISHERIES

Jim, Charles J., Vice Chairman, Renwick, Killiam F., chairman; Meholchick, Stanley A., vice, Foerster, Thomas J.; Yetter, Van D., Jr., vice, Renwick, William F.

GAME AND CONSERVATION

Renwick, William F., vice chairman, vice, Jim, Charles J. vice chairman; Willard, James E. vice, Merry, Ralph S.; McInroy, Harry R. vice, Adams, Richard L.

HIGHWAYS

Merry, Ralph S., vice, Brenninger, Floyd K.; Down, Ralph J., vice, vacancy; Kornick, Nicholas, vice, vacancy.

LABOR RELATIONS

Adams, Richard L., vice, McInroy, Harry R.

LIQUOR CONTROL

Piper, William G., vice, McInroy, Harry R.

MOTOR VEHICLES

Markley, Marian E., vice, Brenninger, Floyd K.

PUBLIC HEALTH AND SANITATION

Polen, J. Dean, vice, Guesman, Arthur O.

TOWNSHIPS

Renwick, William F., vice, Yetter, Van D., Jr.

WORKMEN'S COMPENSATION

Vacancy, vice, Willard, James E.; McInroy, Harry R., vice, Piper, William G.

RESPECTFULLY SUBMITTED BY THE COMMITTEE ON COMMITTEES:

Joshua Eilberg, Chairman; David M. Boies, Harris G. Breth, Robert K. Hamilton, Walter T. Kamyk, Martin J. Taylor, Joseph G. Wargo, Baker Royer, Raymond E. Wilt, Joseph W. Isaacs, Speaker of the House, Ex-Officio.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. McCann for Mr. KAMYK for today because of illness.

The SPEAKER. For what purpose does the Minority Leader rise?

Mr. AGNEW. To make a comment, Mr. Speaker, in further defense of the gentleman from Perry, Mr. Holman, if he needs any.

I might point out that the House History on page 40 on House bill 194 shows Mr. Holman to be a sponsor. I think that is almost conclusive evidence that his signature must have been legible and that the mistake was not the illegibility of his signature, but must have been a mistake on the part of the printer.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Resolution concurred in by Senate re Baker Royer.

Senate Bills to be signed No. 2.

REPORTS FROM COMMITTEE

Mr. CROSSIN from the Committee on Military Affairs, reported as committed, House Bill No. 61, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Mr. WOOD from the Committee on State Government, reported as committed, House Bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College, * * *," abolishing the right to acquire a certain tract of land, and authorizing the acquisition of certain additional tracts of land.

The SPEAKER pro tempore. The Chair will now request the Speaker to return to the Chair.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Chair thanks the gentleman from Armstrong.

The Chair has often wondered, and has talked this over with the Parliamentarian, why these folders could not be changed to have the title of the bill on the front, the number of the bill, when it was introduced, with other material, and why could not the sponsors be on the back of the bill.

I hold a bill in my hand on which there are four sponsors and the names are written within an inch, and for the life of me, if I did not know the Members, I could not tell who they were. I could not decipher the writing. I would like to have the Parliamentarian and the Floor Leaders investigate the matter of whether or not it would be feasible to put the sponsors on the back, and, goodness knows, if we are going to have more than four sponsors, we have got to do something about it, because the names are crowded in there and you have to guess at them.

Mr. McCANN. Mr. Speaker, all Members' bills are prepared in the Legislative Reference Bureau. We buy the supplies for the Bureau. Administration bills and other bills are prepared in the Attorney General's offices and departments. We can resolve this by ourselves by simply asking the Legislative Reference Bureau to do what you are talking about. I think there ought to be about five lines in order so it could be done very nicely.

Then I ask one more thing which has come up two or three time pertaining to these Members who have the same names. The only answer I know is that when you are sponsoring bills you are going to have to put down Seat No. so and so, or put your county in, because when you sign James Long, and James Long, you do run into problems. Sullivan the same way. There is only the difference—in one case not even an initial—in one case in the middle initial.

I am only trying to foresee how this might be helpful, but, if the Minority agrees, we can meet with Mr. Hershey, Director of the Legislative Reference Bureau, and help our situation immediately.

Mr. AGNEW. Mr. Speaker, the Minority certainly is not going to disagree. If you are going to have a meeting on it, we would like to be there.

I might also say that the suggestion has been made by the gentleman from Lehigh, Mr. Stimmel, that perhaps a system could be arranged whereby, in addition to signing the name, the Member could put his seat number on each bill. Of course, if he cannot sign his name legibly, perhaps he cannot print his seat number legibly either. This is something, of course, that can be considered, both the name and the seat number.

The SPEAKER. Will you look it up and see whether there are objections to using the back of the bill for the sponsors? That is what the Chair had in mind, that maybe it is possible. Maybe it is not a feasible thing. I would ask the Chief Clerk and the two Floor Leaders to investigate and see whether there is anything in the idea, whether it is workable and whether it is worthwhile doing. We ask the Chief Clerk and the two Floor Leaders to see whether something can be done to make it easier for the Members to sign their bills in legible fashion.

COMMITTEE MEMBER APPOINTED

The SPEAKER: The Speaker appoints the gentleman from Philadelphia, Mr. Muldowney, to replace the gentleman from Washington, Mr. Polen (resigned), as a member of the Committee on Rules.

STATEMENT BY THE SPEAKER

The Speaker. Various legislative proposals relating to retirement are now pending in committee. It is quite likely that other proposals will be introduced.

Retirement legislation calls for careful consideration and coordination.

If there are now retirement proposals pending in any committee of the House other than the Appropriations

Committee, we suggest that they be reported and be recommitted to that committee.

At previous sessions of the General Assembly during recent years, all retirement legislation has been referred to a special advisory committee, which worked in cooperation with the Appropriations Committee chairman.

The Chair desires to re-instate that committee and, unless there are objections upon the part of the House, hereby appoints the gentleman from Allegheny, Mr. Mihm; the gentleman from Washington, Mr. Polen; the gentleman from Northumberland, Mr. Bower, and the gentleman from Lancaster, Mr. Wood.

The duty of this committee will be to study all retirement bills in the House or sent by the Senate to the House for concurrence and to report and make current recommendations to the committee on rules.

SPEAKER APPOINTS COMMITTEE

The Speaker. In accordance with the provisions of Senate Concurrent Resolution Serial No. 102, adopted by the Senate on Monday, January 23, 1961, and concurred in by the House on Wednesday, January 25, 1961, the chair appoints as a select committee on the part of the House in commemoration of Lincoln's visit to the General Assembly February 22, 1861, the gentleman from Greene, Mr. McCann; the gentleman from Allegheny, Mr. Agnew, and the gentleman from Philadelphia, Mr. Taylor.

Mr. McCANN. Mr. Speaker, on your announcement regarding the retirement committee, was it not Mr. Mihm of Allegheny, Mr. Bower of Northumberland, Mr. Polen of Washington, and Mr. Wood of Lancaster?

The SPEAKER. That is correct.

Mr. McCANN. Two and two.

The SPEAKER. That is correct.

ADJOURNMENT

Mr. TOMASCIK. Mr. Speaker, I move that this House do not adjourn until Monday, February 6, 1961 at 3:30 p.m. EST.

The motion was agreed to, and (at 12:35 a.m., EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, FEBRUARY 6, 1961. No. 15.

HOUSE OF REPRESENTATIVES

MONDAY, February 6, 1961

The House met at 3:30 p.m. EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Eternal Father, Thou Who are timeless but ever shows an interest and concern in all associations of mankind; as servants of Thine and heirs of Thy eternal kingdom, we humbly bow before Thee in this hour. We pray that as Thou didst create us in Thy image, and sustained us by Thy everlasting presence, that Thou wilt also continually lead and direct us in always producing a fruitful experience in the lives of our fellowmen. O Father, enrich us that the self-growing seed may be so productive in our lives too, that we may continually grow in grace and walk worthy of the high calling which is ours: through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, February 1, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. LAMB, CLARKE and WILT.

HOUSE BILL No. 345.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing counties to acquire, for certain purposes, by purchase, gift, exchange or condemnation, real property or interests in real property in excess of present needs.

Referred to Committee on Cities—Counties Second and Second Class A.

By Messrs. DONALDSON and McLAUGHLIN.

HOUSE BILL No. 346.

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

Referred to the Committee on Judiciary.

By Messrs. BLAIR and O'DELL.

HOUSE BILL No. 347.

An Act providing for the humane slaughter of livestock; imposing powers and duties on the Secretary of Agriculture, and providing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. MERRY, McINROY, CIOFFI and FARABAUGH.

HOUSE BILL No. 348.

An Act amending "Statutory Construction Act," approved May 28, 1937 (P. L. 1019) defining domestic animal so as to include dogs.

Referred to the Committee on Judiciary.

By Messrs. A. D. WILLIAMS, CIOFFI, DOWN and MEHOLCHICK.

HOUSE BILL No. 349.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing creation of the office of county manager in counties of the third, fourth and fifth class.

Referred to the Committee on Counties.

By Messrs. RUTHERFORD, MULDOWNEY, SCHAAF and BACKENSTOE.

HOUSE BILL No. 350

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mr. IRVIS, Mrs. HENZEL and Mr. BUCHANAN.

HOUSE BIL No. 351.

An Act amending the act of January 18, 1952 (P. L. 2111), entitled; "An act to provide for minimum compensation and increments for adminstrators and members of the faculty of State Teachers Colleges; * * *" further regulating leaves of absence for presidents and faculty members of State Colleges.

Referred to the Committee on Education.

By Mrs. REIBMAN, Mr. IRVIS, Mrs. HENZEL and Mr. BUCHANAN.

HOUSE BILL No. 352.

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Coleges; * * *." increasing the minimum compensation and increments, changing conditions of payment.

Referred to the Committee on Education.

By Messrs. GRAMLICH and DAVIS.

HOUSE BILL No. 353.

An Act amending the "State Highway Law." approved

June 1, 1945 (P. L. 1242), prohibiting the use of chemicals or other methods which kill the trees, grasses, shrubs or vines with which they come in contact along State highways.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. GRAMLICH and DAVIS.

HOUSE BILL No. 354.

An Act amendig the act of May 5, 1927 (P. L. 817), entitled, as amended, "An act authorizing and regulating the growth, sale and distribution of forest tree seedlings, transplants, shrubs and vines by the Department of Forests and Waters; * * *" authorizing certain farmers to remove trees and dispose of them for commercial purposes if the removal of the trees is done in observance of good forestry practices.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. ANDREWS, McCANN, VERONA and W. JAMES LONG. HOUSE BILL No. 355.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

Referred to the Committee on Rules.

By Messrs. ANDREWS, McCANN, VERONA and W. JAMES LONG. HOUSE BILL No. 356.

An Act amending the "State Public School Building Act," approved July 5, 1947 (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

Referred to the Committee on Rules.

By Messrs. LIPPINCOTT, GIBBONS, ISAACS and DENGLER. HOUSE BILL No. 357.

An Act making an appropriation to The Glen Mills Schools in Delaware County, Pensylvania.

Referred to the Committee on Appropriations.

By Messrs. LIPPINCOTT, GIBBONS, ISAACS and DENGLER. HOUSE BIL No. 358.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, andprescribing certain conditions upon which the appropriation will be avaible to the school.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. BRETH and McCANN. (Concurrent) RESOLUTION No. 24.

In the House of Representatives, February 1, 1961.

The Commonwealth of Pennsylvania is presently facing one of the most critical periods in its history. The decline of certain of our basic industries, combined with increased automation and a general recession throughout industry have brought about critical unemployment, particularly in certain areas. This mass unemployment has imposed severe hardship and suffering upon countless numbers of our fellow citizens, and has rendered their very existance perilous.

Thousands of our men living in depressed areas are anxious and able to work, if only they are given the opportunity to do so; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby declares its intent to do everything within its power to remedy this severe unmployment problem, and with that objective in mind; and be it further

Resolved, That all agencies of Federal, State and local government, anyone holding contracts with such agencies, and all other persons in any way connected with the building of highways, flood control projects or any other projects in the distressed areas of our Commonwealth, are hereby urgently requested to exclusively utilize local labor and materials, unless otherwise restricted by law; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of this Commonwealth, the Secretary of Property and Supplies, the Secretary of Highways, the Secretary of Forests and Waters, the Secretary of Mines and Mineral Industries, the Pennsylvania Turnpike Commission, the General State Authority, the State Public School Building Authority, the State Highway and Bridge Authority, the Fish and Game Commissions, and such other agencies and authorities within the Commonwealth which in any way purchase, use or contract for labor or materials; and be it further

Resolved, That all public officials at all levels consider this urgent request of the General Assembly and stranuously endeavor to cooperate with it and make its request known to all concerned especially those with whom they do business.

Referred to the Committee on Rules.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Secretary of the Commonwealth and the same being correct, the titles was publicly read as follows:

SENATE BILL No. 2.

A Joint Resolution proposing an amendment to article three section sixteen of the Constitution of the Commonwealth of Pennsylvania authorizing cash refunds without appropriation in certain cases.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 31, 1961.

Whereas, The Honorable Baker Royer is this day retiring as Chairman of the Joint State Government Commission which he has served with dedication and distinction as Chairman since June, 1949. Prior to becoming Chairman of the Commission, he served as its Vice Chairman for two years. The Honorable Baker Royer was first elected to the House of Representatives on April 28, 1936, and has served continously since that time. In 1943-1945, he served as Chairman of the Commission's Committee on Distribution of State Funds, from 1945 to 1949 as Vice Chairman of the Commission's Committee on State-Local Highway Financing and from 1947 to 1949 as a member of the Subcommittee on the Legislative Journal; and

Whereas, During Representative Royer's term of office, the Commission has continually increased its capacity to serve the General Assembly in the development of facts and recommendations on all phases of government. Under his guidance, the Commission has made many important studies, the results of which may be found upon the statute books of the Commonwealth, which, to mention but a few, include the School Code, the School Health

Program, the Liquor Code, the Mental Health Code, the Landlord and Tenant Act, Decedents' Estate Laws, the Vehicle Code, the State and School Employes' Retirement Codes. It was through the Commission's investigation and study of public assistance and blind pensions that the Commonwealth secured Federal participation in blind pensions to the extent of 6 million dollars per biennium. The Commission's influence among other states throughout America has grown and its reports are eagerly sought throughout the World; and

Whereas, Representative Royer has served as a member of the Executive Committee of the National Legislative Conference; Now, Therefore, Be It

Resolved (the Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania acknowledges its debt to the Honorable Baker Royer for his service to the Joint State Government Commission and to this Commonwealth and expresses its sincere appreciation for his long years of devotion to duty.

REPORT OF THE ANTHRACITE MINE DRAINAGE COMMISSION

The SPEAKER laid before the House the report of the Anthracite Mine Drainage Commission as required by Act 697, Section 3, approved December 17, 1959.

(For report see appendix)

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing departments boards and commissions to train personnel.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 61, entitled:

An Act to commission posthumously John W McLane in the Pennsylvania National Guard.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College ***" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 44, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 217, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing the definition of "unprotected birds" to exclude snowy owls.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 29, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 40, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section seventeen thereof which authorized the borrowing of money to defray State Government expenses for the biennium beginning June 1, 1933.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 43, Printer's No. 43 and House Bill No. 51 Printer's No. 51 were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCann. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

BILLS PASSED OVER

There being no objection House Bill No. 77, Printer's No. 77, House Bill No. 78, Printer's No. 78, House Bill No. 79, Printer's No. 79 and House Bill No. 80, Printer's No. 80 were passed over at the request of the SPEAKER.

There being no objection House Bill No. 127, Printer's No. 127 was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

Mr. McCANN from the Comittee on Rules, reported as committed, House Bill No. 356, entitled:

An Act amending the "State Public School Building Authority Act," approved July 5, (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

Mr. McCANN from the Committee on Rules, reported as committed House Resolution No. 6.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 7.

Mr. McCANN from the Committee on Rules, reported as committed House Resolution No. 10.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution No. 21.

RESOLUTION

Mr. McCANN offered a resolution which was filed with the Clerk under the Rules.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

Mr. NEEDHAM asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

Mr. LEONARD asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. DOUGHERTY for the week because of illness.

Mr. Eilberg for Mr. J. A. O'DONNELL for today for lack of transportation.

Mr. Eilberg for Mr. McLAUGHLIN for the week because of illness.

Mr. Tompkins for Mr. KEISER for the week due to death in family.

Mr. Tompkins for Mr. WILLAREDT for the week.

Mr. Tompkins for Mr. UJOBAI for the week.

Mr. Tompkins for Mr. BACKENSTOE for today.

Mr. Tompkins for Mr. GIBB for the week because of illness.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

REPORTS FROM COMMITTEES

Mr. NEEDHAM from the Committee on Military Affairs, reported as amended, House Bill No. 65, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

Mr. WORLEY from the Committee on Judiciary Special, reported as committed, House Bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

Mr. BRANCA from the Committee on Judiciary Special, reported as committed, House Bill No. 240, entitled:

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SAKULSKY asked and obtained unanimous consent to add additional sponsers to a bill to be introduced by him.

The SPEAKER. On the calendar and on the official bill from which the House acts, the four sponsors will be listed. The four sponsors will not appear upon the bill that is on the Members' desks, but it will appear on the calendar and on the official bill upon which the House acts. Additional sponsors can be added.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to insert into the record of this House that the Pennsylvania Railroad train that arrives here in Harrisburg normally at 3:31—number one, that the train was one hour late; number 2, that same train is broken down in a place called Lancaster, Pennsylvania, and evidently will not arrive here

today, to the best of my knowledge, and there are House Members on that train. So the record will show clearly we got a telephone call and I guess it will get here some time today.

The SPEAKER. He ought to give thanks the train ever started.

Mr. TOMPKINS. Mr. Speaker, could we not send the State Police after them? They seem to do a pretty good job at times.

MOTION TO TAKE AMENDMENTS TO RULES 46 AND 48 FROM TABLE

Mr. McCANN Mr. Speaker, I move that the proposed amendments to Rule 46 and Rule 48 be taken from the table.

The motion was agreed to.

The amendments to Rule 46 were read by the Clerk as follows:

RULE 46

FIRST READING BILLS

Rule 46 which reads

"Bills shall be read the first time in their order on the calendar

They shall be considered without debate Amendments shall not be proposed nor is any other motion in order on first reading" is hereby amended by substituting therefor the following

"Bills reported from committees as amended shall be read the first time in their order on the calendar Bills reported from committees as committed shall be read for the first time if in print when reported They shall be considered without debate Amendments shall not be proposed nor is any other motion in order on first reading"

On the question,

Will the House agree to the amendments?

Mr. McCANN offered the following amendment to the amendments:

Amend the amendment to Rule 46 by inserting in line 4, after the word "reported," the following:

"unless there be objection."

On the question,

Will the House adopt the amendment to the amendments?

Mr. McCORMACK. Mr. Speaker, I just wanted to understand that amendment amending the present amendment.

Could that be read in context?

Mr. McCANN. Mr. Speaker, I will ask the Members to take their House History, turn to page 83. In the right-hand paragraph you will find resolutions proposing amendments to House Rules 46 and 48.

Now then, the amendment that has been offered, if it is read again, falls on the words, down in the second paragraph, "unless there be objection," which is the proposed amendment that will be written in that paragraph. This would make it so that everybody would have it complete, Mr. Speaker, in their hands.

The SPEAKER. The bills will be read unless there is objection. If there was objection it would be necessary to obtain the permission of the House.

On the question recurring,

Will the House adopt the amendment to the amendments?

One hundred and sixty-nine Members having voted in the affirmative and twelve in the negative, the question was determined in the affirmative and the amendment to the amendments to rule 46 was adopted.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, just for the purpose of the record, I want to indicate that Robert P. Johnson from Montgomery County was not present and voting on that because of his inability to get here because of transportation trouble.

The SPEAKER. Will the gentleman state the name again?

Mr. TOMPKINS. Robert P. Johnson, Montgomery County.

Mr. McCANN. Mr. Speaker, would he, by any chance, be on that Pennsylvania Railroad Special from Philadelphia?

Mr. TOMPKINS. We do not think so.

The amendment to rule 48 was read by the Clerk as follows:

RULE 48

THIRD READING BILLS

Rule 48 is hereby amended by striking out paragraph 2 which reads

"Amendments on third reading may not be considered except by a majority vote of the Members elected"

and inserting in lieu thereof the following

"Any member may move to amend a bill during its third reading"

On the question,

Will the House adopt the amendment to rule 48?

One hundred and seventy-two Members having voted in the affirmative and two in the negative, the question was determined in the affirmative and the amendment was adopted.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 4 of today's calendar, House Bill No. 127.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 127, entitled:

An Act amending the "Optional Third Class City Chapter Law" approved July 15, 1957 (P. L. 901) providing for the compensation of the controller and the treasurer.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, House bill No. 127 is the only bill that will be voted on here today in the legislative session. It is my understanding that all the third class cities involved, four of them, are in favor of this bill, the League of Cities is in favor of it and the Local Government Commission people are in favor of it. Therefore, I believe it will be an affirmative vote. It is a non-controversial bill.

I ask that all of the Members vote in the affirmative.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—170

Adams,	Gallagher,	Leonard,	Pursley,
Agnew,	George,	Lippincott,	Reibman,
Anderson, J. H.,	Gibbons,	Long, Wm. Jas.,	Reidenbach,
Arlene,	Goldstein, J. H.,	Long, Wm. Jos.,	Riley,
Ashton,	Goldstein, M. H.,	Lutty,	Rudisill,
Auker,	Goodrich,	Magee,	Rutherford,
Blair,	Gramlich,	Manbeck,	Sakulsky,
Bonner,	Gremminger,	Markley,	Scarcelli,
Bossert,	Gross,	Marsh,	Schaaf,
Bower,	Guesman,	Maxwell,	Schuster,
Bowman,	Hamilton,	May,	Seltzer,
Branca,	Hankins,	McCandless,	Shupnik,
Breth,	Hartley,	McCann,	Simmons,
Buchanan,	Haudenshield,	McCormack,	Slack,
Bush,	Heavey,	McDevitt,	Snare,
Capano,	Helm,	McInroy,	Stank,
Cauley,	Henzel,	McNally,	Steckel,
Cioffi,	Hocker,	Meholchick,	Stiteler,
Clarke,	Holliday,	Merry,	Stone,
Comer,	Holman,	Mihm,	Strausser,
Cooley,	Horst,	Miller,	Sullivan, T. F.,
Crossin,	Irvis,	Mills,	Taylor,
Curwood,	Isaacs,	Monroe,	Thompson,
Davis,	Jenkins,	Morley,	Tompkins,
Dengler,	Jim,	Muldowney,	Varner,
Dennison,	Johnson, A. W.,	Mullen,	Verona,
Donaldson,	Jones,	Munley,	Wall,
Edwards,	Kamyk,	Murphy,	Walsh,
Eilberg,	Kelly,	Murray,	Wargo,
Elvey,	Kernaghan,	Musto,	Weidner,
Eshback,	Kessler,	Needham,	Wescott,
Eshleman,	King,	O'Dell,	Whittaker,
Ewing,	Kistler,	O'Donnell, J. P.,	Willard,
Fetterolf,	Klein,	Ogilvie,	Williams, A. D.,
Filo,	Knecht,	Parlante,	Williams, E. S.,
Flynn,	Kooker,	Pashley,	Wilt,
Foerster,	Kornick,	Petrosky,	Wood,
Foor,	Korns,	Piper,	Worley,
Fox,	Kramer,	Polaski,	Wynd,
Frascella,	Lamb,	Polen,	Yetter,
Fry,	Lawson,	Prendergast,	Zimmerman,
Fulmer,	Lee, A. M.,	Price,	Andrews,
Gailey,	Lee, K. B.,		Speaker

NAYS—1

Renwick,

NOT VOTING—37

Anderson, S. A.,	Fineman,	McDonald,	Shelton,
Bachman,	Gelfand,	McKeever,	Sherman,
Backenstoe,	Gibb,	McLaughlin,	Stimmel,
Boles,	Gray,	O'Donnell, J. A.,	Sullivan, J. A.,
Capitolo,	Guthrie,	Odorisio,	Tomascik,
Cianfrani,	Heffner,	Perry,	Trusio,
Dougherty,	Johnson, R. P.,	Rovansek,	Ujobai,
Doughten,	Keiser,	Royer,	Welsh,
Down,	Limper,	Rubin,	Willaredt,
Farabaugh,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. DONALDSON asked and obtained unanimous consent to interrogate Mr. McCANN.

Mr. DONALDSON. Mr. Speaker, I wonder if the Majority Leader's recollection goes back to the 1959 session when we had before us the bill that the gentleman from Allegheny, Mr. Goldstein, so often spoke about, Senate bill No. 309, the legislative payroll bill. You recall that we were considering that bill, Mr. Speaker?

Mr. McCANN. I do. Senate bill No. 309 was the legislative empolye's salary and position bill.

Mr. DONALDSON. Does the Majority Leader recall that during the debate on this bill in this House the gentleman from Allegheny, Mr. Wilt, and myself sponsored the payroll disclosure amendments?

Mr. McCANN. Yes, Mr. Speaker. I am not sure who sponsored the bill, but the amendments were agreed to, dealing with the Chief Clerk of this House listing the employes of this House. If you say you sponsored them, that is correct.

Mr. DONALDSON. Will the Majority Leader agree that the general tenor of those amendments as submitted in the House was that the Chief Clerk of the House and of the Senate would submit annually to the membership a list of the employes their home addresses, the amounts of of money earned by them and that sort of thing?

Mr. McCANN. I believe their salaries, their home counties and their names, that is correct. You say the amount of money they earned. I do not know that that was the actual statement at that time.

Mr. DONALDSON. I am not certain either. But does the Majority Leader recall that when the bill went to the Conference Committee the amendment was further amended so that as it was finally enacted into law we have provision that the Chief Clerk of the House and of the Senate shall submit annually to the membership a list of the empoyes?

Mr. McCANN. That is correct, sir.

Mr. DONALDSON. Does the Majority Leader agree with me that under the law that list will be submitted annually on or before the first day of February in each year?

Mr. McCANN. As of the first of Feruary, that is right.

Mr. DONALDSON. Will the Majority Leader tell me if that list has been submitted?

Mr. McCANN. Mr. Speaker, I wish to inform the Member that as of the first day of February, yes, sir, it will be mimeographed and distributed to all the Members of this House.

That is in regard to the Chief Clerk of this House. I cannot answer about the Senate.

Mr. DONALDSON. I understand that. My only point is that the act says that it shall be compiled annually on or prior to the first day of—

The SPEAKER. The Chair would like to intervene and ask whether that report was not sent out last week to the Members and whether it is not now posted in the Chief Clerk's office?

Mr. McCANN. Mr. Speaker, that is so, but I am just wondering if he has one. He is asking the questions.

Mr. DONALDSON. I did not get mine, Mr. Speaker, and the Minority Leader informs me that he did not get his. That is the reason for this interrogation.

Mr. McCANN. May I inform every Member of this House that the Chief Clerk has mailed same to your address and posted same in the Chief Clerk's office as of the first day of February, in compliance with that law.

Mr. DONALDSON. I am delighted to hear that, Mr. Speaker. I did not get my copy, that is the reason for this interrogation. If we are in compliance with the act, I am completely satisfied.

The SPEAKER. A list of the employes is avaible to the Members by calling the Chief Clerk's office, if they fail to receive them at their homes.

Mr. DONALDSON. Mr. Speaker, may I make this final comment on this general subject?

The SPEAKER. The gentleman has the floor.

Mr. DONALDSON. Thank you, Mr. Speaker.

Because I did not get mine, does the list give us simply a list of names?

Mr. McCANN. Some of the Members have them here. Shall we bring you a copy?

Mr. DONALDSON. The gentleman can tell me that, I think. I will meet you half way.

Mr. McCANN. The one from the Senate of Pennsylvania prepared by Dennis J. Mulvihill, Chief Clerk, lists the names alphabetically on two pieces of paper, page two and page three. On the House list, prepared by Mr. Ominsky as of January 31, 1961, are all the names on three pieces of paper.

Mr. DONALDSON. Just the names?

Mr. McCANN. The names.

Mr. DONALDSON. I agree with the Majority Leader that that is complying with the act that is on the statute books today, but would the Majority Leader agree with me that, in the sense of the amendment that this House adopted, that it would be a good idea for the Chief Clerk of the House, at least, to not only list the names of the employes, but to list their home counties, job classifications and salaries?

Mr. McCANN. That is not in the act, but I am certain that the Chief Clerk will furnish you with all the material you want. If you want to place it into that position by law, we have no objection, because there are going to be amendments to the existing Senate bill 309.

I do honestly believe that it should be name, county and salary title. We have people here on per diem at eight dollars, pages seven dollars, ten dollars, twelve dollars, and some are salaried positions. In the House the greatest number of our employes are per diem; in the Senate the greatest number are salaried. There is a difference in the two bodies, but I am sure we can work it out as all the records are open for anybody to check at any time, because at all times the Auditor General has furnished to various people the complete payroll of this House month by month for whatever purpose they want to use it.

Mr. DONALDSON. I will not belabor the point. I am glad we are in compliance with the act. It is my personal thinking that we could go beyond the purview of the act and that as Members of the House we are entitled not only on request, but as of right, to a list, not only of the employes, but their home counties, so they can be identified, their job classifications and the amount of compensation paid to them. I would be happy to have the Majority Leader consider that when he proposes whatever amendments to the legislative payroll are contemplated.

Mr. McCANN. Such requests will be considered.

Mr. DONALDSON. I thank the Mapority Leader and the Chair.

The SPEAKER. The Chair mgiht be pardoned for the observation that there are a lot of the employes of the House who are not overpaid, they are underpaid, just as the Members of this House are underpaid.

Mr. McCANN. Mr. Speaker, is that the first pitch for the salary bill?

The SPEAKER. It was not a pitch for anything; it is a recognition of a fact.

Since you have asked the question, do you know that there is not a single committee of this House that has any technical assistance except the Appropriations Committee? We have committees handling technical questions. The departments have their technicians; the executives have their technicians; but the major committees of this House just have to go on their own as laymen. No. provision is made for technical help. Every major committee of this House should be authorized to fortify itself with technical assistants that cope with the technical assistants in the front office and the technical assistants employed by the various departments.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131, Tuesday, February 7 at 10.00 a.m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, February 7 at 10:00 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, February 7 at 10:00 a.m.

REPORT FROM COMMITTEE

Mr. SAKULSKY from the Committee on Boroughs, reported as committed, House Bill No. 184, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing boroughs to furnish coaxial television service to the inhabitants threeof.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 184 entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

And said bill having been read at length for the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. JENKINS from the Committee on Boroughs, reported as amended, House Bill No. 194, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) exempting certain appointees in police and fire forces from civil service examination.

ANNOUNCEMENT

Mr. POLEN. Mr. Speaker, I would like to announce for the information of the Members that the Joint Senate-House Appropriations Committee hearings will convene at 7:30 tonight with the Department of Property and Supplies.

At 9:00 a.m. tomorrow we will resume with the Department of Mines and continue with other departments during the day.

STATEMENT BY MINORITY LEADER

Mr. AGNEW. Mr. Speaker, I wish to announce at this time that the Republican legislative program has been

approved by our caucus and is ready to be announced. I will ask the indulgence of the House at some time during tomorrow's session to announce as briefly as I can—I think it can be done in six or eight or ten minutes—the provisions of the program. I am sure the Majority Leader and his Members will await the provisions of our legislative program with bated breath, and this will be announced at the session tomorrow, with my remarks gaining the unanimous consent of the House.

For the benefit of the Members of the House, because of the extreme pressure applied by the representatives of the public Press, the program is being prepared in print and will be distributed to the representatives of the public Press sometime within the next hour or two. It is possible you may read about it in one of the newspapers in the Commonwealth before I have a chance to discuss it with you tomorrow on the floor of the House. If the Members of the Majority can wait until then, and I know you are all vitally interested in this, we will announce our Republican House legislative program at that time.

Mr. McCANN. Mr. Speaker, I, of course, have been informed by Republican Floor Leader, Mr. Agnew, that the Republican Members of the House would have a legislative program. I have not seen nor discussed any parts of it, but I assume they have taken a program which they will outline here, in which they will provide the revenue for those measures that take revenue and pay for the programs they believe should be the proper programs, and that they will provide the necessary votes to enact such programs.

I assure them that we will accept and listen with keen interest to this program, which evidently you have released to the newspapers today and will release to the membership tomorrow. There is no question but that we will read about it tonight. I assume that the evening or the night papers will publish a portion or all of that program. We will debate that situation tomorrow when we have the program before us.

Mr. AGNEW. Mr. Speaker, I do want to point out that the only reason I am not announcing the program today is that I do not now have it in print. It is a physical matter. I would not be able to comply with the 5:30 closing deadline if I did, and that is why it will be released to the newspapers later tonight and will be announced publicly on the floor tomorrow.

If the Majority Leader desires to debate any part of the program tomorrow that will be fine. If he thinks he can get any information from me on it before I announce it tomorrow on the floor, then he is mistaken. He can surmise, he can engage in conjecture all he wants to, but he will have to wait until tomorrow to hear it, just like everybody else.

The Chair recognizes the gentleman from Sullivan, Mr. Lee.

Mr. K. B. LEE. Mr. Speaker, I would like permission for two additional sponsors on one bill and one additional sponsor on another.

The SPEAKER. How many sponsors does the gentleman have now?

Mr. K. B. LEE. I have four on each bill, Mr. Speaker.

The SPEAKER. That is permissible under the rule. Is it six the gentleman wants to put on?

If it is six the Chair will hold that is not compatible with the rule.

Mr. K. B. LEE. Mr. Speaker, I request six on one bill and five on the other bill.

The SPEAKER. The Chair would hold that it is time to get a defintion of the position of the House. The Chair holds that under the rules, four Members can be listed as sponsors. Anything over that is contrary to the rule and if the rule is to be suspended a motion to that effect should be made.

Mr. AGNEW. I will make such a motion, Mr. Speaker. I move that the rule be suspended so the gentleman from Sullivan can add additional sponsors to the bill, six on one bill and five on the other.

On the question,

Will the House agree to the motion?

Whereupon, a division was called for.

A majority of the Members elected having voted in the affirmative, the rule was suspended.

The SPEAKER. The House has given an overwhelming repudiation of its own rule.

For what purpose does the gentleman from Philadelphia, Mr. Sherman, rise?

Mr. SHERMAN. May I have my vote recorded as "Aye"?

Mr. AGNEW. Mr. Speaker, sometime last week or perhaps the week before, both caucuses were instructed to discuss this matter and to report to the floor of the House. We have been waiting for the Majority to discuss their decision on this matter. We can do it publicly now, or, if they do not have a decision, we can wait until next week. We are agreeable to abide by the rule. We understood there was to be a decision made by each caucus. We discussed it in our caucus. We have our decision. We recognize the fact that we are in the Minority in this House and we are awaiting the pleasure of the Majority as to what their decision in this matter is.

Mr. McCANN. Mr. Speaker, we did discuss this in our caucus last week and the final decision of the caucus was to leave the present rule as it exists, four sponsors without asking, unanimous consent for additional sponsors, but to try to hold down to a very bare binimum the number of requests for additional sponsors that would be in this House. The opinion of our caucus was that such a rule is not broken too many times. This was the decision of our caucus.

Mr. AGNEW. Mr. Speaker, do I understand that the Majority recommends that no change be made in the rule or in our procedure under the rule?

Mr. McCANN. Mr. Speaker, that was the wish of our caucus at that time.

Mr. AGNEW. We bow to the wishes of the Majority.

The SPEAKER. Does the Majority Leader have any further business to bring before the House?

Mr. McCANN. Mr. Speaker, I would like to take this opportunity to say, if I may, for tomorrow's session there are a considerable number of committee meetings that will be held in the morning. I am sure we will be done in the House at a fairly decent hour early tomorrow afternoon. Again I repeat, the House will not adjourn, but the membership will be able to go home as they have planned on Tuesday on whatever schedule of transportation they may have planned. The House will be in recess until some hour in the evening or night in which certain revenue-raising measures will be signed by the Speaker to go on to the Governor following their adoption and approval in the Senate.

Mr. AGNEW, Mr. Speaker, we trust the Majority Leader is not counting his chickens before they are hatched in the other Chamber.

I would like to announce that I will request, after the preliminary business of the House is disposed of tomorrow, to have a Republican House caucus, briefly, sometime about a half hour after we get started. I would like the Majority Leader to know now that I will make such a request at that time.

Mr. McCANN. Mr. Speaker, I missed that—tomorrow after the House convenes?

Mr. AGNEW. After our preliminary business is disposed of and before we get onto the third reading calendar, we would like to have a Republican caucus for no more than a half hour.

Mr. McCANN. Thank you, Mr. Speaker, I do understand now. Before we vote on any bills tomorrow there will be a Republican caucus for approximately thirty minutes.

Mr. AGNEW, Yes.

Mr. McCANN. This will change the time table plans somewhat, but not too much, Mr. Speaker.

The SPEAKER. Are there any caucuses following this meeting?

Mr. McCANN. Mr. Speaker, there will be a Democratic caucus in the New House Caucus Room immediately after we complete our business for the day.

Mr. AGNEW. The Republicans will be unable to hold their caucus at this time today this week only. That is why we will request the caucus tomorrow.

PERMISSION TO ADDRESS HOUSE

Mr. EILBERG asked and obtained unanimous consent to address the House.

Mr. Speaker, there are about a dozen Philadelphia Members who arrived within the last fifteen or twenty minutes whose names did not appear on the roll call, and I would like it to be spread on the record that there was such an absence.

The SPEAKER. The remarks of the gentleman will be spread upon the record and if he wants to furnish us a list of those who were unable to get here because of the breakdown in communications, it can be handed to the Chief Clerk and be recorded in the Journal.

The following names were submitted by Mr. Eilberg:

Anderson, S. A.	Gray	Rubin
Capitolo	Limper	Shelton
Cianfrani	McKeever	Sherman
Doughten	Perry	Sullivan, J. A.
Gelfand		

ADJOURNMENT

Mr. COOLEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 7, 1961, at 11:00 a.m. EST.

The motion was agreed to, and (at 5:34 p.m. EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, FEBRUARY 7, 1961. No. 16.

SENATE

TUESDAY, FEBRUARY 7, 1961.

The Senate met at 7:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. DONALD DOUDS, Pastor of The First Presbyterian Church, Erie, offered the following prayer:

May we pray?

Eternal God, who led our Fathers to this land and who inspired their ideals of freedom and democracy, we pray that Thou wilt lead and inspire us that we may be true to the faith and the high ideals of our fathers.

We thank Thee for our Country, for our abundance, our liberty, our high heritage and, especially, for our Commonwealth. Wilt thou keep us worthy of our many blessings? Give us the spirit of responsibility, to use our freedom and our resources not for selfish purposes, but for Thy purposes and for the good of all.

Grant now the presence of Thy Holy Spirit here this night, to lead this Senate. Give to each Senator patience to work through unending, complex problems; wisdom, to balance fairly conflicting needs and interests; purity of heart, to know what is just and best for all; good will, to work together cooperatively with his fellows; strength, to make difficult decisions; and courage, to stand above all for what is right.

So guide these servants of the people that the laws they enact may never be burdensome, but always constructive and productive. Give to them a love of simplicity, that the government which they devise may never grow oppressive, but always free the people more fully. Keep uppermost in all the desire to serve all the people, including the generations yet to come.

Bless now this Senate with Thy guidance and Thy help in every way. This we pray in Thy Holy Name, and that Thy Kingdom may more fully come on earth. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SILVERT, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jay Schroeder, Matamoras, Pike County, for appointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Harlan J. Crellin, Milford, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE SANITARY WATER BOARD

February 7, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David Paddock, 147 South Seventh Avenue, Clarion, Clarion County, for appointment as a member of the Sanitary Water Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice F. M. Geer, North Warren, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BUILDING AND LOAN BOARD

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John G. Rothermel, Secretary, New Home Savings and Loan Association, 33 North Sixth Street, Reading, Berks County, for reappointment as a member of the Building and Loan Board, until September 1, 1967, and until his successor is duly appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 7, 1961

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John R. Davis, 2411 Eighth Avenue, Altoona, Blair County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1967, and unitl his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Polk State School:

Mrs. Esther Friel, R. D. 2, West Middlesex, Mercer County, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Mrs. Katherine H. Hinckley, Freedonia, whose term expired.

Edmund S. Finucane, 695 Fairfield Drive, Sharon, Mercer County, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Peter J. Joyce, Sharpsville, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE COLLEGE

February 7, 1961

To the Honoarble, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of West Chester State College, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Mrs. Louise M. John, 829 South High Street, West Chester, Chester County, vice Dr. John S. Adams, Jr., Paoli, whose term expired.

Joseph A. Joyce, 309 West Virginia Avenue, West Chester, Chester County, Vice Dr. H. LaRue Frain, Birchrunville, whose term expired.

Robert R. Batt, 130 Willowburn Road, Villanova, Delaware County. (Reappointment)

DAVID L. LAWRENCE.

SHERIFF IN AND FOR THE COUNTY OF McKEAN

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse Taylor, Indian Creek Road, Eldred, McKean County, for appointment as Sheriff in and for the County of McKean, until the first Monday of January 1962, vice Hon. William M. Reese, deceased.

DAVID L. LAWRENCE.

WORKMEN'S COMPENSATION REFEREE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Cartwright, 244 Center Street, Ridgway, Elk County, for reappointment as a Workmen's Compensation Referee, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. Lloyd McClelland (Democrat), 119 Central Avenue, Masontown, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Hon. J. Woodrow Cooley, Fairchance, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sophie K. Eppihimer, Breakneck Bridge Road, R. D. 2, Portersville, Lawrence County, for appointment as Justice of the Peace in and for the Township of Perry, Lawrence County, to serve until the first Monday of January 1962, vice Lloyd A. Hamill, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Gertrude Sample, Box 181, Allenport, Washington County, for appointment as Justice of the Peace in and for the Borough of Allenport, Washington County, to serve until the first Monday of January 1962, vice Frank Sample, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Horace W. Scott, Box 44, R. D. 2, Oxford, Chester County, for appointment as Justice of the Peace in and for the Township of East Nottingham, Chester County, to serve until the first Monday of January 1962, vice William H. Dutton, Sr., resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

The Clerk of the House of Representatives being introduced, presented for concurrence House Concurrent Resolution **No. 21,** which was referred to the Committee on Rules.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 44**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 127**, which was referred to the Committee on Local Government.

He also presented for concurrence **HB 217**, which was referred to the Committee on Forests and Waters.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 29**, with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

HOUSE CONCURS IN SENATE BILL

He also returned to the Senate, **SB 40**, with the information that the House has passed the same without amendments.

LEAVE OF ABSENCE

Mr. BERGER. Mr. President, may we revert to the order of business of Leave of Absence?

The PRESIDENT. The Chair hears no objection. The gentleman may proceed.

Mr. BERGER. Mr. President, I request leave of absence for my colleague, Senator Wade.

The PRESIDENT. There being no objection, the leave is granted.

At this time, the Chair turns the gavel over to the gentleman from Centre County, Senator Hays.

The PRESIDING OFFICER (Jo Hays) in the Chair.

GUESTS OF SENATOR WILLIAM G. SESLER PRESENTED TO SENATE

Mr. SESLER. Mr. President, I would like to present to the Senate at this time the Reverend Jessie McFarland and some guests of his who have journeyed from Erie to be with us tonight. Reverend McFarland is President of the Erie Chapter of the National Association for the Advancement of Colored People. He has worked greatly and diligently in Erie to promote the cause of civic relations. In this, he is greatly respected for the work he has done for his Chapter.

I would, therefore, like to introduce Reverend McFarland and his guests to the Senate at this time.

The PRESIDING OFFICER. Will the guests please rise?

On behalf of the entire Senate, the Chair is happy to welcome Reverend McFarland and his group.

BILLS INTRODUCED AND REFERRED

Mr. MAHADY presented to the Chair **SB 156**, entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Westmoreland County.

Which was committed to the Committee on Highways.

Messrs. MAHADY and MULLIN presented to the Chair **SB 157**, entitled:

An Act amending the act of June 20, 1919 (P. L. 521), entitled, as amended, "Transfer Inheritance Tax Law," changing the tax rate on property transferred to brothers or sisters.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 158**, entitled:

An Act amending the act of April 10, 1867 (P. L. 62), entitled "An act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth," requiring the selection of jurors to be made from a receptacle containing the names of all qualified electors.

Which was committed to the Committee on Judiciary General.

They also presented to the Chair **SB 159**, entitled:

An Act amending the act of April 14, 1834 (P. L. 333), entitled "An act relative to the organization of the Courts of Justice," requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, in the public press recently, my associate, Senator Ware, from Chester County, and I have read where the General State Authority has authorized $2,000,000 of General State Authority money, which is tax money, to be expended for a mansion for the Governor. We feel this is too much. We feel this money, whether it is General State Authority money or General Fund money,—it all comes from the taxpayer's pocket—should be better spent for worthier purposes.

Therefore, Mr. President, on behalf of Senator Ware and myself, I am about to present to the Chair a bill to reduce the amount to be spent to $100,000, which we feel is plenty of money.

BILL INTRODUCED AND REFERRED

Messrs. BELL and WARE presented to the Chair **SB 160**, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," limiting the cost of the official residence of the Governor.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President and Members of the Senate, for many years we have neglected, to a certain degree, the value of historical preservation in Pennsylvania. Time and again, I pointed out how many colonial buildings have been demolished in Philadelphia and elsewhere. We have tried to cope with the situation and, recently, we noticed considerable improvement.

Now on the eve of the Centennial of the Civil War, there will be many historical bills. Therefore, it is of paramount importance that a new committee be created

in the Senate which will specifically deal with this kind of legislation.

For this reason, Mr. President, on behalf of many of my colleagues, I am about to offer a resolution which will amend the rules of the Senate by creating a twenty-third committee, to be known as the Committee on Historical Preservation.

SENATE RESOLUTION

AMENDING SENATE RULE 23

Messrs. STIEFEL, LANE, KALMAN, SILVERT, MURRAY, HAYS, MAHADY and SHAFER offered the following resolution (**Serial No. 10**), which was read as follows:

In the Senate, February 7, 1961.

RESOLVED, That the Rules of the Senate be amended by striking out Rule 23 and inserting in lieu thereof the following:

Standing Committees

23. There shall be the following Standing Committees:

1. Agriculture consisting of 18 Senators.
2. Appropriations consisting of 23 Senators.
3. Banking consisting of 19 Senators.
4. Constitutional Changes and Federal Relations consisting of 17 Senators.
5. Corporations consisting of 18 Senators.
6. Education consisting of 19 Senators.
7. Elections consisting of 17 Senators.
8. Executive Nominations consisting of 10 Senators.
9. Finance consisting of 17 Senators.
10. Forests and Waters, Game and Fish consisting of 17 Senators.
11. Highways consisting of 24 Senators.
12. Insurance consisting of 17 Senators.
13. Judiciary General consisting of 24 Senators.
14. Labor and Industry consisting of 18 Senators.
15. Law and Order consisting of 17 Senators.
16. Local Government consisting of 18 Senators.
17. Military Affairs and Aeronautics consisting of 17 Senators.
18. Mines and Mineral Industries consisting of 17 Senators.
19. Public Health and Welfare consisting of 18 Senators.
20. Reapportionment consisting of 12 Senators.
21. Rules consisting of 9 Senators.
22. State Government consisting of 18 Senators.
23. Historical Preservation consisting of 17 Senators.

The President pro tempore shall be ex officio a member of all Standing Committees and included in the number of committee members herein provided.

The members and the Chairman of the said Standing Committee shall be appointed by the President pro tempore as soon after his election as possible. All vacancies occurring in said committees by resignation or otherwise shall be filled by the President pro tempore.

Mr. STIEFEL asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

STATEMENT BY THE CHAIR

The PRESIDING OFFICER. The Chair would like to call the attention of our visitors to the fact that we would like the Sergeant-at-Arms to find chairs for all the visitors. At least, the Chair requests that the guests do not lean upon the railings. We would prefer if you would find chairs and be seated.

Thank you very much.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

SENATE RESOLUTION

AMENDING SENATE RULES 46 AND 49

Mr. LANE offered the following resolution (**Serial No. 11**), which was read as follows:

In the Senate, February 7, 1961.

RESOLVED, That the Rules of the Senate be amended as follows:

Rule 46, which reads: "All bills when introduced in the Senate shall be numbered consecutively, and printed on pink paper. A weekly History showing the status of all bills shall be prepared by the Secretary of the Senate" is hereby amended by substituting the following:

"All bills when introduced in the Senate shall be numbered consecutively and printed on white paper and a printer's number assigned thereto. All bills reported or re-reported from committee, if amended, shall be printed on white paper and a new printer's number assigned thereto. A weekly History showing the status of all bills, resolutions and executive nominations shall be prepared under the direction of the Secretary of the Senate."

and be it further

RESOLVED, that the Rules of the Senate be further amended by striking out Rule 49.

Mr. LANE asked and obtained unanimous consent for the immediate consideration of this resolution.

On the question,

Will the Senate adopt the resolution?

The resolution was adopted.

RECONSIDERATION OF SB 53

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 53, Printer's No. 143, failed of final passage on February 1, 1961.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I ask that Senate Bill No. 53, Printer's No. 143, appear on tomorrow's Final Passage Calendar.

The PRESIDENT. The Chair hears no objection. The bill will appear on tomorrow's Calendar, on Final Passage.

Mr. BERGER. Mr. President, may we be at ease just a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

GUESTS OF SENATOR CHARLES R. WEINER PRESENTED TO SENATE

Mr. WEINER. Mr. President, while we are at ease, I would like to take this opportunity to introduce the Penn-

sylvania Association of the Benevolent and Protective Order of Elks in the world, being led by a member from Philadelphia and a former Judge in Philadelphia, Judge Amos Harris.

The PRESIDENT. Will the guests please stand and be recognized?

CALENDAR

HB 90 CALLED UP OUT OF ORDER

HB 90—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

HB 90—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Title, page 2, last 2 lines of Title, by striking out "and eliminating the temporary tax."

Amend Sec. 1 (Sec. 4), page 2, line 5, by striking out "seven cents ($.07) and inserting: "four cents ($.04)".

Amend Sec. 1 (Sec. 4), page 4, line 1, by striking out the bracket before "In".

Amend Sec. 1 (Sec. 4), page 4, line 7, by inserting a bracket before "sixty-one".

Amend Sec. 1 (Sec. 4), page 4, line 7, by inserting after "sixty-one]": "sixty-three."

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, in the event that all of the Members of the Senate might not have understood the tenor of the amendments which I have just offered, they will provide for a four cent permanent tax on gasoline and a two cent temporary tax, running for the next two years.

Mr. President, if I understood it correctly,—and I understand there is some question as to whether the statement that was made in the hearing downstairs was entirely correct—the proposal to increase the gasoline tax by two cents making it a permanent seven cent tax provided that of the two cents additional,—although the bill did not provide it—the explanation was that the need for one of the cents was to amortize the borrowing which would be authorized by a later bill by the Highway and Bridge Authority, and that of the seven cents, twenty per cent thereof would be distributed to the municipal subdivisions.

Mr. President, that would leave only eight-tenths of a cent for the use of the Highways Department, although I can readily understand that the borrowing, being limited to $50,000,000 per year under the bill providing for the increase in the borrowing, would not immediately result in the absorption of the sixth cent of tax. However, run of to its ultimate conclusion, when the Commonwealth has issued if they are so authorized, $300,000,000 in bonds, then I would assume—and I believe correctly—that debt service would absorb the additional cent.

Now the only result, Mr. President, would be that if the Highways Department actually needs the additional cent, plus eight-tenths of a cent, with that additional cent being absorbed by debt service, it will not be available for maintenance or construction, but will be devoted entirely for debt service.

I apologize, Mr. President, for bringing in another bill, but it is necessary in order to explain these amendments.

These amendments would provide for the Highways Department, by adding one cent to the total tax, which is presently five cents,—that is, four cents permanent and two cents temporary—a full one cent which could be devoted to construction and maintenance by the Highways Department.

Mr. President, I believe these amendments are more realistic actually than providing the tax which would be absorbed by debt service in anticipation of Federal grants.

Therefore, Mr. President, I would suggest to the Senate that these amendments be supported.

Mr. WEINER. Mr. President, I believe the gentleman may have neglected to mention that also under his amendments,—and I am sure this was an oversight on his part—he is taking out the date of 1961 and terminating this in 1963.

What he states as far as he goes is correct. However, I think it should be pointed out that by adding additional money to our program,—and I think it should be very clearly stated that this money is being strictly earmarked for highway purposes and it cannot be used for any purposes other than highway purposes—we are not only building highways and also making other areas available for people to live in, but we are also providing for those areas where people are unemployed. In Pennsylvania, where we produce a great deal of the cement, a great deal of the iron and steel and the other necessary materials that go into the building of highways and the adjuncts to this program, it is essential that we have this money to do the job that is so badly needed.

By setting up this program whereby we can only utilize $50,000,000 a year in bonds and by putting it on a permanent basis, we are putting ourselves in a better position to borrow money. For example, If I were to go into a bank or anyone were going into a bank to borrow money, and it was done on the basis of having a temporary job,—this job could expire at anytime—their position with that bank would certainly be a lot weaker than someone who went in and said they had a permanent position, earning a permanent salary which people could depend upon.

The world of stocks and bonds is a very realistic one and a very hard world. They look at these situations before they underwrite any of these bond issues to determine exactly what you are going to be able to do and what you are able to recommend to them.

It might very well be that some legislature, two, three, four or six years from now, could come along and undo these acts. However, they can only do it to the extent of the bonds that have been issued. I will say it the other way: They can do it only to the extent of the bonds that have been unissued, because the Legislature could not abrogate a contract under our Constitution which had already been entered into by the Commonwealth.

When you realize the type of program we are setting forth, when you realize the areas that we want to go in-

to, and when you realize there are many areas in the State where we could have vast building programs except for the lack of highways and the lack of communication, you will realize at once that even the program we are setting up here is a rather puny one.

Might I also point out, in speaking against these amendments, that all of the States surrounding us —and I can enumerate them for you, if you would like; such as Ohio, West Virginia and Virginia—have an eleven cent tax. New York has ten cents. We have nine cents at the moment. Governor Meyner, in New Jersey, has nine cents. He has recommended that they go up at least one or two pennies, and he is asking them to earmark this for highways. In New Jersey, they do not have the same type of setup as we do. They can use the money as they see fit in their general fund. Our money is earmarked for the Motor Fund only.

I, therefore, would state that perhaps what the gentleman is suggesting might be all right if we lived in normal times and at a normal pace. However, this is not the condition in which we find ourselves in this State. We find ourselves with large surplus areas. We find ourselves with able-bodied men sitting about unable to do any work while the woman in the household is not only the breadwinner, but the wife and mother as well. I think this is a bad situation. I think this is the kind of situation we can correct and this is one of the steps in that direction.

Mr. BERGER. Mr. President, I agree wholeheartedly with the latter part of the Majority Leader's statement. Again, I must bring in discussion of the proposed increase in borrowing power in connection with these amendments because they are keyed in together.

True enough, the temporary two cents does expire in 1963. Let me call the attention of the Senate to the fact that we are now on an Annual Session basis by an amendment to the Constitution, at which Session taxes and fiscal matters can be considered. However, this temporary running to 1963 is keyed into another amendment which I have to House Bill No. 100, providing for the increased borrowing power of the General State Authority, by which that would be reduced to $100,000,000 for a two-year period.

Now then if it is necessary in anticipation of the Federal grants-in-aid, under the Interstate Highway System, that more moneys be put up, we will be in a position to authorize that as we go along. The present proposal is that we authorize it for six years to the extent of $300,000,000, and that, of course, is what would absorb one cent of the gas tax.

Mr. President, I want to point out something to the Senate that I believe is well known, but might not be considered in this connection. True enough, we want to provide all possible alleviation of unemployment in distressed areas in Pennsylvania. The Federal Interstate Program is one method whereby that can be done. That is very true. However, Mr. President, unless I am badly mistaken regarding the intent of the new Administration in Washington, from what I have read in the papers, one of the things that will be immediately considered is an acceleration of that Federal Interstate Program. Consequently, there would be no reason then for Pennsylvania to anticipate the moneys which are coming from the Federal Government because if the logical and probable thing is done, there will be moneys available without the State of Pennsylvania providing bonds and paying interest on the money that we are going to get from the Federal Government.

I believe that will be done. However, in order to make assurance doubly sure, Mr. President, we are still willing and recommend that the borrowing power of the General State Authority be placed at an additional $100,000,000, of which $50,000,000 could be provided for in the next two years. Then, as we will always be back here in Annual Session, we will be able to meet the situation and the emergency, should it continue.

Mr. WEINER. Mr. President, one of the things I would like to point out is that, unfortunately, the Congress, meeting in Washington, is not keyed in to the Legislature meeting in Pennsylvania and many of the other States. There is a lag there between the time when you possibly get the money and the time when you can act on it. Suppose during this lag period we terminate our Session, as we have ambitions and hopes of doing, in the early summer of the late spring, and the Congress in Washington goes on through September and appropriates these additional funds.

As you well know, those who are there first get their share first as the program is set up,—as the formula or formulae is set up—and we may be at the end of the line for participation in this. I do not think that we, with 11,000,000 people in our State, can afford this lag. I think that we have the power. I think in a sense we have the economic durability. I think this only means the entire tax, to the average taxpayer in the State of Pennsylvania, will come out to about twenty to thirty dollars.

Suppose that we did not enact the tax program. Suppose we said to all of the citizens of our State that there are people in our State who are unfortunate and unable to earn a livelihood; who are able-bodied, who know a trade, but that trade has long since been either outmoded because of automation or it no longer exists because the industry has passed out of existence. I do not think there would be anyone in this State, who could afford it, who would not participate in helping these poor, unfortunate people.

Here we get a double bite at the apple, as it were. We not only get to help these people, but we also get highways besides. As they say on television: "You can't hardly get that anymore." I think this would be an opportunity not only to help the people who need it, but also to help the highway program.

To try to cut down or minimize this type of program, I think is selling short the people in the Commonwealth of Pennsylvania when they need help.

Suppose we followed through with what the Minority Leader has suggested here this evening, and we found that we did not need this program or we have advanced it too far. In a year or two, the Legislature, in its wisdom, can decide to cut out this program or drop it off, or decide to cut back on it. We are only expending—and the amount is set as a ceiling, not as a floor—$50,000,000 a year, which is very small when you talk about a total program or when you talk about the highways we are planning to bulid.

If the Legislature, in its wisdom, decides not to go on with this program or there is no need for it, or there is automation or technical advances are made where this is longer necessary, I am sure they will cut back this pro-

gram. However, I think to stunt its growth from the start is doing a disservice not only to the people of Pennsylvania, but to the program itself.

Mr. BERGER. Mr. President, if there were any possibility of denying to any person in Pennsylvania employment which is needed or to deny employment to any distressed area where some pump-priming is necessary by use of the Federal Interstate funds, certainly we would be the last to oppose this proposed two cent increase.

However, under the amendments which I proposed, not a possibility of that sort of thing is able to occur. We have provided for the borrowing of $50,000,000 a year, to the extent of $100,000,000. The absorption of tax money will not become necessary until after the first issue of those bonds and the first quarter's interest is payable on them, and we will be back here, Mr. President, to provide for that. If it is shown to be necessary, then we will not be paying interest on money for which the Federal Government is going to reimburse the State of Pennsylvania.

Mr. WEINER. Mr. President, I know Senator Bell would like to say a few words. Therefore, I am going to yield to him, and answer Senator Berger and possibly Senator Bell after that.

Mr. BELL. Mr. President and gentlemen of the Senate, I am going to surprise the Majority Leader by joining with him in opposing these amendments. I do not think we should have any tax increase. If I were to vote to raise the tax on gasoline by one penny under these amendments, and these amendments carried, I think I might be bound to vote for a six-cent gasoline tax. I have yet to see a justification for a six-cent gasoline tax in Pennsylvania.

I have here in my possession a statement as to how much tax is collected by our neighboring States. The Majority Leader mentioned two. I will mention all the States. Of Pennsylvania's neighbors, only Ohio and West Virginia exact a seven-cent levy. Maryland and New York tax gasoline at six cents per gallon. Delaware and New Jersey tax gasoline at five cents. Incidentally, Delaware diverts a half-cent to other purposes. New Jersey and New York each divert approximately one and one-half cents.

Mr President and Members of the Senate, I heartily oppose any tax increase on gasoline at this time. It is for that reason, and for that reason alone, that I will join with the Majority Leader and his colleagues in voting against on the proposed amendments.

Mr. SILVERT. Mr. President, we all know that people —our constituents—do not like additional taxes, particularly when it comes to a product such a gasoline, which they use daily. However, I have a great deal of confidence in the ability of our Secretary of Highways, Park Martin. He tells us—and no one is disputing him—that we have 20,000 miles of State roads which have been neglected in the last few years. He tells us that if we continue to neglect these 20,000 miles of roads, we will run into a possible cost of billions of dollars a few years from now.

We also hear that this Commonwealth is spending millions of dollars in trying to bring industry to the Commonwealth of Pennsylvania. One of the prime requisites which industry looks for in any State is good transportation facilities. It is the belief of the Administration that this two-cent tax is necessary, first, to bring our 20,000-100 per cent State roads into proper shape as quickly possible, so as to help bring industry into the Commonwealth of Pennsylvania. This will help to create more employment in our areas where great unemployment exists. Also, the borrowing is needed not as a permanent loan, but as a construction loan. I am talking now about the $300,000,000. It is similar to a construction loan for a building. It would be a temporary loan, in order to advance the construction of our Inter-state Highways by several years.

Mr. President, it is no pleasure for any of us to vote for additional taxes. However, we, as Members of the Senate, have a responsibility to look at the needs of our Commonwealth If we feel this additional tax is necessary, we must be like a surgeon and act, thereby voting for what is best for Pennsylvania.

Mr. LANE. Mr. President, for the information of those on the other side,—and I feel that most of them know this—we, in Pennsylvania, have approximately 41,000 miles of public highways. Of those 41,000 miles, we have 20,000 miles of roads which are entirely maintained by the Commonwealth.

Our mileage in Pennsylvania equals the mileage of the State of New York and of all of New England. Therefore, you can readily realize the problems which exist in Pennsylvania.

It has been said here that we do not like to add more taxes, and that is true. I stated the other night that I would be the happiest man on the floor of this Senate if we could increase appropriations and decrease taxes. However, Mr. President, that is not the case. I know, too, that any tax program is not popular. We, of the Majority Party, have a responsibility. The responsibility is to find the necessary funds in order to finance our highways and in order to take care of the ninety-ten setup; namely, the Federal Road System. Last but not least, one of the most important things is to prime the pump here in Pennsylvania and make sure that our people are employed. We feel this is the proper approach. We feel we have the funds. If we are not hamstrung, I am sure that we will be able to put many people to work here in Pennsylvania.

I agree with the Minority Leader that we meet in Annual Session every year If we should have a problem next year or if we should be wrong, we, on this side, in conjunction with the other side, could then rectify our position. However, I have a great respect for the Secretary of Highways. Throughout the years, I have known this gentleman to be a person of the highest integrity. I do not believe that the Secretary of Highways would ever willfully make a misstatement. I am guided, therefore, by the position which he takes in my vote in support of this legislation.

Therefore, Mr. President, I prevail upon the other side to be realistic on our approach. If we make mistakes now, we can rectify them next year. If we are wrong in our fiscal calculations, we can remedy them next year. However, give us a chance to do the job. Let us have the funds with which to do this work. We are spending money now on unemployment. I repeat; we had a deficiency appropriation of over $50,000,000 for public assistance. Let us put our people to work. That is the primary objective of this legislation. It will put our people to work, thereby

taking them off of the relief rolls. I believe the Minority Side will agree that this is a very honorable intention. That is what we intend to try to do. I think we will be successful.

Therefore, I am asking you, on the other side, to give us your help and work with us We know you can criticize. You have the right to criticize. If we were in the Minority, we would do the same thing. However, in a case such as this, you merely want to amend the bill. There is no complaint about the need, but they want to curtail the operation. They want to cut it back a little bit. They do not want to cut back the amount too much, but they feel that perhaps we are going to go crazy with power.

That is not the case, Mr. President This is a solid, substantial and businessslike Administration, with a Governor who knows the value of a dollar and with a Governor who has done his very best to do a good job for the people of Pennsylvania. For a Governor to even lapse some money out of the General Fund in the over-all operation —that is, the governmental operation—is quite unusual, too, Mr. President.

Therefore, I am asking the Minority Leader and his colleagues on the other side—many of them are very good friends of mine—to give us a chance and give us a lift on this particular program.

Mr. BERGER. Mr. President, that was a very, very eloquent and impassioned discourse by Senator Lane. I appreciate very much his advice. I do wish, however, that in some past Sessions, certain Members on the other side had also seen fit to vote for taxes and the reduction of appropriations, or not vote for appropriations and vote for taxes to meet them, as we have always asked them to do. However, Mr President, that is a quibble here and the Senator well understands it.

What I wish to impress upon this Senate is that these proposed amendments will do exactly what they want to do with the proposed two cents. They will be able to commence additional maintenance and additional construction. When they get the $100,000,000 borrowing power, under a later amendment, they will be able to do exactly what they are talking about now. If it is necessary to continue it, we will be back in Session to provide the money. Therefore, everybody who can be employed upon this program, conceivably, will be so employed.

Mr. WEINER. Mr. President, I think we should clear up a few misconceptions here. Members of the Senate, I hope you will forgive me if I repeat some of the things stated by the Secretary of Highways.

I think Senator Bell should concern himself for a moment with a statement made by the Secretary of Highways back in January and also during parts of the last Session, when the gentleman was also a Member of the Legislature. The Secretary stated that of approximately $80,000,000 to be allocated for this purpose, if he gets this tax program, he would put under contract 500 miles of construction work almost immediately, covering every section of the Commonwealth. In addition, he talked about 250 bridges to be rehabilitated and reconstructed. I am sure that in the gentleman's own District, he has some problem with some of those bridges which have not been worked on for quite some time. I know that many other areas of Pennsylvania have a similar problem. Also, he has spoken about the $23,000,000 to be spent on, roughly, 1,400 projects covering 1,950 miles of roadway. He went on to discuss this in further detail, which I shall be very happy to let the gentlemen have if they so desire.

Also, concerning the gentleman's statement about the surrounding States, let us look at those States which happen to border the Commonwealth of Pennsylvania for just a moment Ohio has eleven cents; West Virginia has eleven cents; Virginia, which does not border Pennsylvania, but is very close to it, being separated by the very small area of Maryland, has eleven cents; Delaware has nine cents; Maryland has ten cents; the District of Columbia has ten cents; and New York State has ten cents.

Taking the figures from the Department of Commerce of the Federal Government,—these figures have not been issued under the present Administration, but during the past Administration or the Eisenhower Administration—the lowest rate of taxes paid by any State is by Delaware and Pennsylvania in regard to license fees and property taxes. When you take all this into consideration and weigh that against the fact that we have 42,000 miles of roadway, and you look at the top of the scale, you will see that all the States which have eleven cents are much further up than we are and have less highway than we do. This graph is also available to the gentleman. I think it was placed on every Member's desk. You, therefore, will see that we are not out of line, nor are we trying to do anything that is not in keeping with the general over-all welfare of Pennsylvania and its programs.

If this were brought to the gentleman's attention and he would have an opportunity to study this, I think he would come to the same conclusion as I and other Members of the Senate have come to; namely, this program is needed and we should get at it as quickly as we possibly can.

Mr. BELL. Mr. President and Members of the Senate, I believe that we are debating the amendments to this bill. When the bill comes before us for passage, I desire to make a much longer statement.

However, the Majority Leader doubtless knows that I attended the public hearings last Monday night and last Tuesday morning. I also heard the Secretary of Highways make his presentation. I also heard one of the Commonwealth's witnesses—and I will call him one of the Commonwealth's witnesses—make a statement to the effect that in something like twenty-six of our States which levy a higher gasoline tax, they divert much of that gas tax money to other than State highway purposes. I may be wrong; it may be twenty-seven or twenty-four States.

Mr. President, my purpose in objecting to this tax is due to the fact that I have received over 2,000 individual communications against this tax and two telegrams in favor of it. As the gentleman knows, I have had a little experience in the House of Representatives and I know pressure mail when I see it. These 2,000 letters were individual letters from people who were so disturbed at this threat to their incomes—a forty per cent increase in the State gasoline tax—that they sat down and wrote individual letters These were not pressure letters.

That is the reason why I am going to join with the

Majority Leader in voting against these amendments, because I stand on my premise that there should be no gasoline tax increase at this time.

And the question recurring,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, I request a roll call vote on the amendments.

The PRESIDENT. A roll call being requested, the Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. FLACK. Mr. President, having been in the hall of the Senate and not hearing my name called, I wish to be recorded as voting "aye."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—15

Berger,	Hawbaker,	Propert,	Wagner,
Chapman,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stroup,	Wolfe,
Fleming,	Pechan,	Taylor,	

NAYS—28

Bell,	Kalman,	Miller,	Seyler,
Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Staisey,
DiSilvestro,	Mallery,	Ripp,	Stevenson,
Donolow,	McCreesh,	Rooney,	Stiefel,
Haluska,	McGinnis,	Sarraf,	Weiner,
Hays,	McMenamin,	Sesler,	Yatron,

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CONFAIR. Mr. President, in a simple sentence, it is because you and I know that growth follows transportation. Transportation depends on roads and roads are built with money. Without the money, we will have no new roads and, consequently, we will have no growth.

About six years ago, I became interested in highways because I was President of Industrial Development in Williamsport, Pennsylvania. At that time, we wondered why we did not grow in that particular area. We found out that between 1940 and 1950, the southern part of Pennsylvania grew by six per cent, while the northern part of the Commonwealth lost two per cent in population. We found out that between 1950 and 1960, the same thing took place. The southern part of Pennsylvania grew, while we, in the northern part of the Commonwealth, fell off in population. We found out that the main factor for this was because of transportation. That is my reason for becoming interested in the Keystone Shortway. We wanted to grow in that section. The main reason why we were not growing was because of transportation.

Let us examine the situation, Mr. President. The Pinchot roads were our last real State transportation effort, and we have rested on this narrow-gauge reputation for thirty years. They were good in 1930, but woefully obsolete today. We are warned that our presently jammed roads will have fifty per cent more cars funneled into them in the next ten years.

If we enact no extra tax revenues for roads, we will be able to put into construction only sixty miles this year. That is less than one mile for each county in the Commonwealth.

Mr. President, that is not growth That is not even stagnation. We are fast becoming famous for our unemployment. Are we also to become infamous for our Model T road system? Are we to be proud that we rank forty-sixth in automotive taxation on light passenger cars and fiftieth on medium weight, but also fiftieth—right at the bottom—in industry-attracting highways that will correct our unemployment?

The petroleum interests have spent thousands in the last two weeks to influence the public against the proposed User's Tax. The facts are that either we go ahead with the two cent tax, or we stand still for the motorist. However, even worse, we stand still economically.

Major road construction in all parts of Pennsylvania, particularly in our depressed areas, will do more to attract industrial firms and more for the motorist's pay check than all the dividends wrung out of the motorists by the tycoons of the petroleum industry.

A User's Tax is the most fair of all taxes, since the user can control, to some extent, the amount of the tax he will pay. In addition, out-of-State travelers and truckers will help pay for the Pennsylvania roads they use. Much smoke has been raised that the two cent moneys will be diverted into the General Fund boondoggling. Let us clear that smoke away right now. By constitutional amendment, voted by the people, these moneys cannot be used for anything except highway purposes.

Mr. President and Members of the Senate, if we are to encourage the growth experienced by other progressive States, such as California, we must provide similar attractive highway facilities. We cannot solve our unemployment by repelling new industry with our Model T road system. By the way, we lost three Congressional seats, while California gained eight. I have been in California and you gentlemen, who have also been in California, know what kind of a road system they have there. I do not say their roads only made them gain in population, while we lost.

Mr. President, may I please have some order.

The PRESIDENT Unless we can have order, we will have to clear the gallery. I have tried very hard to call the disorder to your attention by the tap of the gavel. We must have quiet. The gentleman may proceed.

Mr. CONFAIR. Mr. President, we lost three Congressional seats, while California gained eight. I said this was not due entirely to their road system, but it was one of the major factors. I have a friend in California who has a Cadillac car, and his license fee is $140. Therefore, those people have roads, but they pay taxes.

From my standpoint, this tax will take courage. Taxes are not popular even when they are necessary and inevitable. It was not easy for me, as a truck operator, to recommend a tax on my own operation. It was not easy for me, as a Republican, to cross party lines for this tax. It was not easy for me to resist the pressure of a powerful industry. However, when it comes to the economic future of my State and home district, I had no other choice.

As President of the Keystone Shortway Association, a

nonpartisan organization, and as a Senator representing the Twenty-Fourth District, I have had an opportunity to make an intensive study of the financial management and the operation of the Department of Highways

At various times during my association with the Department of Highways and with the Shortway Group, I have spoken out impatiently against the Department. My criticism was honestly expressed and I have no disposition to withdraw any of it.

Since one of the major objectives is to alleviate the unemployment situation, it would be eminently unfair and very crucial to our unemployed if the additional motor fuel money would be used to build up a political machine.

All good citizens should insist that those who are placed upon the State highway forces under this program should be placed there regardless of their political affiliation. Also, no such jobholders should be intimidated because of their political beliefs. Nor should they be forced to change their political registration or to make political contributions in order to continue in their jobs.

To guarantee these sacred rights, the Governor of this Commonwealth should issue a directive that all such added employees be selected by the local branches of the employment service, under the Department of Labor and Industry, and that punitive action will be taken against any of the highway personnel who fail to comply with this order.

Since 1959, when Park Martin became Secretary of Highways, there has been a revoluntionary change in the Department of Highways. The previous lack of understanding of the problem, and the Department's reluctance to provide information, have disappeared. There is a wholesome change in the Department's attitude since Secretary Martin assumed direction. His sincerity and his skill as engineer have been most assuring.

I am not going to attempt to read a long list of statistics. I am sure that Secretary Martin can justify the need for more money for highways. He is well qualified to present the facts.

Mr. President, I am equally confident that he will convince us that the Department has the skills the engineering know-how and the determination to use the additional funds wisely and judiciously in the improvement of our highway system.

I say most sincerely that this Body should rise above partisanship in this matter. I am of the opinion that the people have demonstrated they are willing to contribute a few cents a day if they can be assured that these pennies will be spent wisely. I am sure they will be.

Let me repeat, briefly, the reasons which cause me to vote for the gasoline tax and the expanded borrowing bill.

Number one: It is a User's Tax; the fairest type of tax

Number two: It will help depressed areas and help solve our unemployment problems.

Number three: The motorist will save in repair bills and convenience more than the amount the tax will cost him.

Number four: Measuring ourselves against our neighbors in dollars, the Pennsylvania motorist now pays fifty-eight dollars in State taxes against the National average of seventy-one dollars. This tax will raise it only to sixty-six dollars. Even with the two cent tax, forty States will pay more than we do. That pertains not only to the gasoline tax, but also to operator's licenses and owners' licenses.

Number five: Test after test has proven that safety, engineered into modern highways, does more than any other thing to save human lives and may we remind ourselves that these people saved will be Democrats and Republicans, alike.

Rolled into one, these reasons spell a dynamic future for Pennsylvania, instead of stagnation and decay. Let us give the Department of Highways the money; then let us demand the results we deserve.

Mr. BELL. Mr. President, I rise to debate this bill.

I have in my hand the lead editorial of this morning's Philadelphia Inquirer. I believe this newspaper is a fair, nonpartisan newspaper. I would like to note in the Journal that the Democrats are laughing.

The Philadelphia Inquirer, in this editorial, pleads with this Body to carefully analyze this tax before it is voted into existence.

Among other things, it says:

> "Before they approve Governor Lawrence's plan for a 40 percent increase in the State tax on gasoline, raising it from five to seven cents a gallon, we hope the members of the State Senate take a hard look at some pertinent figures.
>
> "Lawrence says that he must have an immediate two-cent boost in the gas tax so as to plug a $74,000,000 gap in his highway budget for the coming year.
>
> "But the so-called gap has been produced only because the Governor is insisting on total highways expenditures in the fiscal year 1961-62 of $475,000,000 and revenue from the existing schedule of motor fuel taxes is expected to be short of that amount by $74,000,000."

This editorial goes on, and the context of it is to the effect that this forty per cent increase in taxation is not necessary at this time

Further, it says:

> "The Governor and the Democratic leadership at Harrisburg have been behaving with respect to highway revenues as though they were answering a fire alarm. Have they suddenly decided that they have been derelict in administering the State's highway program and find it necessary to patch up that program with huge new appropriations?
>
> "Or do they simply want to have more highway funds to play with than are actually needed in one year?"

Now, gentlemen, that is The Philadelphia Inquirer. I have analyzed the effect of this tax upon by Senatorial District, the effect upon the economy in my District, and I think there is a big question here. We all want roads and we all want the finest roads we can get. The big question, gentlemen, is can we afford them. Can we afford a forty per cent increase at one time? Can we afford this crash program?

Let us see what the effect would be in Pennsylvania of this added two cent gas tax. What would be the effect on the refinery industry? In my District, we have tens of thousands who work in the great oil refineries. In the city of Philadelphia, there are tens of thousands of men and women who work in the great oil refineries. What would be the effect on these refineries?

As I have driven the Turnpike to Harrisburg on many

occasions, I have been impressed with the fact that approximately thirty to forty per cent of the automobiles seen on that Turnpike are the type commonly known as the "compact car," the small car. Let me suggest this to you. You know by raising these taxes too high, you can kill the goose that lays the golden egg because you can convert more people into riding compacts. They use less gasoline, and so your net return may be far lower under an increased tax program.

What is the effect on the steel industry in Pennsylvania? You know Pennsylvania produces approximately twenty-five per cent of the steel produced in the United States. I believe the automobile industry buys about seventeen per cent of all steel produced. With each compact car sold in lieu of a normal-sized car, you lose one-half ton of steel.

You have to analyze all sides of the picture; not just what is good for one industry, but you have to look at the effect on the refinery and the steel industries. Look at the effect on the automobile industry. In my home District, in the city of Chester, we have the Ford Motor Company. More compact cars mean more United Autoworkers from the Ford plant are unemployed. More compact cars mean more refinery workers unemployed.

That gentlemen, is the message which I received in over 2,000 personal letters from my constituents. It is for that reason I am opposing this tax today.

Mr. WEINER. Mr. President, I do not want to delay the vote. However, I think it should be pointed out to the gentleman from Delaware, as long as he brought up the subject of the refineries, that if he will check the averages,—and this comes not from any particularly tainted source, but from Standard and Poor's, which is the standard industry survey—he will find that oil companies—and he can pick any one at random—did anywhere from 7.7 per cent to 11.1 per cent more business last year than they did in the year 1959. I can break this down into the amount of income, and you will see that they are not particularly hurt by it. Of course, when you use percentages, you get into a rather difficult area. If you pay a one penny tax this year and it is raised to two pennies, you can say there has been a 100 per cent increase in taxes, but that is not dealing realistically with the situtation. Any man who can afford to operate an automobile, pay the initial cost and keep up the payments, I am sure will not be hurt by an additional twenty or thirty-some dollars.

I wish, Senator, that I were in a position to not vote for any further taxes, but unhappily this is not our situation. If we are going to continue to give services and continue to provide the things the people in the State are demanding, we will have to go ahead and do these necessary things.

Earlier, Senator, you were discussing the number of letters you had received. I would like you to tell us, if you will please, since you have been a Member of the Legislature, has there ever been a tax proposed on which you received letters saying the people were in favor of it; that they loved it and wished you would vote for it immediately so they could begin to pay it as soon as possible?

This has never happened. I have never known of a tax that does not hurt someone. The very interesting factor is that on every one of the taxes which have been purposed, every one of the people who are against it have come in and said: "You need the tax money. I think you should have it, but don't tax me here is where you can tax." They give you some other industry that you have not even thought about. Some of the proposals are good and we may even work on them a little later on and hope that these people who suggested them will also help us pass the measures.

However, the basic problem always recurrs. You do not have any program that everybody is going to be in favor of 100 per cent. There is no such tax program. We have never had it. However, I would be very happy to vote for one of them.

Most of the letters I have received, you will find, are from people who have written me using addresses sometimes in Philadelphia, sometimes in Delaware County and so on and so forth. Sometimes they are form letters. Sometimes they do not appear in a form, but are handwritten and copied from other letters that you can match up with them.

If your District is one involving 200 and some thousand people and you receive 2,000 letters, I am sure everyone was not from your District. However, if you equate the percentage of people who have written you against the total number of people living in your District, you will find that is a very small percentage against this program.

I will venture to say that three-quarters of the people in your District may not be aware that they are demanding services at the very same time that they are saying they are not going to pay for any more services. You cannot ride those two horses. It is very difficult, because many of these very same people like nice highways, places to go and things to do with their families, and the only way you can get to them is by having highways and bridges over which you can traverse this Commonwealth to travel where you are going.

Mr. BELL. Mr. President, I also do not care to prolong this debate. However, I would like to advise the Majority Leader that although I may be a freshman in the Senate, I am not a freshman in the Legislature. I, too, can analyze what letters mean. I can assure you that since I started speaking here tonight, my colleague, Senator Ware, from Chester County, has delivered 1,500 more letters to my desk.

I have not been furnished statistics by any governmental agency or by any individual, and I am in this debate purely on what I have observed mysedf. I have observed unemployment in the refinery industry. I have observed it in the Gulf Refinery in the city of Philadelphia. I have seen a cutback in employment in Sinclair and Gulf. I have seen Sun Oil—which is a very efficiently run oil company—stock drop from around eighty-some dollars a share to I believe the close last Friday was forty-eight dollars a share. Gentlemen, securities of that type do not fall because times are good. They fall because they are not selling their product. They are not selling the gasoline they did before.

Go into your Districts and talk to the dealers in cars, and ask them how many cars they are selling. They say: "We are not selling as many because these little compact cars are knocking us out of business." Of course, you should tell them to get out of the busines and sell compacts.

I say to you that this type of thinking, of increasing a

tax at one fell stroke by forty per cent, could readily hurt seriously the refinery, the automobile and the steel industries in Pennsylvania.

Mr. WEINER. Mr. President, I would just like to point out to the Senator that there are now more two-car families than there have ever been in the history of this Country.

I also might point out to the gentleman that if we begin on this highway building program, the automotive equipment that will be needed in building will also use fuel. Also, industrial fuels and tars will be needed. This will also supply work for the very industry the Senator is talking about and will redound to the industry in his area. Therefore, I think if he voted for this bill, he would be giving the entire economic setup a push, or priming the economic pump. I think no one can be against this bill. Economic history has shown that whenever we have done this, the entire Country has prospered. I am sure the Senator, like all of us here, would like to see that happen at this critical time.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Camiel,	Hays,	Miller,	Seyler,
Confair,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Stalsey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Weiner,
Flack,	McGinnis,	Sarraf,	Yatron,
Haluska,	McMenamin,	Sesler,	

NAYS—22

Bell,	Keller,	Propert,	Taylor,
Berger,	Kessler,	Scott,	Van Sant,
Chapman,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	Wolfe,
Hawbaker,	Pechan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has pased the same without amendments.

HB 91 CALLED UP OUT OF ORDER

HB 91— Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

HB 91—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Title, page 2, last line of Title, by striking out all of said line.

Amend Sec. 1 (Sec. 4), page 2, line 5 by striking out "seven" and inserting: "four".

Amend Sec. 1 (Sec. 4), page 3, line 4 by striking out the bracket before "In".

Amend Sec. 1 (Sec. 4), page 3, line 9 by inserting a bracket before "sixty-one".

Amend Sec. 1 (Sec. 4), page 3 line 9 by inserting immediately after "sixty-one]": "sixty-three".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, the amendments I have offered to House Bill No. 91, Printer's No. 91, are identical to those I previously offered to House Bill No. 90, Printer's No. 90. I am sure that all that has been said on House Bill No. 90 applies with equal force to House Bill No. 91.

Therefore. Mr. President, as far as I am concerned, I am willing to have the debate as recorded apply to House Bill No. 91, the same as it did to House Bill No. 90. However, I do request that a roll call be granted, following the debate on the amendments.

Mr. WEINER. Mr. President, I ask that the remarks I made earlier, and which appear above, also appear herein. We can proceed from that point on.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DONLOW. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

SPEAKER OF THE HOUSE OF REPRESENTATIVES WELCOMED

The PRESIDENT. While the Senate is at ease, we welcome the Speaker of the House of Representatives, the Honorable Hiram G. Andrews.

And the question recurring,

Will the Senate agree to the amendments?

The PRESIDENT. A roll call having been requested, the Clerk will call the roll.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—20

Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Ehrgood,	Kessler,	Scott,	Wagner,
Flack,	Kromer,	Shafer,	Ware, III,
Fleming,	Madigan,	Stroup,	Wolfe,

NAYS—29

Bell,	Kalman,	Miller,	Seyler,
Camiel,	Lane,	Mullin,	Silvert,
Confair,	Mahady,	Murray,	Stalsey,
Devlin,	Mallery,	Ripp,	Stevenson,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,			

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KESSLER, by unanimous consent, offered the following amendments:

Amend Title, page 2, next to lastline of Title, by in-

serting after "appropriation": making exemptions with respect to liquid fuels used for burial and cemetery purposes; providing for refunds and".

Amend Sec. 2, page 4, line 13, by inserting after "2": "Section 17 of the act, amended March 12, 1957 (P. L. 8), is amended to read:

"Section 17. Refunds.— The Board of Finance and Revenue may refund to distributors taxes, penalties, and interest paid by them on liquid fuels delivered to the United States government, or paid as the result of an error of law or of fact of both law and fact. Claims for such refunds shall be made under the procedure prescribed by the Fiscal Code.

"Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of any nonlicensed farm tractor or licensed farm tractor when used off the highways for agriculture purposes or nonlicensed powered farm machinery for purposes relating to the actual production of farm products shall be reimbursed the full amount of such tax.

"Any person who shall use or buy liquid fuels on which the tax imposed by this act shall have been paid and shall consume the same in the operation of nonlicensed tractors or licensed tractors when used off the highways for cemetery and burial ground purposes and nonlicensed powered machinery for purposes relating to the actual maintenance of cemeteries and burial grounds shall be reimbursed the full amount of such tax.

"Any person who shall use or buy any liquid fuel on which a tax imposed by this act in excess of one and one-half cents a gallon shall have been paid and shall use such liquid fuel in propeller-driven aircraft or aircraft engines, or who shall use or buy any liquid fuel on which a tax imposed by this act in excess of one and one-half cents per gallon shall have been paid and shall use such liquid fuel in jet or turbo-jet propelled aircraft or aircraft engines, shall be reimbursed in the amount of such excess.

"All such claims for reimbursement shall be made upon a form to be furnished by the Board of Finance and Revenue and shall include, in addition to such other information as the board may by regulation prescribe, the name and address of the claimant, the period of time and the number of gallons of liquid fuels used for which reimbursement is claimed, a description of the farm machinery, aircraft or aircraft engine in which such liquid fuels have been used and the purposes for which such machinery, air craft or aircraft engine has been used, the size of the farm and part thereof in cultivation on which such liquid fuels have been used. Each such claim shall contain statements that the liquid fuels for which reimbursement is claimed have been used only for purposes for which reimbursements are permitted, that records of the amounts of such fuels used in each piece of farm machinery, aircraft or aircraft engine have been kept, and that no part of such claim has been paid except as stated. Each such claim shall contain a declaration that it and accompanying receipts are true and correct to the best of claimant's knowledge and shall be signed by the claimant or the person claiming on his behalf. Every claim shall be accompanied by receipts indicating that the liquid fuels or excess liquid fuels tax was paid on the liquid fuels for which reimbursement is claimed. All records of purchases of liquid fuels and use in each tractor or powered machinery, aircraft or aircraft engine shall be kept for a period of two years. Every such claim shall be made annually for the preceding year ending on the thirtieth day of June and shall be submitted to the Board of Finance and Revenue not later than the thirtieth day of September of each year and the board shall refuse to consider any claim received or post-marked later than such date. The claimant shall satisfy the board that he has paid the tax and that the liquid fuels have been consumed by him for purposes for which reimbursements are permitted under this section. The board may require any claimant to furnish such further information, proof, or fuller explanation as it shall deem necessary. The action of the Board of Finance and Revenue in granting or refusing reimbursement shall be final. The board shall deduct the sum of one dollar and fifty cents ($1.50), which shall be considered as afiling fee, from every claim for reimbursment granted. Such filing fees are hereby specifically appropriated to the Board of Finance and Revenue and to the Department of Revenue for expenses of any nature whatsoever incurred in the administration of the reimbursement provisions of this act. The Board of Finance and Revenue shall have the power to refer to the Department of Revenue, for investigation, any claim for reimbursment filed under the provisions of this act and it shall be the duty of the Department of Revenue to investigate such application and report to the Board of Finance and Revenue relative thereto. Any person making any false or fraudulent statement for the purpose of obtaining reimbursment shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars ($1000) or to undergo imprisonment for not more than six (6) months, or both.

"All refunds and reimbursments of moneys allowed hereunder shall be paid from the Motor License Fund and the Liquid Fuels Tax Fund in amounts equal to the original distribution and payment of such moneys into said funds: Provided, That reimbursement for taxes paid on liquid fuels consumed in the operation of tractors and powered machinery for purpose relating to the actual production of farm products and reimbursement for taxes paid on liquid fuels used in aircraft or aircraft engines shall be paid out of the Motor License Fund.

"As much of the moneys, from time to time, in the Motor License Fund and the Liquid Fuels Tax Fund, as may be necessary, is hereby appropriated to the Board of Finance and Revenue for the purpose of making refunds and reimbursements as herein authorized. Estimates of the amounts to be expended form these funds for refunds and reimbursements, from time to time, by the board shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations to administrative departments, boards and commissions; and it shall be unlawful for the Auditor General to honor any requisition of the Board of Finance and Revenue for the expenditure of moneys hereunder in excess of the estimates approved by the Governor.

"The provisions of this section relating to reimbursement of taxes paid on liquid fuels consumed in the opera-

tion of tractors and powered machines for purposes relating to the actual production of farm products shall apply only to liquid fuels purchased on and after the first day of July, one thousand nine hundred fifty-five.

"The Pennsylvania Aeronautics Commission is authorized to make allocations of taxes collected under this act to airports in proportion to the average of their allocations received from the Pennsylvania Aeronautics Commission during the period for which they have received such allocation not to exceed five years or, in the case of airports having no such allocation experience, in equal proportion with other airports based upon comparative collections under this tax. In no case shall the amount apportioned to the airport be less than the highest amount apportioned in any one of the previous five years.

"Section 3."

On the question,

Will the Senate agree to the amendments?

Mr. KESSLER. Mr. President, I have been asked to explain these amendments. They are very simple.

It is costing almost as much to die today as it is to be born. The purpose of these amendments is solely to exclude from the gasoline tax, the gasoline which is used by cemeteries in taking care of their areas.

Mr. WEINER. Mr. President, we have no particular preference for cemeteries. I do not think I would like to open the door for any amendments. There may be many areas which are just as laudable and which may help people who are living which could enter into this bill as an adequate or appropriate amendment.

It might well be that after our experience with this tax, we may have to make some amendments at some later date. This is not a promise that we will. However, if they give us an opportunity to examine the situation, after we have lived with it, then I think the amendments would be appropriate, at which time we could work on it.

The problem presented by Senator Kessler is one which I think is entitled to consideration and one which deserves some study. However, these bills have been on the Calendar now for over a week. They were on the House Calendar for quite some time, and the Governor had suggested them before that. We really have not had a chance to look at these amendments. As laudable as they might be, and as high-minded and high-purposed as they might be, I feel this is not the time or the place to present them.

Therefore, Mr. President, I ask my colleagues to vote "no." We may consider them and even act favorably on them at a later date, if it is so indicated.

Mr. EHRGOOD. Mr. President, as much as I admire my colleague from Lancaster, these amendments are one of those dead issues for which I do not think I can vote.

The PRESIDENT. Thank you, Senator Ehrgood. You have narrowed down the issue.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I request that my remarks made with reference to House Bill No. 90 be recorded also with reference to House Bill No. 91.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. KESSLER. Mr. President, having noted under a misapprehension, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Camiel,	Hays,	Miller,	Seyler,
Confair,	Kalman,	Mullin,	Silvert,
Devlin,	Lane,	Murray,	Staisey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Weiner,
Flack,	McGinnis,	Sarraf,	Yatron,
Haluska,	McMenamin,	Sesler,	

NAYS—22

Bell,	Keller,	Propert,	Taylor,
Berger,	Kessler,	Scott,	Van Sant,
Chapman,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	Wolfe,
Hawbaker,	Pechan,		

A majority of all the Senators having noted "aye," the puestion was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 92 CALLED UP OUT OF ORDER

HB 92—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

HB 92—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. STROUP, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, line 5, by striking out "six cents (6¢)" and inserting: "five cents (5¢)."

Amend Sec. 3 (Sec. 9), page 4, line 7, by striking out "six cents (6¢)" and inserting "five cents (5¢)."

On the question,

Will the Senate agree to the amendments?

Mr. STROUP. Mr. President, I wish to say a brief word of explanation concerning these amendments.

These amendments will make it possible for a continuation of that policy of refunding to the political subdivisions twenty per cent of the gasoline tax, which has been refunded now for many years. Just as the improvement and the increased construction of highways in the Commonwealth becomes imperative and as costs mount, in order to take care of that improvement and increased construction, also the cost of maintaining the streets and highways in the political subdivisions has mounted and also the demand for improvement and construction has increased.

These amendments would make the increase in the gasoline tax much more palatable to our people back home. I think they would more readily accept the forty per cent increase if returned to them was twenty per cent of that increase which is so derely needed in their own particular bailiwicks.

For that reasons, Mr. President, I have offered these amendments and ask for their serious consideration from the Members of this Body

Mr. WEINER. Mr. President, these amendments do not shock me as much as the gentleman who sponsored them.

I think we should keep the record straight. If I am incorrect, I hope the gentleman will correct me. The gentleman just voted against House Bill No. 90 and House Bill No. 91. He did not want to grant any of these people anything. Now that the Senate and the House have acted to grant this money, he is now very happy to join in dividing it. I think that is a very happy position to be in. It is the same as being against taxes, but for appropriations. It is a very happy position to be in and I commend the gentleman for his astuteness in having this ready so that when the measure passed, he would be prepared to divide the money up. However, I think his position is slightly shaky, in the sense that he is willing to give something away which he was not willing to vote for to begin with.

If the gentleman attended the hearings, I think he will remember that the manufacturers and others who spoke for industry in Pennsylvania were quite exercised in the sense that we were giving any money back to the municipalities or the local government subdivisions. Their reason for taking this position was that they wanted the Commonwealth to have the entire money and to use it for the total purpose. Some of the Members of the Legislature did not happen to agree with that point of view. They felt that the local governments—because of their ability to handle their own affairs and because we believe in the local subdivisions having their own autonomy should have some money in order to operate their own program. This is the basis on which this was set up. Many of our cities, which do not participate on the same basis in regard to the money they give toward the Commonwealth, would be receiving some money here. The amount of money they would be getting is approximately —if we collect $74,000,000—$7,400,000.

As I stated, I think the gentleman means well, but had he joined us in the beginning by helping to raise this money, I would be only too happy to help him in dividing it, as well.

Mr. STROUP. Mr. President, I express my appreciation to the distinguished Senator for his compliment to me for my astuteness. I assure him that I gave thorough consideration to the amendments before they were presented. I voted against the two-cent increase because I believe it was not necessary. However, if this Senatorial Body, in its infinite wisdom, has determined that the two-cent increase should be placed upon our people, then I submit amendments to you, Mr. President, asking that twenty per cent of the increase be turned back to the political subdivisions. It still stands true that prices are going up back home, that costs are increasing, that taxes are rising, and unless we turn back this money, as is consistent with the Commonwealth's policy concerning political subdivisions, then our people will pay the increased gasoline tax and pay increases upon their real estate and otherwise, in order to maintain the highways and roads in those political subdivisions.

Mr. SEYLER. Mr. President, I think we should be honest about the way we look at this proposal. It seems to me that everyone realizes that the gasoline tax program has been designed to meet the needs of the Commonwealth. I think it requires only simple arithmetic to see that if this plan is altered, by giving more money to local communities than was anticipated in the bill, we would not be meeting that need. This, of course, would necessitate an additional tax to get the additional money which we would need. It seems to me that the honest position here is that if you advocate a greater return to local districts, you are, in effect, advocating a cent or a part of a cent additional gasoline tax. I think we have had enough sentiment to realize this would not be a popular suggestion

Therefore, Mr. President, I cannot support a proposal which seems to me to say that we would have to make another increase in the gasoline tax in order to meet this need.

Mr. BERGER. Mr. President, it appears to me that these amendments, which have been offered by Senator Stroup, give precisely the same effect as the proposed total increase in the gasoline tax, for the reason that this goes back to the various municipalities and will be used for additional employment, locally. It will be used for the purchase of additional equipment, locally. It will be used for the purpose of additional improvement to the rural roads, locally.

Mr. President, as long as that money is used on the road system of the Commonwealth of Pennsylvania, it is not being diverted from any highway purpose. Therefore, Mr. President, I would suggest that having fulfilled all of the requirements which have been stated as being the reason for this proposed tax increase, the amendments certainly should be supported.

Mr. WEINER. Mr. President, might I point out that in the two earlier bills which we just passed one penny is earmarked for the interstate Highway System. Regarding the second penny, eight-tenths of it will go for the 100 per cent State Highway System and two-tenths will go back to the local municipalities. It is impossible for us to take the other penny, in view of the program which we have outlined here. I do not see how you can take part of the program and decide not to take the other part. Once you have decided that you want the entire program, then you must give it the sinew and bone which it needs in order to march on. This one penny is earmarked for that purpose; the other is divided up, as I just stated

I just cannot see how you can do this, however generous you want to be in the local areas. Many of the areas would, I am sure, use the funds very wisely. As I stated earlier, had we had some support from the very same gentlemen who want to divide this money up, I would be only too happy to listen to it. I am not so sure that even if I accepted these amendments, we could count on additional help on that basis. Therefore, rather than risk that eventuality, I am going to ask my colleagues to vote "no" on these amendments.

And the question recurring,

Will the Senate agree to the amendments?

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll, the following occurred:)

Mr. BELL. "Present." The PRESIDENT. Senator Bell, that is not considered a vote in the Senate.

Mr. BELL. Mr. President, may I respectfully call your attention to page 4 of the Legislative Journal, dated January 3, 1961, wherein the President pro tempore, Senator DiSilvestro, voted and is recorded as voting "present", I also respectfully—

The PRESIDENT. Senator Bell, that was a vote, as you know, in a matter which definitely conflicted with the interests of the Senator. He could not be asked to vote for himself. This pertained to an increase in salary. Certainly, under no circumstances, could he have been asked to vote for or against himself.

Mr. BELL. Mr. President, I also respectfully remind the Chair that on this floor, I believe on Wednesday, the Majority Leader remarked on the absence of a certain Senator and said that he could have voted "present".

Mr. WEINER. Mr. President—

The PRESIDENT. Neither of which are precedents. I shall have to ask you, therefore, to vote either for or against the amendments, failing in which I will have to order your vote recorded.

Mr. BELL. Mr. President, may I yield to the gentleman from Allegheny, Senator Fleming?

The PRESIDENT. The Chair recognizes the gentleman form Allegheny, Senator Fleming.

PARLIAMENTARY INQUIRY

Mr. FLEMING. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. FLEMING. Mr. President, the Legislative Journal is the official journal of the Senate of Pennsylvania, is it not?

The PRESIDENT. Yes, sir.

Mr. FLEMING. Mr. President, I submit, as did Senator Bell to you, that on page 4, of the Legislative Journal of January 3, without any reasons being given, Senator DiSilvestro is recorded as voting "present".

The PRESIDENT. I have already told you about that, Senator Fleming.

Mr. FLEMING. Mr. President, again I respectfully submit to you, sir, that any explanation you might give now does not take precedence over the fact that the Legislative Journal shows that Senator DiSilvestro voted "present" on that day.

The PRESIDENT. Nobody requested a ruling at that time and I am now ruling on this one.

It was obvious to every Member of the Senate, at the time when that vote was recorded, that it was done simply because a man did not wish to vote for himself to receive an increase in salary and emoluments. On that basis, naturally, he was accorded the privilege of not voting for or against himself.

Mr. FLEMING. Mr. President, I recognize the fact that Senator DiSilvestro, being the gentleman that he is, recognized the impropriety of possibly voting for himself, even though the latter question was not present. I also recognize the fact that the gentleman did vote, but did not choose to vote for any other of the forty-nine Members. I have no quarrel with that. However, I also submit to you, Mr. President, that he filed no reasons for not complying with the Constitution, which does not permit you to vote in the case of a personal interest. Nowhere in the Journal does that appear. Only in the Journal appears the fact that he is recorded as voting "present".

The PRESIDENT. Senator Fleming, my ruling is that Senator Bell may not vote "present". He will be recorded as voting "no" if he fails to vote.

Mr. EHRGOOD. Mr. President, under that ruling, is it then correct that at no time will any Senator in this room, or any other Legislator in the House, be able to vote for an increase in emoluments—

The PRESIDENT. Senator—

Mr. EHRGOOD. Excuse me. May I finish my question, Mr. President?

The PRESIDENT. Under that ruling, I cannot speak for the House of Representatives.

Mr. EHRGOOD. Mr. President, may I then bring it down merely to the Senate of Pennsylvania?

As a result of that ruling, is it correct that no Senator will be able to vote for an increase in the expense account?

The PRESIDENT. That is not correct, sir.

Mr. EHRGOOD. That is an increase, is it not, in the emoluments of the office of the Senate of Pennsylvania? Is that not correct, sir?

The PRESIDENT. We are ruling on the question which is before the Senate of Pennsylvania at this particular moment. If the Senator does not like my ruling, he has a right to appeal it to the Body. At this point, sir, my ruling is still exactly what it was at the beginning of this discussion.

Mr. EHRGOOD. Mr. President, please believe me when I say that I am not trying to be cute. I am merely trying to arrive at something, for the sake of information, as to what I should do in the future. On that basis, I want to know whether I would ever be correct in voting for an increase in the expense account for myself. That is my only reason for asking the question.

The PRESIDENT. Thank you, Senator Ehrgood.

Mr. FLEMING. Mr. President, I would merely like the record to show that I did not ask for a ruling from the Chair. It is my recollection, and I can conceivably be wrong, that no one asked for a ruling from the Chair. The Chair—

The PRESIDENT. On the basis of that, this discussion is entirely out of order. The only thing in order is the roll call.

Mr. FLEMING. Mr. President, may I submit to you that you took it upon yourself to rule, without the question being brought up.

The PRESIDENT. I had to rule.

Mr. FLEMING. May I inquire who asked you to rule?

The PRESIDENT. Senator Bell desired that he be recorded as voting "present". I refused to so record him. That is a ruling, Senator Fleming, any way you look at it. I insist that that is my ruling. It is not necessary for you to ask for a ruling. I rule all day long on everything that I do up here. This is merely another ruling.

If you wish to appeal the ruling to the Body, you may do so.

Mr. WEINER. Mr. President, may we be at ease for a moment, please?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

The PRESIDENT. Senator Bell, perhaps you would prefer a precedent coming from a Republican source.

Mr. BELL. Mr. President, I am not asking for a ruling at this time. I am voting "aye".

PARLIAMENTARY INQUIRY

Mr. McMENAMIN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. McMENAMIN. Mr. President, as a matter of parliamentary inquiry and for reference in the future, is not the sanction against a Senator refusing to vote "yes" or "no" limited to matters of legislation only, and not applicable to such votes as on officers of the Senate or on procedural motions, such as a motion to recess or adjourn?

The PRESIDENT. I would consider your point well taken.

Mr. KESSLER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. Does it relate to this bill, Senator?

Mr. KESSLER. No, Mr. President, it is a general question as to whether or not—

The PRESIDENT. If it does not relate to this bill, the Chair will take the vote which has been handed to him by the Clerk, at this point.

Mr. KESSLER. All right, Mr. President.

The PRESIDENT. Thank you. Then we will return to your question.

The roll was called and resulted as follows:

YEAS—24

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,

NAYS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

PARLIAMENTARY INQUIRY

Mr. KESSLER. Mr. President, may I now raise my question of parliamentary inquiry?

The PRESIDENT. The Chair would see no reason why you cannot raise it at this point, sir.

Mr. KESSLER. Mr. President, are we to interpret your ruling to infer that a Senator may not disqualify himself from voting because of a personal interest in a certain piece of legislation?

The PRESIDENT. Certainly not, sir. The Chair does not know whether he is quite clear on the point you are raising. Are you talking about a piece of legislation?

Mr. KESSLER. Yes, sir.

The PRESIDENT. There has to be a direct interest, and that interest would not be direct if the legislation covered a class of subjects. In this particular vote,—the one on which the Chair ruled to accept the vote of "present"—it was to the direct interest of Senator DiSilvestro. He was becoming President pro tempore of this Body on his vote.

Mr. KESSLER. Yes, sir.

The PRESIDENT. Out of sheer modesty, he asked whether he could vote "present," and the Chair replied that he could. The Chair accepted his vote on that basis.

Mr. KESSLER. Yes, sir.

The PRESIDENT. It was certainly the shrinking-violet attitude of Senator DiSilvestro that prompted the Chair to make the ruling.

Mr. KESSLER. Mr. President, if I were a township supervisor who had a vital interest in this particular bill on which we just voted, so far as the amendments are concerned, as a Member of the Pennsylvania Senate, would I be required to vote "yes" or "no," or could I disqualify myself because I had an interest, as a township supervisor, in getting as much money from the gasoline tax as possible?

The PRESIDENT. The Chair would say to you, sir, that if that bill affected all classes of townships such as the township in which you were a township supervisor, you would be required to vote and there would be no interest involved, because it reaches a class of subject matter. However, if it were a bill only relating to your particular township,—and the Chair cannot understand how that could exist—then there might be avery real question of your right to vote or your requirement to vote.

If that case occurs, sir, the Chair will be happy to reconsider its ruling.

Mr. KESSLER. I appreciate the statement you make, Mr. President. Thank you very much.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

RECESS

Mr. BERGER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

Prior to the recess, we were on the Calendar and considering House Bill No. 92, Printer's No. 222, which had passed Third Reading. This bill is now before the Senate on Final Passage.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,

Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 94 CALLED UP OUT OF ORDER

HB 94—Without objection, the bill was called up out of order, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENT OFFERED

HB 94—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 4), page 5, lines 11 and 12, by striking out "THREE HUNDRED MILLION DOLLARS ($300,000,000)" and inserting: "one hundred million dollars ($100,000,000)."

On the question,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, this amendment does exactly what I said when we were discussing House Bill No. 90 and House Bill No. 91. It changes the authorized borrowing power of the Highway and Bridge Authority from $300,000,000 to $100,000,000, and that is all.

The logic of this amendment is very apparent. Under the original bill, the authorization of $300,000,000 could be issued at the rate of $50,000,000 per year. Under this amendment, the same thing prevails except that the authorization which we would give to the Highway and Bridge Authority would be limited to $100,000,000 for two years. It will accomplish exactly the same thing that is sought to be accomplished under the $300,000,000 authorization, but it will permit the Legislature to look over the situation at the expiration of this Session, and the next Session, and to find out whether or not it is necessary to provide for a full $300,000,000.

The $100,000,000, as I say, will do exactly the same thing and accomplish exactly the same purpose that the Majority Leader has said was the purpose of this $300,000,000 bill.

There is nothing I can see, Mr. President, the requires this Legislature to authorize this Authority to have a $300,000,000 bond issue to anticipate Federal payments under the Interstate Highway Plan.

Consequently, Mr President, we are not doing violence to any of the theories advanced in so far as gaining employment, giving work and accelerating the program. However, we will see whether it is necessary after the end of two years and, if it is not, then nothing need be done. If it is necessary, then we can go along with a further increase for a period as may be indicated at that time.

However, Mr. President, it appears to me—and I think it is perfectly logical and sensible—that a limitation of two years and $100,000,000 is ample.

Mr. WEINER. Mr. President, following through on the gentleman's logic, if what he says is absolutely correct, we are only spending $50,000,000, and two years from now, in 1963, when we come back, if the program as outlined by the Secretary of Highways has not been carried out, there will be nothing to prevent this Body from exercising its duly authorized authority in doing away with this measure or repealing it or amending it, as the case might be.

In the two years, the maximum which can be floated is $100,000,000—$50,000,000 this year and $50,000,000 next year—and the Legislature will return in January. The other factor to this is that once having voted for the other measures and providing the revenue to do the job, I believe we must follow through and give the gentleman who is proceeding along this line the further part of his program, which is outlining what he wants to do in the general, over-all program.

I believe, Senator, you are well familiar with the program of laying out highways. It takes ten or twelve years of planning. You cannot do it within a year or two. It might be that after five years, the ten or twelve year plans might prove obsolete, or perhaps they moved a little faster than expected, but, by and large, you cannot do this in a week's time nor in a day's time. The Authority must be asked to prepare its programs and its plans, to raise the limits, and to make ready to go ahead with these programs. They must advertise and open for competitive bidding the time for floating bonds. It cannot be done within the flash of an eye, or be done by Executive Order.

The Secretary, whoever he might be,—whether it is the present Secretary, if he continues after his term of office which expires in 1963, or a new Secretary—must follow through on these plans. It is not something a new Secretary can pick up and start planning the day after he gets into office.

Therefore, I feel after having passed the other two measures, this bill is keyed into them and should flow with the other measures that we have just passed

Mr. BERGER. Mr. President, the desirability of having a long range plan is unquestioned. No one can dispute that. However, never to my knowledge has it been even suggested that we start providing the money in one Session of the Legislature to carry out a long range plan. As the Majority Leader very correctly said, you get a long range plan, and the first thing you know part of it is obsolete, or else you have a plan and you have the money provided for it, but you do not use it.

I have never seen any Authority that was not anxious to retain the full measure of its borrowing power. All I am suggesting by this amendment is that we limit, for the conceivable period of financing, to $100,000,000 what otherwise would be a full authorization for $300,000,000.

I know, Mr. President, it was under discussion this afternoon, when the Secretary of Highways was before our Caucus, that the Federal Aid Program, under the present rate of Federal payments, would take eighteen

years. This bill, according to him, would put it so that it might possibly be completed within fourteen years. We are providing for a six year spread if this amendment is not approved and the bill is approved.

I say, Mr. President, there is no necessity to provide for six years for something that you cannot do, but can do under the two-year authorization. It just does not make sense to me to try to provide for financing over a period of six years when you do not know whether or not you are going to need the money.

We hope and believe that the Federal Government will accelerate the payments under the Interstate Program and, if so, then there will be no necessity for the issuance of the final amount of these bonds. We know what the allocation will be during the next two years. If we want to start picking up and accelerating on that program in the next two years, that is all right. We are not going to argue very much about that. However, to provide for a full $300,000,000 in borrowing at this time, I can conceivably see where the $300,000,000 will remain on the books until the bonds have been amortized at the end of twenty years and we will still pick up the Federal highway money.

Mr. WEINER. Mr. President, I would like to respectfully point out to the gentleman that not only do we have an opportunity to vote for these measures, but we also have the added opportunity to have a say in how they shall be conducted after this legislation becomes law.

As you well know, the leadership in the House and the Senate serve on the Highway and Bridge Authority, and if at any time they, in their infinite wisdom, want to correct an error that might have been made on the floor of the Legislature, they can correct it at their meetings, which are executive sessions in which they participate.

I think in any kind of planning, especially in long range planning, you have to have a goal, and you have to set your sights toward the goal. It might well be that when you start toward this goal, you might have to revise where you are going or change the area in which you are going to move. However, I think, by and large, you have to have some area toward which to move. If you, as a member of the Authority,—I am also a member, along with other Members of both the House and Senate —find that we do not need this money and find that it is not necessary to use it, I am certain that no one is going to vote for it just because it is on the books.

However, we might be in another anomalous position where we might need it and not really have it in front of us, so that we will have to come back to another Legislature and ask that they give it to us, and we will have to go through this whole matter of giving birth to the problem all over again. I think it would be easier, once having gone into this area and once having passed the other measures that provide the additional income—and having keyed one of the additional pennies that we are getting for the purpose of paying off this bond—to go ahead and put the entire program through so that it is available to us should we need it. If we do not need it, I am certain no one will vote for it just because it is on the books.

Mr. BERGER. Mr. President, I would certainly like to see somebody come back here and repeal a money measure which is already on the books. I would much rather have the Senate and the House given the opportunity, upon being shown the necessity, to increase and continue this program than I would to vote it all here tonight in anticipation that if we do not need it, we will come back in two years and repeal it. That I must see.

Mr. WEINER. Mr. President, it is not a matter of whether we vote here tonight and decide whether we will or will not use it. We are saying that this is available to the Authority. If it sees fit and does not have to have it—the people serving on the Authority are all responsible people in government. It is not a case of us turning this over to some outsider or to some administrator. We do not have to go ahead and use this money and it may as well lie there. We are not actually spending any money or putting anything forward. We are merely granting them the authority to move into this area. If you get into the area where you do not provide enough money, I think you will have great difficulty in coming back here during another Session and asking for it.

Mr. BERGER. Mr. President, not to belabor this, but the very thing we are doing in this amendment is making sure that we do provide enough money to get this off the ground, if it is necessary to do so, and then we will have an opportunity to keep on with it if it again proves necessary. That is the whole crux of the situation. You are getting enough money under this amendment to go ahead and do what is desired to be done by the Department of Highways in connection with accelerating this Federal Interstate Program.

There is no reason, I repeat, to authorize a six year borrowing period when, conceivably, all that you can anticipate—the Federal Department will not allocate funds for a period longer than two years—is a two year expenditure or a two year authorization.

Mr. WEINER. Mr. President, I respectfully ask that my colleagues vote "no" on this amendment.

And the question recurring,

Will the Senate agree to the amendment?

Mr. FLEMING. Mr. President, I request a roll call vote.

The PRESIDENT. A roll call being requested, the Clerk will call the roll.

The yeas and nays were required by Mr. FLEMING and were as follows, viz:

YEAS—24

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	Wolfe,

NAYS—25

Camiel,	Lane,	Mullin,	Seyler,
Devlin,	Mahady,	Murray,	Silvert,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,			

So the question was determined in the negative, and the amendment was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Camiel,	Kalman,	Murray,	Shafer,
Confair,	Keller,	Pechan,	Silvert,
Devlin,	Lane,	Ripp,	Staisey,
DiSilvestro,	Mahady,	Rooney,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Van Sant,
Ehrgood,	McGinnis,	Scott,	Wagner,
Flack,	McMenamin,	Sesler,	Weiner,
Haluska,	Miller,	Seyler,	Yatron,
Hays,	Mullin,		

NAYS—15

Bell,	Hawbaker,	Mallery,	Taylor,
Berger,	Kessler,	Propert,	Ware, III,
Chapman,	Kromer,	Stevenson,	Wolfe,
Fleming,	Madigan,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 82 CALLED UP OUT OF ORDER

HB 82—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 82—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 83 CALLED UP OUT OF ORDER

HB 83—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 83— Read at length the third time and agreed to,

On the puestion,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all Senators having voted "aye" the questionwas determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 84 CALLED UP OUT OF ORDER

HB 84—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 84— Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all Senators having voted "aye" the questionwas determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 85 CALLED UP OUT OF ORDER

HB 85—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 85—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all Senators having voted "aye" the questionwas determined in the affirmative.

Ordered, that the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 86 CALLED UP OUT OF ORDER

HB 86—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 86—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 87 CALLED UP OUT OF ORDER

HB 87—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 87—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup.
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 28 CALLED UP OUT OF ORDER

SB 28—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 28—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec. 406), page 2, line 6, by inserting after "least": "twenty."

Amend Sec. 1 (Sec. 406), page 4, line 12, by inserting after "least": "twenty."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill, as amended, lie over for printing.

HB 93 CALLED UP OUT OF ORDER

HB 93—Without objection, the bill was called up out of order, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 93—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, this bill merely puts the one per cent tax on realty transfers, which has been enacted since 1951 on a temporary basis, on a permanent basis. On a thirteen month period, this will yield $23, 000,000 to the Commonwealth of Pennsylvania. This bill has always been re-enacted. I never knew of a time in any Session when it was not voted on and passed by both the Senate and the House.

We are merely doing today, positively, what we have been doing during every Session since 1951. If you will look at the date, and remember a little bit about your political history, you will learn from where this measure originated and how it got to be with us. If the gentlemen would like for me to remind them, I will be happy to

do so. However, I do not think that is necessary because I am sure they are all good students of political history.

Mr. PECHAN. Mr. President, if that fellow does not shut up, he is going to lose some votes. He was ahead and he had better stay ahead.

Mr. WEINER. Mr. President, I will be very happy to have Senator Pechan's vote this evening.

And the question recurring,

Shall the bill pass finally?

The yeas and nays taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Berger,	Kalman,	Murray,	Staisey,
Camiel,	Kromer,	Pechan,	Stevenson,
Devlin,	Lane,	Ripp,	Stiefel,
DiSilvestro,	Mahady,	Rooney,	Stroup,
Donolow,	Mallery,	Sarraf,	Taylor,
Ehrgood,	McCreesh,	Scott,	Van Sant,
Flack,	McGinnis,	Sesler,	Wagner,
Fleming,	McMenamin,	Seyler,	Ware, III,
Haluska,	Miller,	Shafer,	Weiner,
Hawbaker,	Mullin,	Silvert,	Yatron,
Hays,			

NAYS—7

Bell,	Confair,	Madigan,	Wolfe,
Chapman,	Kessler,	Propert,	

A majority of all Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 97 CALLED UP OUT OF ORDER

HB 97—Without objection, the bill was called up out of order, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 97—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 88 CALLED UP OUT OF ORDER

HB 88—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 88—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, this is one of the so-called "acceleration" bills which have been under discussion for a comparatively brief time. Actually, it is one of the tax package bills.

It is our feeling, Mr. President, that at this time we do not feel prepared to vote upon this measure, without further consideration. The tax package has been unduly rushed, we feel, including the gasoline tax bills which passed the Senate here tonight.

This is another one of the tax bills and, without committing any future action on these, we feel, at this time, that we cannot support these bills. They should receive further consideration and further time for study. We know that sooner or later, there are going to be some requests for more taxes on certain programs. As a consequence, we would like to have a little bit more knowledge of what is going to be asked of this Senate before we are prepared to provide acceleration of taxes for the purpose of meeting an anticipated deficit.

Mr. WEINER. Mr. President, might I respectfully point out to the gentlemen, who are claiming that we are in great haste, that this measure has been with us since August of 1951. This is hardly a hasty measure.

The present rate of this tax is five per cent permanent and one per cent temporary. This has been with us for quite some time and there have been increases since the original tax was passed. Therefore, there is nothing hasty about it in that aspect of it.

The present Act requires a fifty per cent prepayment. We are stepping it up on an additional thirty per cent, to make it eighty per cent prepayment. The corporations can either go back and take last year, or take the first quarter of this year, whichever is lower, and pay it on that basis.

I do not feel this is anything which is going to parituclarly hurt anybody. I have heard people complain about it, but, as was stated earlier, people generally complain about taxes. If somebody can point out to me that we are doing some injury to someone or causing a great hardship to somebody, I would be very remiss if I did not listen to the arguments and, thereby, perhaps become cautious in our further action.

I would also state here that if there are some gentlemen on the other side who can tell me on which day they will support this measure, I will be happy to put it over in order until that day. If this is not forthcoming, we can be here for the rest of the Session, while this measure is being studied. I have no objection to people being studious about tax measures and giving us erudite answers on them. However, in due deference to the Administration and also to the people of the Commonwealth, I think we have a right to know where we are going before we start working on our appropriations. The only way we can get to that is by finding out how much money we will have in the till.

Mr. BERGER. Mr. President, I would not have the gentleman in any way anticipate that there will be any votes on this side for these tax bills. I merely said that after further study and consideration, it was possible

there might be some change of mind or heart in connection with these particular bills. However, Mr. President, this, we feel, is all part of a pressure in order to get over a tax program without sufficient time to give it full consideration.

For that reason, Mr. President, we feel that if there is to be violence done to anybody in this connection, we should know about it beforehand because this is the last chance we are going to have to look at them. They got them through the House, but the people who are affected might not have had time to go over the entire thing and find out exactly what is happening to them. As far as we on this side are concerned, we feel we should be deliberative about any revenue, measures, whether they be good or bad, before we give them our approval.

Consequently, Mr. President, I say at this time we are not prepared to give any votes for this tax measure. However, I would not, in any sense, have it understood that I am making any promise for any votes from this side at any time. I am not able to do that.

Mr. FLEMING. Mr. President, I rise to oppose the passage of this bill and the next bill on the Calendar. It is an acceleration of the rate of tax collection. In my opinion, we are only postponing the inevitable day of reckoning.

I would like to say to the Members of this Senate that I have had no one importune me to oppose this measure. However, I do say to you that in many instances you will find that some of the taxpayers will not have the money, cannot take it out of their business to pay this extra thirty per cent, and will be forced, in many instances to go to the bank and borrow it at the correct rate of interest. In many of the smaller corporations, I can see where this will work a great hardship on them, and could conceivably put such a burden on them that they may be forced to curtail some of their activities. I cannot conceive of this in any way being for the good of the Commonwealth. I cannot see how in any way, by accelerating taxes on our business and industry, we are going to accomplish the goal which, seemingly, we all want to accomplish and which has been, as near as I can figure, one of the objectives of this Administration—of supplying employment for the unemployed.

If anyone can show me how you can take money away from business and industry and make them prepay taxes, and at the same time better business conditions, I would like to be shown. I cannot see that.

Mr. President, I am absolutely opposed to this type of legislation.

Mr. SILVERT. Mr. President, in deciding whether or not we are to vote for these acceleration bills, we must take these facts into consideration: It has been estimated that by the end of the present fiscal year, by May 30, 1961, we will have a deficit of $86,000,000. The purpose of the acceleration of this tax and the other accelerations is to obviate the necessity of adding additional taxes to make up this deficit.

Under the acceleration plan, $82,000,000 of this $86,000,000 will be made up prior to the expiration of the fiscal year.

Now there is only one alternative. If we cannot meet the deficit by acceleration, which is merely an advanced payment and not additional taxes, then the other alterative is to raise the money by taxation. I am sure that business people in the State of Pennsylvania would prefer to borrow, if necessary, to make an advance payment rather than meet additional taxes through an increase in either the capital stock tax or the corporate net income tax.

Mr. WARE. Mr. President, I would like to suggest another alternative which, in my humble opinion, is far superior to that which has been recommended to this group. If we abhor a deficit so strongly, we should look to reducing expenditures so that our income fits our expenses.

Mr. WEINER. Mr. President, I would like to point out one fact to the gentleman from Allegheny County who was concerned—and duly concerned—about the hardships on business. If I were to advise you, Senator, that these businesses could obtain additional time or ask the department to grant them amnesty, as it were, before they had to pay this tax, would that alter your opinion or alter the way you might feel about this matter?

We are merely substituting here the borrowing power of the corporations for that of the Commonwealth. I think everyone will agree that we should not have to get into the area of tax anticipation notes and paying the revenue that goes with that, which only costs us a great deal more money than what we are doing here.

This bill we are talking about is on foreign corporations, not domestic corporations. It will bring us roughly about $100,000 in the acceleration. In toto, it will bring us about $559,000 in income. I think this is the type of situation where you are not putting any hardship on anyone, you are not hurting anyone, and yet you are still raising money for the Commonwealth to take care of the problem.

Incidentally, these bills have been on the Calendar in the Senate here for almost two weeks. They were in the House about a week. Before that, there was information about them around the Capitol. The Governor delivered his message around January 15th or 16th. We have had these measures with us or lived with them for about three or four weeks. Therefore, I think there is nothing wrong in taking action on these measures and acting on them promptly.

If we feel there are better measures or some other way of raising the taxes, I think we should do so.

In answer to the last gentleman who spoke, Senator Ware, I think his position is well taken. However, how do you cut down on money that the people are demanding, that the State is asking for, and services that each and every Senator in his own District and Members of the House would like to see enacted and that we are committed to? Our program is one of people and not one of buildings or programs of the type where you are dealing with inanimate objects. You cannot cut this down. You cannot do away with it. It just so happens that we are also caught in a growing population; in a growing situation where the demands which are being made upon us are becoming heavier and heavier.

I am sure all of us would be very happy if we did not have to vote for any taxes, if we could possibly avoid it. We do not do this because we feel we want to punish anyone or take advantage of anybody. We do this because we feel it is a matter of necessity. I will be very happy to speak to anyone in this Chamber who can tell me of a painless way of doing it, whereby no one will be

effected and everyone will be happy if we enact this program.

Mr. SILVERT. Mr. President, further answering Senator Ware about reducing expenses, I should like to call his attention, and the attention of the Members of this Senate, to the fact that it was Governor Lawrence's austerity program in the past two years which has reduced the deficit by $39,000,000. There is $39,000,000 in lapsed funds which is being saved, so that as far as saving is concerned, I think this Administration has done a remarkable job.

Mr. WARE. Mr. President, if the accomplishment had been as notable as my honored colleague has indicated, then I am sure this Administration is certainly capable of further reducing expenses to the extent of $559,000, which I think the Majority Leader said was all this was going to produce in the way of revenue.

Indeed, I am delighted to hear the word "austerity" used, because it comes as news to me that this Administration has an austerity program.

If we were to see the budget requests of the various departments and had an opportunity to analyze them, we might have some knowledge as to the intent and purpose for which these increased revenues are sought. Merely to say that they are sought to eliminate a budget, without any satisfactory explanation as to why expenses cannot be reduced, does not satisfy me and, I must say, it does not satisfy my constituents.

Some reference has been made to the people of Pennsylvania. There are a very substantial portion of these 11,000,000 people who resent accelerated taxes and increased taxes. I believe the Governor's budget calls for something like sixty-three increased programs, all resulting in additional expenses, and seven new programs. The people of Pennsylvania have not voted on these programs nor, indeed, has a single one of my constituents asked for them.

Mr. WEINER. Mr. President, I would like to state to the gentleman that I am sure he is aware—as are all of us in our own affairs—that what you were able to purchase two years ago for the dollar that you had, you certainly cannot purchase the same value today because the cost of living has gone up.

I am somewhat familiar with your county, Senator, and I think—far be it for me to tell you what the people in your county would like to have—there are some elements in your county that are benefiting to some extent from the public assistance program. I think there are some other elements in your county that are benefiting from the mental health program. I think there are some other elements in your county that are getting some benefit from the public health and welfare projects which are taking place generally. I would like to think this is one of the oases in the State of Pennsylvania where they have no need for our services. Then I would say that what you said would be correct and I would be very happy to go along with that.

Unfortunately, this does not happen to be the complete fact, because there are areas where I think you need the help of the State of Pennsylvania. I would like to think also that you carry your fair share of the tax load, but the figures and facts I have do not indicate that. I would be very happy if you corrected me or showed me otherwise. Of the statistics I have available to me—and they also are available to you—this fact that you stated is not borne out.

I would also like to say that it is perfectly all right to come here and represent these people and vote against these programs. However, unfortunately, we are not elected here as the board of directors of a corporation, known as the Commonwealth of Pennsylvania, merely to deal with the problems which are strictly parochial or deal with our own particular narrow area. We must legislate for the entire State of Pennsylvania. Perhaps some other areas in the State are not as fortunate as your area, and perhaps they do not enjoy the same type of economic benefits that you do. Therefore, I think you have to give heed to these other people who are in the unfortunate position of needing the help of all of us.

Mr. WARE. I am in accord with practically all that you had to say, Senator Weiner. However, I repeat that neither you, nor anyone on the other side of the aisle, nor any member of the Administration, to my knowledge, has suggested to this Body how we could save one dollar. I would certainly welcome some suggestion, knowing full well there is more than one avenue whereby that could be accomplished.

Mr. WEINER. Mr. President, might I suggest to the gentleman—and I am sure he has already done so—that if he looks at the budget, he will see that the appropriations which we are making are rather small, compared to what we gave last year and the year before. This is a savings in itself, and it is a part of the austerity program. You will find in your own affairs that you are spending more money for many of the projects which you were doing a year or two ago, as compared to this year. If you, as individuals, are doing this, commensurate with your income, I think the Commonwealth of Pennsylvania can do no less.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

Mr. WEINER. Mr. President, realizing this bill lacks one vote for a constitutional majority to pass it, I wish to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

Mr. SILVERT. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Kalman,	Mullin,	Sesler,
Devlin,	Mahady,	Murray,	Seyler,
DiSilvestro,	McCreesh,	Ripp,	Staisey,
Donolow,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Yatron,
Hays,	Miller,		

NAYS—27

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wagner,

Confair,	Kromer,	Shafer,	Ware, III,
Ehrgood,	Lane,	Silvert,	Weiner,
Flack,	Madigan,	Stevenson,	Wolfe,
Fleming,	Mallery,	Stroup,	

Less than a majority of all Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a ten minutes recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

SB 3 CALLED UP OUT OF ORDER

SB 3—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL OVER IN ORDER

Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 89 CALLED UP OUT OF ORDER

HB 89—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL OVER IN ORDER

Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 95 and 96 CALLED UP OUT OF ORDER

HB 95 and 96—Without objection, the bills were called up out of order, from page 4 of the Third Reading Calendar, by Mr. WEINER.

BILLS OVER IN ORDER

Without objection, the bills were passed over in their order at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 98, 99, 100 and 101—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 136—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 137—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF HB 88

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 88, Printer's No. 88, failed of final passage earlier this evening.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. SILVERT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SILVERT. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 88, Printer's No. 88, appear on tomorrow's Final Passage Calendar.

The PRESIDENT. There being no objection, House Bill No. 88 will appear on tomorrow's Final Passage Calendar.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 20 and 23—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 31, 85, 88, 93 and 94—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITEE MEETINGS
WEDNESDAY, FEBRUARY 8, 1961

Time—10:30 A.M. Rom—539A
Committee—Executive Nominations

Democratic Caucus ..... 11:00 A.M.
Republican Caucus ..... 11:00 A.M.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, February 8, 1961, at 12:00 m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:53 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 7, 1961

The House met at 11:00 a.m., Eastern Standard Time.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

In the midst of life's experiences, O God, we turn to Thee for a moment of quiet meditation and prayer. We pray that the still small voice which spoke to the Psalmist, has ever spoken to men throughout all ages, may also speak to each one of us in the entanglement of life. We humbly beseech Thee that, in the moments of anguish and despair, Thou wilt grant peace; in the hours of trial and temptation, Thou wilt instill faith; and in the days of disturbing questions and preplexing situations, Thou wilt give guidance and direction. O God, grant to these servants of Thine a ready access to Thee and the awareness of Thy care and concern. In Thy dear Name. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Thursday, January 26 and Monday, January 30, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 6, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. O'DELL and PRENDERGAST.
HOUSE BILL No. 359.

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

Referred to the Committee on Municipal Corporations.

By Messrs. FETTEROFF and A. M. LEE.
HOUSE BILL No. 360

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing persons to bring into Pennsylvania limited amounts of untaxed liquor under limited circumstances.

Referred to the Committee on Liquor Control.

By Mr. WORLEY. HOUSE BILL No. 361.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further providing for an open season for anterless deer.

Referred to the Committee on Game and Conservation.

By Messrs. SCHUSTER, TAYLOR, GALLAGHER and McDEVITT. HOUSE BILL No. 362.

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks, imposing duties on the Public Utility Commission and providing penalties.

Referred to the Committee on Railroads and Railways.

By Messrs. SCHUSTER, TAYLOR, GALLAGHER and McDEVITT. HOUSE BILL No. 363.

An Act requiring common carriers by railroad, to man locomotives, trains and other self-propelled engines or machines with compentent employes; providing for the minimum number and qualifications of men so employed and providing penalties.

Referred to the Committee on Railroads and Railways.

By Messrs. TOMPKINS, BOSSERT, RENWICK and GOODRICH. HOUSE BILL No. 364

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), prescribing the compensation of local forest fire wardens, crew members and pick-up labor.

Referred to the Committee on State Government.

By Messrs. AGNEW, McCANN, FRY and FLYNN. HOUSE BILL No. 365.

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission, in connection with the employment of personnel for civil defense purposes.

Referred to the Committee on State Government.

By Messrs. ELVEY, RENWICK, SNARE and HORST. HOUSE BILL No. 366.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the bag limit in certain cases.

Referred to the Committee on Game and Conservation.

Messrs. MEHOLCHICK, MAXWELL, MUSTO and CURWOOD. HOUSE BILL No. 367

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), prohibiting the killing or wounding of albino or white deer and imposing duties on the commission with respect to collecting and protecting them.

Referred to the Committee on Game and Conservation.

By Mrs. MUNLEY, Mr. WARGO and Mrs. MARKLEY. HOUSE BILL No. 368

An Act requiring that all policemen and other persons exercising police powers, while directing traffic at night, wear a luminous or reflective outer garment.

Referred to the Committee on Highways.

By Messrs. MUSTO and MEHOLCHICK.
HOUSE BILL No. 369.

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

Referred to the Committee on Labor Relations.

By Messrs. McCANDLESS, FOERSTER, KING and CLARKE. HOUSE BILL No. 370

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Slippery Rock, Butler County, Pennsylvania, for use of Slippery Rock State College; and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. GREMMINGER, GALLAGHER and FRY.
HOUSE BILL No. 371.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for registration at shopping centers.

Referred to the Committee on State Government.

By Messrs. MUSTO and MEHOLCHICK.
HOUSE BILL No. 372.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053) requiring the Public Utility Commission of Pennsylvania to provide for arrangements for the protection of railroad employes' interests in certain cases and authorizing the Commission to approve certain agreements entered into between the employes and the railroad carrier.

Referred to the Committee on Public Utilities and Corporations.

By Messrs. GALLAGHER, FRASCELLA, Mrs. PASHLEY and Mr. LAMB. HOUSE BIL No. 373.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting school buses owned by parochial or private schools or rabbis or priests from fees charged for certificates of title or registration.

Referred to the Committee on Rules.

By Messrs. GOODRICH, K. B. LEE, RENWICK and YETTER. HOUSE BILL No. 374.

An Act providing for payment to counties, townships, and school districts of a portion of moneys derived from the sale of timber or any forest product on State-owned land under the jurisdiction of the Department of Forest and Waters or the Pennsylvania Game Commission located therein.

Referred to the Committee on State Government.

By Messrs. GOODRICH, K. B. LEE, RENWICK and YETTER. HOUSE BILL No. 375.

An Act requiring that a percentage of the proceeds from the sale of timber and forest products derived from State land under the jurisdiction of the Department of Forests and Waters, be placed in a special fund to be used for improvement of State forest lands and development of recreational facilities; and imposing powers and duties on the Secretary of Forests and Waters in relation thereto.

Referred to the Committee on State Government.

By Messrs. K. B. LEE, RENWICK,
E. S. WILLIAMS and WYND. HOUSE BILL No. 376.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

Referred to the Committee on Fisheries.

By Messrs. K. B. LEE, RENWICK,
E. S. WILLIAMS and WYND. HOUSE BILL No. 377.

An Act amending the "Public School Code of 1949," approved March 10, 1040 (P. L. 30), providing for architect's plans to be furnished by the Department of Public Instruction.

Referred to the Committee on State Government.

By Mr. O'DELL. HOUSE BILL No. 378.

An Act amending the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; * * *," excluding certain employment from the act, requiring recommended fair wage rates to vary according to population of localities.

Referred to the Committee on Labor Relations.

By Messrs. MURRAY, GUESMAN and GROSS.
HOUSE BILL No. 379.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting certain licenses, their servants, agents and employes from selling liquor and malt and brewed beverages during Good Friday and Christmas and certain hours thereafter.

Referred to the Committee on State Government.

By Messrs. GOODRICH, K. B. LEE, E. S. WILLIAMS, WYND, BUSH and PARLANTE.
HOUSE BILL No. 380.

An Act regulating loans and installment payment contracts for real estate improvements; fixing interest rates and collection costs * * *.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. K. B. LEE, GOODRICH, E. S. WILLIAMS, FULMER and WYND. HOUSE BILL No. 381.

An Act requiring that all insurance purchased by the Commonwealth or its agencies or authorities be purchased directly from insurance companies; placing restrictions on the purchase of such insurance; creating a Student Loan Fund and providing for payments by insurance companies into such fund; and prescribing powers and duties of the State Council of Education in relation to the Student Loan Fund.

Referred to the Committee on State Government.

EXCHANGE STUDENTS FROM NEW YORK AND YORK COUNTY WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of eleven exchange students from New York, presently students of Holly Luzerne School, New York, and eleven students of the Northeastern High School, York County, who are here with their teacher, Mrs. Etta McLean. They are the guests of the gentleman from York, Mr. Gross.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to inform the Members that the voting mechanism was not out of order yesterday. The Members whose votes were not recorded attempted to record them after the Clerk had locked the machine. The Chair, in the future, will say after the Floor Leaders have given reports, "The Clerk will now lock the machine and record the vote." After the Clerk has locked the machine, the vote cannot be recorded.

We repeat that the Chair shall continue to regard the wishes of the Floor Leaders and not tell the Clerk to lock the machine until the respective Floor Leaders have given clearance. But please understand, after the Chair tells the Clerk to lock the machine, it is impossible to vote by means of the machine.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. ANDREWS, McCANN, HELM and LIPPINCOTT. RESOLUTION No. 25

In the House of Representatives, February 6, 1961.

Two decades ago, the General Assembly repealed miscellaneous civil services statutes applicable to specific departments, and established uniform requirements and conditions for all employes of the Liquor Control Board, Bureau of Employment Security, Department of Public Assistance and the Civil Service Commission.

Since the passage of the Civil Service Act in 1941, separate and distinct statutes have provided civil service for employes of the Board of Parole and the Department of Health. In addition, civil service has been established by departmental action in the Office of Children and Youth, the Office of Mental Health, the Office for the Blind, the Office for the Aged, the Office of General and Special Hospitals, and the Bureau of Rehabilitation. Furthermore, the Executive Board of the Commonwealth, by resolutions, established civil service for selected professional and technical employes for all departments.

The uncoordinated actions of the legislature, the departments and the Executive Board have well-nigh destroyed the uniformity of employment conditions established by the Civil Service Act in 1941.

Today, qualifications, performance standards, and employe rights differ markedly among Commonwealth departments and offices within departments. Arbitrary differences affect an employe's morale adversely, restrict the transfer of employes among agencies and departments, impair employe advancement and impose excessive costs upon the Commonwealth. Again, though the Act of 1941 explicitly provides that" . . . no applicant shall be required to be possessed of any scholastic education in order to be permitted to take any competitive examination . . ." it has become a practice in departments in which civil service was administratively established to require applicants "to be possessed of scholastic education" before they are permitted to take a competitive examination.

The present heterogeneous conglomeration of civil service practices is in need of searching inquiry; therefore be it

Resolved, That the Joint State Government Commission be directed to examine present Commonwealth civil service practices and develop a unified, simplified and equitable system of civil service for Commonwealth departments, agencies and offices; and be it further

Resolved, That the Joint State Government Commission make a preliminary report of its findings to the 1961 Session of the General Assembly and report to the Session of 1963 its conclusions and recommendations, together with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Messrs. LAMB and MURPHY. RESOLUTION No. 26.

In the House of Representatives, February 6, 1961.

Whereas, Responsible sources have charged that the insurance industry is interfering with the proper function of the jury in the trial of trespass cases; and

Whereas, It is specifically charged that the insurance industry is conducting a planned campaign to misinform the public that the high premiums for liability insurance are due to unreasonably high jury verdicts, thus creating a prejudice in the minds of prospective jurors; and

Whereas, It is specifically charged that this campaign is being conducted through the mail, the press, outdoor advertising media, radio and television; and

Whereas, Such charges if proven would be violative of the law of this Commonwealth and would constitute a harmful and unlawful interference with the jury function; therefore, be it

Resolved, That the Insurance Commissioner of the Commonwealth of Pennsylvania is hereby requested to make a thorough investigation of the charge that insurance companies are interfering with the function of the jury in the trial of trespass cases; and be it further

Resolved, That the Insurance Commissioner shall hold public hearings and take testimony in order to give opportunity to those making such charges, to present evidence thereof, and to give insurance companies an opportunity to rebut such charges. The Insurance Commissioner may issue subpoenas under his hand and seal commanding any person to appear before him and to answer questions touching matters properly being inquired into, and to produce such books, papers, records and documents as he deems necessary. Any person who wilfully neglects or refuses to testify before the Insurance Commissioner, or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the Insurance Commissioner make a report of his findings to the House of Representatives as soon as practical, and make such recommendations for appropriate legislation or other action as he shall deem necessary.

Referred to the Committee on Rules.

By Mr. GREMMINGER. RESOLUTION No. 27.

In the House of Repesentatives, February 6, 1961.

The House of Representatives of the Commonwealth of Pennsylvania recognizes the importance of port facilities.

The City of Chester has port facilities which have been allowed to deteriorate and now serve very little if any useful purpose.

Rehabilitation of these facilities would promote the economy of the City of Chester in creating jobs, advancing industrial production and generally ameliorating business conditions.

Even though civic minded persons and civic groups have urged the Honorable Joseph Eyre, Mayor of the City of Chester to use his office to promote the development of the port facilities, to date he has accomplished nothing, therefore be it

Resolved, That the House of Representative urge the Honorable John Eyre, Mayor of the City of Chester to forthwith do all in his power to rehabilitate and develop the port facilities of Chester, Pennsylvania, and be it further

Resolved, That he be urged to enlist the aid of Federal Goverment and State Agencies in furthering the development of the aforesaid port facilities, and be it further

Resolved, That a copy of this resolution be sent to the Honorable John Eyre, Mayor of the City of Chester and a copy to the City Council in care of Richard Larkin, Chief Clerk, City of Chester, Pennsylvania.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mrs. REIBMAN from the Committee on Judiciary, reported as committed, House Bill No. 20, entitled:

An Act providing for the determination of the date of injury, damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

Mr. GELFAND from the Committee on Judiciary, reported as committed, House Bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

Mr. ZIMMERMAN from the Committee on Fisheries, reported as committed, House Bill No. 251, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the use of nets.

Mr. COOLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 305, entitled:

An Act amending the act of September 23, 1959 (P. L. 933), entitled "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof; * * *; further regulating fences; and deleting certain requirements relating to the keeping of records.

Mr. KAMYK from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 312, entitled:

An Act amending the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154) providing for the use of the word margarine.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act providing for the determination of the date of injury, damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 251, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the use of nets.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act amending the act of September 23, 1959 (P. L. 933), entitled "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof; * * *; further regulating fences; and deleting certain requirements relating to the keeping of records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 312, entitled:

An Act amending the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154) providing for the use of the word margarine.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

The SPEAKER. House bills 65, 226 and 240, which were reported yesterday, are not on the first reading calendar. However, those bills are in print and have been reported and, if there are no objections, these bills will be read the first time today.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 65, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid saide for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 240, entitled:

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 194, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), exempting certain appointees in police and fire forces from civil service examination.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act amending the "State Public Building Authority Act" approved July 5, 1947 (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing departments boards and commissions to train personnel.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 61, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 120, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 184, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1535), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville, Lancaster County, for the use of the Millersville State Teachers College * * *" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, I ask permission of the House to hold a Republican caucus at this time. I was hoping we could be back in half an hour, but I think experience dictates that I had better ask for forty-five minutes.

The SPEAKER. At the request of the Minority Leader, the Chair declares a recess for a Republican caucus, a recess until the return of the Minority Floor Leader to the floor.

What is the will of the Majority Floor Leader?

The Chair has been declaring recesses for half an hour for so long that it does not make any difference. We do not get going until they come back from the caucus. The Chair has declared a recess until the Minority Floor Leader returns to the floor of the House.

Mr. McCANN. Mr. Speaker, I would like to bring to the attention of the Minority Floor Leader that Resolutions 6, 7 and 10 are in position to be voted on. One is missing; House Resolution 21 is not on the calendar. I would ask that you add that to your calendar.

Mr. McCANN. Mr. Speaker, the Democratic Members of the House will not hold a caucus. We finished our calendar last night at our caucus, so we will agree to the forty-five minutes that I believe the Minority Leader requested for a recess.

REPORT FROM COMMITTEE

Mr. DONALDSON from the Committee on Judiciary, reported as committed, House Bill No. 128, entitled:

An Act making loss of a spouse's consortium an element of damage for which recovery may be had.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 128, entitled:

An Act making loss of a spouse's consortium an element of damage for which recovery may be had.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess of forty-five minutes.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. J. A. SULLIVAN, GELFAND, HANKINS and McDEVITT. HOUSE BILL No. 382.

An Act to repeal sections 662, 663 and 730 of "The Penal Code," approved June 24, 1939 (P. L. 872), relating to the imposition of penalties against railroad employes and other persons for certain activities during strikes and against transportation employes for injuries or death resulting from their actions.

Referred to the Committee on Law and Order.

By Messrs. JENKINS, GUESMAN, T. F. SULLIVAN and MURRAY. HOUSE BILL No. 383.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), requiring the providing of utility facilities or security therefor prior to approval of subdivision plans.

Referred to the Committee on Townships.

By Messrs. GOODRICH, FARABAUGH, DAVIS and WYND. HOUSE BILL No. 384.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; * * *," changing the formula used to determine the amount of payments to be made to the political subdivisions.

Referred to the Committee on Ways and Means.

By Messrs. SHERMAN, GELFAND, McCORMACK and Mrs. KERNAGHAN. HOUSE BILL No. 385.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, providing exemptions for churches and property necessary for use of the churches, including parsonages.

Referred to the Committee on Judiciary.

By Messrs. TOMPKINS and POLEN. HOUSE BILL No. 386.

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; * * *" changing the date for transmitting returns.

Referred to the Committee on State Government.

By Messrs. McCANN and AGNEW. HOUSE BILL No. 387.

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

Referred to the Committee on Rules.

By Messrs. RUDISILL, HOCKER, PETROSKY and KORNS. HOUSE BILL No. 388.

An Act amending the Act of May 29, 1945, (P. L. 1134) entitled, "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin * * *," providing for the appointment of alternate members and conferring additional powers upon the Commission.

Referred to the Committee on State Government.

RESOLUTION

CONGRATULATIONS

Messrs. GOODRICH, A. W. JOHNSON, E. S. WILLIAMS and BUSH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 7, 1961.

The Honorable Harry R. McInroy, a member of this House of Representatives from Tioga County since his first election thereto in 1950, came from a family of thirteen children, nine of whom are living, and all graduates of Mansfield State Teachers' College.

Mr. McInroy's illustrious athletic record includes four years on his high school baseball team, two years on the baseball team at Mansfield State Teachers' College, then known as Mansfield State Normal School, and three years on the baseball team of the Dickinson School of Law. He played baseball in the Anthracite League for six years, and for many years more in semi-professional baseball. He also spent twenty years as a basketball referee and ten years as a football official.

In addition to his legislative and athletic endeavors, Mr. McInroy taught eight years in Schuylkill Haven, Pennsylvania, as coach and principal of the high school, and two years in Wellsboro High School. For ten years he was supervising principal of Westfield High School at Westfield, Pensylvania.

Mr. McInroy is now Station Agent for the New York Central Railroad at Elkland, Pennsylvania. He is a local preacher in the Methodist Church, a real estate and insurance agent, and Superintendent of the Methodist Sunday School.

Mr. McInroy is an interested and ardent fisherman and hunter, and for one year served as President of the Tioga County Federated Sportsmen's Association.

On February 9, Mr. McInroy celebrates his sixty-third birthday, and on that day deserves the plaudits of his fellows for his many wholesome activities and the fine accomplishments with which he has distinguished himself for the many years of his varied and interested life; therefore be it

Resolved, That this House of Representatives extends its hearty congratulations to the Honorable Harry R. McInroy on his sixty-third birthday anniversary, coming on February 9, 1961; and be it further

Resolved, That copies of this resolution be sent to Mrs. Harry McInroy, Westfield, Pennsylvania, Mr. Richard H. McInroy, Pine Street, Canister, New York, Mr. Harry C. McInroy, Canister, New York, the Misses Patricia, Gertrude and Margy McInroy and Mr. Craig McInroy, all of 635 Edison Street, Philadelphia, Pennsylvania, and to Mrs. Chester Sheffer, Third Street, Harrisburg, Pennsylvania.

RESOLUTION

CONGRATULATIONS

Mr. STIMMEL, Mrs. MARKLEY and Mr. STECKEL offered a resolution and asked and obtained unanimous consent for its immediate ocnsideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 7, 1961.

Congratulations are certainly in order today for one of the youngest and newest members of the House. Last night the gentleman from Lehigh, John E. Backenstoe became the father of a bouncing baby boy. This new addi-

tion to a fine old Lehigh County family will have to work hard to be able to follow in the footsteps of his father, grandfather and great-grandfather all of whom carried the Backenstoe name high.

A necessary part of every joyous occasion such as this is the mother of the baby. To Lois Backenstoe we offer our sincere congratulations. We know that she is a proud mother and if she puts as much love and care in the raising of the baby as she puts in her excellent cooking there is no question that the new Backenstoe will grow up to be a real man and a fine gentleman.

Now that "Jeb" and Lois are the parents of their first born he will be better able to understand the many complexities of raising a family. We are sure that this blessed event will give him a better insight on the many problems that are presented to him as the representative of the people of Allentown; therefore be it

Resolved, That the House of Representatives extends its heartiest congratulations to John and Lois Backenstoe upon the birth of their first boy; and be it further

Resolved, That a copy of this resolution be sent to Rep. and Mrs. John E. Backenstoe at their home in Allentown.

The SPEAKER. It is customary on occasions like this to distribute cigars to all the Members of the House.

Mr. BACKENSTOE. Mr. Speaker, they will be here at the next session.

Mr. Speaker, I would like to thank the Members of the House and Mr. Stimmel very, very much for this wonderful honor. My wife and I both thank the House, and I would also like to say, Mr. Speaker, I think it is time perhaps that we should get back to work and try to make a better country and a better State not only for my boy but for everybody's. Thank you very much.

The SPEAKER. You see the Chair got his cigar before he would permit the reading of the resolution.

Mr. McCANN. The Minority Floor Leader has asked upon return from caucus to speak on the floor of the House and then vote on the bills.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

REPORTS FROM COMMITTEE

Mr. KRAMER from the Committee on State Government, reported as committed, House Bill No. 208, entitled:

An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices, and fixing penalties.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House Bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143), entitled "An Act designating certain days of each year as Arbor Days and Bird Days, one of which days shall be the ninth day of April, * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 208, entitled:

An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices, and fixing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143), entitled "An act designating certain days of each year as Arbor and Bird Days, one of which days shall be the ninth day of April, * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

STATEMENT BY MINORITY LEADER

Mr. AGNEW. Mr. Speaker, it is my privilege at this time to announce from the floor of the House the Republican legislative program for the 1961 session. This program was drafted by a special committee appointed for that purpose and submitted to our policy committee, which recommended to the caucus membership its adoption. Every provision in this program received the unanimous and overwhelming consent of the Republican House caucus. The program is in 15 major fields. Bills will be drawn to implement the provisions of the program and submitted as soon as possible. The program is as follows:

1. CIVIL SERVICE STATUS FOR STATE EMPLOYES.

Mr. Speaker, we propose in this field a bipartisan nonpolitical commission which shall submit its findings to the General Assembly for approval. Civil Service should include all professional, technical and auditing employes of the various departments and agencies of the Commonwealth. All present personnel will have the opportunity to qualify for classification under the act by participating in competitive qualifying examinations.

The membership of the commission shall be chosen by the Governor from a list of competent appointees to be submitted to the Governor by a board composed of the presidents of the four state and state-aided universities.

All employes under Civil Service shall be prohibited from any political activities with appropriate penalties.

2. PUBLIC WELFARE.

We propose in this field a survey of the Department of Public Welfare by an independent business-management consulting firm to make recommendations for reorganization of the department to promote efficiency and eliminate waste. We also propose a bipartisan legislative inquiry into the department operations to determine the extent of relief chiseling and racketeering in public assistance.

3. HIGHWAY LEGISLATION.

a. We propose that the Secretary of Highways submit annually a six-year capital program detailing all major construction and improvements of highways, bridges and other facilities, with the first year having the force of law upon legislative approval and the remaining five years being subject to future modifications.

b. We propose effective billboard control within 660 feet of the right-of-way of the interstate highway system in compliance with the Federal Act.

c. We propose legislation requiring advance payment of 75 percent of the appraised valuation in State highway condemnation cases.

d. We propose that local municipalities shall participate in the same ratio as they now participate in any additional gasoline tax increase.

4. HIGHWAY SAFETY.

We propose the following legislation in the field of Highway Safety:

a. Restrict driving privileges of juvenile drivers 18 years of age and under during the night-time hours.

b. Authorize the use of alcohol-testing devices on persons suspected of drunken driving by qualified law officers with subsequent confirmation by laboratory or medical analysis.

c. Establish a non-discriminatory system of periodical drivers' examinations by a doctor of the operator's choice, at the expense of the Commonwealth.

d. Propose prompt studies and reports on auxiliary braking devices as standard equipment on all large trucks; possible legislation to combat the ever-increasing number of rear and collisions; and, a further prompt study and report to establish a more adequate and uniform system of speed limits on various sizes and grades of highways.

e. We propose to staff, with additional personnel, the Pennsylvania State Police force as the same might be required for highway safety and police purposes, and we propose that qualified women be incorporated in the force to handle secretarial and clerical duties.

f. Establish a system of penalties for the suspension or revocation of drivers' licenses and eliminate the power of the Executive to legislate by decree.

g. Require seat belt attachments to be standard equipment on all new passenger vehicles sold in the Commonwealth after January 1, 1963.

5. LOCAL GOVERNMENT

a. In order to eliminate the extraordinary cost of authority financing, we propose Constitutional amendments to enable local governments and school districts to increase their borrowing capacity.

b. We propose payments in lieu of taxes by the state government to local governments in areas where Commonwealth ownership of taxable real estate is disproportionately high.

6. ELECTION LAW REFORMS

In order to eliminate illegal election practices in urban areas, we propose:

a. The abolition of the direct election of district election boards and the substitution of appointed boards by county boards of elections on the recommendations of the respective county committees or city committees, as the case may be.

b. We propose to remove the residency requirements of election board officials and certified poll watchers.

7. JUDICIAL REFORM

We propose Constitutional amendments to permit the consolidation and uniformity of the judicial systems of Philadelphia and Allegheny Counties with appropriate administrative services.

8. UNEMPLOYMENT COMPENSATION

We propose an increase of $5 per week in the benefits to claimants and an extension of the benefit period.

We propose that the fund shall be liable for payments only to those persons out of work through no fault of their own by the elimination of loop-hole claimants.

In other words, we propose to increase the weekly benefits to people for whom unemployment compensation was originally intended, those out of work through no fault of their own. We propose to eliminate the social welfare legislation which has crept into unemployment compensation.

9. SENIOR CITIZENS TAX EXEMPTION

We propose a Constitutional amendment granting an exemption from taxation on residential real estate to persons 65 years of age or over whose income does not exceed $5,000 a year from all sources, which exemption shall not exceed the first $1,000 of the property assessment.

10. ATTORNEY GENERAL

We propose a Constitutional amendment to provide for the election of an independent Attorney General and supporting legislation to create the office of Solicitor General as the Governor's own legal counsel.

11. PHILADELPHIA CITY-COUNTY CONSOLIDATION

We will again introduce bills designed to complete the consolidation of the remaining Philadelphia County offices into the Philadelphia city government.

12. PARK ACQUISITION AND DEVELOPMENT

We propose a Constitutional amendment to authorize borrowing by the Commonwealth in the amount of $35 million for the acquisition and development of additional land for future parks, recreation and conservation purposes.

13. ELIMINATION OF INSURANCE COMMISSION

We propose legislation to eliminate the payment of commissions to individuals on insurance purchased by the Commonwealth or agencies thereof. I might add that this has already been dubbed the "Anti-Torquato Bill."

14. MEDICAL CARE FOR THE AGED

We propose a legislative program in compliance with the Federal Act, and revision thereof in the event that the Federal Act is changed, in order to assure the payments of benefits to the senior citizens of this Commonwealth.

15. RE-APPORTIONMENT

We propose fair and equitable re-apportionment of the Congressional, Senatorial and Legislative districts in compliance with the Constitution and current census data.

I might add that on this reapportionment I have the

public word of the Majority Floor Leader that the Democratic Party is also for fair and equitable reapportionment and that there will be no gerrymandering bills in this session. We are very happy to hear that and feel it will reduce the length of the session by a number of weeks or months.

This, Mr. Speaker, is the major portion of our Republican legislative program. We have two major fields in which we are still working, in which we need more time and on which we cannot prepare legislation in haste. These are the fields of education and industrial development. We feel that education is always the number one continuing problem of the General Assembly. It always, as it does in this proposed budget, takes almost 50 percent of the money the State spends for all purposes. We, therefore, want to examine the field of education; we will submit our own education program in the very near future.

We feel that the number one temporary problem facing the Commonwealth is the joblessness and the lack of industrial activity in Pennsylvania. We feel that the most important thing that this General Assembly, the Democratic Party and the Republican Party can do for the people of Pennsylvania is to create a proper business climate to provide jobs for the people of Pennsylvania so that they might support their families.

We feel that this is a good government program, that the bills we will submit can have bipartisan support. We ask for your consideration of our proposals; we ask for your help in passing them into law. We would like to sit down with you and see if we cannot work out something so that both parties in this House can support legislation that amounts to good government for all the people in this State.

Thank you, Mr. Speaker.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to express my personal pleasure with the report that the House Republican Caucus has taken a positive stand on some legislative matters.

It is reassuring, in particular, to find that the Republican Members of the House look with favor on some legislation which has long been a part of the Democratic program in Pennsylvania.

We welcome some phases of the caucus report wholeheartedly. Accepting the report on its own grounds, we can reasonably hope for Republican support of the extensive highway safety program and legislation to control billboards along the Interstate highway system.

Judging from our past experience, however, I hope I will be forgiven if I question whether the caucus speaks for the Republican minority in both Houses or if it is merely a minority Minority report reflecting the views of the party in our own House.

It seems obvious to me that the Members of the House Republican caucus must have checked one detail with at least one Republican Senator, however; that is, the matter of using radar to protect the lives of motorists on our highways.

My main feeling about the legislative "program" announced by the House Republican caucus is that it is more important for its omissions than it is for those matters upon which it commits itself.

On several measures, the caucus endorses steps already taken by this Administration. The foremost example is the requirement for advance payment of 75 percent of the appraised valuation of highway condemnation cases. Since this can be taken care of administratively—and has been since 1957—we cannot see that this is a matter of prime legislative concern.

The major flaw in the "program" outlined by the caucus is the apparent failure to understand the scope of the problems. In the field of public welfare, for example, I was appalled to find that the caucus recommendation is much too superficial. It fails completely to mention either mental health or juvenile delinquency. Surely these are two of the major problems of our times. Yet the Republican caucus talks only in worn out terms about "relief chiseling" and "racketeering."

We are perfectly in accord with any proposal which will result in better business practices in any governmental department or agency. Governor Lawrence, the Democratic Members of this House, and the entire Administration have and are making every effort to introduce efficient methods into government operation.

But we cannot rely upon a business-management consulting firm to provide better care for the mentally ill. We cannot answer the terrible needs of human beings —we cannot cure the sick—with prolonged studies and protracted reports from efficiency experts. If we are to perform the services of the government as they should—and must—be performed, we must have both the efficiency to do the work well and the heart to understand what has to be done and why.

As a Pennsylvania citizen I find the caucus statement alarming in many other areas—again because I can find no mention whatever of certain staggering problems that face the Commonwealth and its people.

The caucus has chosen to completely ignore the entire vast field of public health; yet, surely, the health of our citizens is one of the most important factors we must consider in the day to day operation of State government.

In our cities—large or small—the rot of time has turned homes into tenements and residential areas into slums. Our local tax bases have been virtually sabotaged by the destruction of property values in slum areas.

Yet, I have searched the Republican caucus report in vain for the slightest mention of urban renewal and I find no plan for the redevelopment of our cities so that they may restore themselves to a competitive position in a highly competitive industrial society.

I have read the report carefully, too, in search of some word about the caucus feeling toward the continuing of improving Pennsylvania's tax climate.

I find no mention, either, of the abusive uses to which lobbying has been—and continues to be—put in the Pennsylvania Legislature and there is certainly no indication of a desire on the caucus' part to correct those abuses.

Although I am certain my Republican colleagues must share with me the concern over conflict of interest, I find no indication of this in the caucus report.

Nor do I see a plan to take care of Pennsylvania's streams, to keep them clear and to make certain that the water from them remains potable.

The caucus has ignored the tremendous problems of flood control which confront so many of our Pennsylvania communities; it has taken no notice of the need

for greater port development as a part of the drive to invigorate our faltering economy.

There are no reassuring words in this report, either, for those of us who are concerned with the pressing need for legislation to insure the civil rights of all of our citizens, without prejudice; nor is there any reference to the need for establishing a realistic minimum wage for the workers of Pennsylvania.

I have looked, in vain, for an idea of how the Republican caucus stands on many other vital pieces of legislation.

Along with many others who have read the news reports of the caucus program, I find some encouragement. But, on many counts, I have been disappointed.

At the end of the report we are left with a promise of "things to come." As I read the final paragraph saying that education recommendations will come later, I could not help remembering that it was only three days ago that the Minority Leader seized a few headlines with his denunciataion of the remarks of Governor Lawrence for failing to present a full education program to the Assembly now! As the Minority Leader knows, the Commonwealth's education program must await the final report of the Governor's Committee on Education—a Committee authorized and encouraged by the Legislature. Only when we have had an opportunity to study that report will it be possible to present a fair, comprehensive education program and budget.

I note with interest, also, that the caucus intends to submit a subsequent program for industrial development. I want to say, right now, that all Pennsylvania can only welcome any effort on the part of this House, or the Senate, to improve upon the existing industrial development program in Pennsylvania. Our present program has been successfully adopted as a program, the best of its kind in the history of our country. It is serving today as a model for numerous other States.

But we do want the best program possible for our Commonwealth and our citizens. If there are ways in which it can be improved, then I say to this House, now, let us hear about them, let us consider them, let us vote upon them—if they are genuine improvements, let us pass them into law so that this program, which is non-partisan and non-political, may continue to serve Pennsylvania's people and Pennsylvania's economy as it has been doing so well in the past.

I have studied the caucus report thoroughly. Since it is a very sketchy report, at best, it is not too time-consuming.

In those areas in which the minority report now offers its support of long-sought Democratic programs, we, and the people of Pennsylvania can be most grateful. The continuing advice and counsel of the Republican Party, and its leadership, is welcome and necessary. I am conscious that, with this report, we may well be entering upon a new era of enlightened, responsible bi-partisanship. This can only help the advancement of this Commonwealth and its causes.

Although I am pleased with the positive expression of interest on the part of my Republican colleagues, I must remind them that the welfare of Pennsylvania's citizens cannot be lightly dismissed in a 15-point "program" which barely touches upon the really critical needs of human beings.

The expression of interest—no matter how slight—is, I am sure, a sincere one.

As the legislative days go by, we will have an opportunity to welcome support of minority members for many constructive bills which will come before this House.

A legislative program must include the whole broad spectrum of human needs,—when these needs are apparent and pressing. This is why we find many of the omissions in the caucus "program" obvious and alarming. We are disturbed to find no concern whatsoever, on the part of the caucus, with the strip mines which mar our landscape in the coal regions, with our many agricultural problems, with the needs of public libraries, the rightful demands of the public for consumer protection under law, the clear-cut needs for a progressive program of tourist promotion to encourage an industry which has rapidly become one of our major assets and absolute necessity for fiscal responsibility in governmental affairs.

When the votes are cast, when the chips are down, I hope that the Minority Leader and the members of his caucus will continue to see the "power of positive thinking."

Mr. Speaker, there are many points that we will argue about in days to come: Unemployment compensation, for example, where the wording indicates that the Unemployment Compensation fund shall be liable for payments only to those persons out of work through no fault of their own, and by the elimination of loophole claimants.

Of the 10,000 steel workers in western Pennsylvania who are laid off from the steel mills, who drew their full unemployment compensation and then drew their supplement compensation through no fault of their own—because they were unemployed—is it the Republican position to eliminate these people from drawing UC? Is it their position to say to the public today that in this field of men who at 65 are retired because of existing contracts, willing to work, able to work, but no longer allowed to work, are you saying to them that you are going to deny them the UC benefits they get now? Is this what we read in this report, or shall we wait until the legislative bills define clearly the intention or meaning of each paragraph?

We will be ready, we will be waiting, for the introduction of each of these pieces of legislation which will be presented by the minority members of this House, I assume in the next few weeks to define carefully each of the 15 points. Mr. Speaker, this is the first time in quite a few months that I can recall that a positive thinking program is starting to move from the Republican leadership, which I hope and I pray, that it is of the entire Republican Party and not just the minority party of this House, but the minority party of the Senate, the Republican State leadership of the State, the Republican members statewide, for it certainly will have good support.

The SPEAKER. Let us be careful that we do not frighten the dove of peace that seems to be hovering over this chamber.

The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I have put my slingshot away.

The Members will be glad to hear that I do not intend to answer the Majority Leader at length.

I am somewhat pleased that he found it necessary to prepare a major address which took more time than my remarks did before the House today.

We thank the Majority Leader for the fact that he was somewhat, and I quote, "pleased and encouraged" by the fact that we have a positive legislative program. I can assure him we are both pleased and encouraged ourselves.

I might point out that there are many, many fields, of course, which are not included in this program. This is not intended to be a completely comprehensive legislative program. Many of the things mentioned by the Majority Leader we can be unanimously for. Who is against clean streams? Some things are not in there because we may be unanimously against them. Everything that is in that program we are either unanimously or overwhelmingly for in the Republican House Caucus.

Let me point out, further, that we feel the Governor has a little more responsibility in submitting legislative proposals than does the House minority. In the first place, the Governor has a responsibility to all the people in the Commonwealth. The Governor has a staff and in the field of education has the Department of Public Instruction, to say nothing of the Special Committee on Education. We have no such personnel. We must do this work as individual legislators. I think the Speaker, the Majority Leader and the members of the majority recognize the fact that we just do not have the facilities to prepare the comprehensive program that the administration has at its disposal.

I think, and I think you will have to agree with me, we have done an excellent job in fashioning a legislative program this early in the session. We have two major fields that we are not ready with yet. We have done a lot of work on it, but we are not ready to submit it yet. We will be, we hope, in the very near future.

This does not—I repeat, this does not—forbid the introduction of other phases of a Republican legislative program, but we wanted to get the major portion of our bills in. Yes, this is general, it is sketchy, it is five or six pages. We did not want to go into too much detail, the detail will be in the bills.

There will be further debate, we hope, on many provisions in this legislative recommendation as to its ramifications, its inclusions and its omissions. Later during this session we intend to put in the bills and we intend to fight for them. We will ask first the cooperation of the majority in areas where, perhaps, we can work together for the best interests of the people of the Commonwealth.

I do not wish to take any further time today. I know some of the Members have made plans and I think we are ready to start on the third-reading calendar.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, do the new rules keep me from speaking now?

Mr. Speaker, I ask unanimous consent to make a few remarks.

The SPEAKER. The gentleman would be in perfect order. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. AGNEW. Mr. Speaker, may I ask the gentleman from Allegheny to yield a few minutes—just five seconds?

I wish to apologize to him. I knew he wished to speak and I forgot about it. I am sorry. Mr. Goldstein.

PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, the cracking on this particular apparatus here is only indicative of the fact that the bureaus of the Commonwealth of Pennsylvania are destroying the improved Pennsylvania tax climate of which the Majority Leader so often declaims.

Everybody must recognize that during the Leader Administration and then during the present Lawrence Administration we have attempted to improve the tax climate in the Commonwealth of Pennsylvania. No bills could have been passed without bipartisan support. But what the Legislature proposes, the bureaucrats dispose of.

I now challenge and I address myself to the Majority Leader of this House to confer with the administration for whom he speaks and ask them either to modify bureaucratic rulings or to pass legislation which will make it possible for industry to exist in western Pennsylvania.

For that purpose I offer into the record an article from the Iron Age, which is the Bible of the iron industry, in which it is pointed out that non-integrated plants are now being subjected to the sales tax and are being defined by the corporation tax bureau as non-manufacturing, which is all either contrary to the intent of the Legislature or is a bureaucratic demand, an insatiable demand, for tax monies. This demand for tax money is driving industry out of Allegheny County and western Pennsylvania.

If you will check with the small Manufacturers Council in our area, you will find out that during the last four or five years we have lost thousands of jobs. If we want to maintain the steel manufacturing units in the Comomnwealth of Pennsylvania, we must have a diversified industry in this State. As long as the tax men in the State of Pennsylvania, controlled by the administration, make rulings like this, industry will flee.

Let me call to your particular attention these words in this article:

> "In the case of non-integrated mills, tax men say there is nothing to negotiate. The entire cold-rolling operation is outside the manufacturing field, says the state; practically all purchases for the operation are taxable."

When I voted on the tax measure, I always felt that a non-integrated mill, like a rolling mill, was a manufacturing operation. If that is the interpretation of the tax bureau, let us put them in their place. Let the legislators lead and the tax men follow.

I now ask you again, Mr. Majority Leader, to prepare the legislation on a bipartisan basis and let us put these bureaucrats in their place.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HAMILTON asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

INTERROGATION

Mr. FILO asked and obtained unanimous consent to interrogate the gentleman from Allegheny, Mr. Goldstein.

Mr. Speaker, before I ask a few questions, I would like to say this—that many of the Chambers of Commerce of the State of Pennsylvania are doing a disservice to their

State of Pennsylvania and to the people by claiming that business is being hurt generally throughout the State. With statements like that, I can see the reason why some of these industries fail to attempt to locate in Pennsylvania. They have been downgrading Pennsylvania all along. This should be stopped.

Now, Mr. Speaker, I would like to ask the gentleman from Allegheny County when Governor Fine proposed the sales tax, is it not true that that was the tax that would help the industry in Pennsylvania? Is that not so?

Mr. M. H. GOLDSTEIN. I was not in the Legislature then. I am not familiar with the tax plan at all.

All I know is that, for almost 100 years Pennsylvania was considered the State of big business and the record of the legislators controlled by the Republican Party was merely this, to attract big business. It was not until the last two administrations—I say this frankly and sincerely—when both the Republicans and Democrats got together and created a better tax climate for the State of Pennsylvania, because we were recognizing that you could not continue to tax business and we had to pass consumer taxes. Your own leaders recognize that. Now we had that particular background we passed legislation to help business because what we are interested in is not unemployment benefits, not relief; we are interested in jobs for Pennsylvanians.

You live in the Duquesne area of Allegheny County and you are better off if you have jobs for your men.

Mr. FILO. Mr. Speaker, I would further like to ask is it not true that when the machinery tax was removed from corporations in Pennsylvania, that was a step in the right direction to help the climate in Pennsylvania for industry?

Mr. M. H. GOLDSTEIN. I agree that was a step in the right direction and I call your particular attention to, and must be personal about, the gentleman and other members of your District who have tried to stymie the effects of the Legislature.

Mr. FILO. I agree. Mr. Speaker, I disagreed with the removal of the machinery tax. However, Mr Speaker, there is other legislation that we passed here last year, the corporation net income tax, that failed to pass the other house. Is it true that this is a relief to the corporations?

Mr. M. H. GOLDSTEIN. The corporate net income tax, so far as I know, is at the rate of six percent now and I know of no legislation which would have changed the corporate income tax. Will the gentleman be specific?

Mr. FILO. I believe last session we passed the CNI bills, if I am not mistaken, in this House. It failed to pass the Senate, is that not true?

Mr. M. H. GOLDSTEIN. Well, so far as I know, we have had a corporate income tax in Pennsylvania for some years. It is the second largest producing income for the State, if my recolletion is correct.

Mr. FILO. Mr. Speaker, I think we would do more of a service if we would quit haggling about the conditions in Pennsylvania, if we would show the people in Pennsylvania and industry that they should come here, that we have good people to work here. Manpower is the greatest thing any industry can have. I am sure we have this kind of manpower here. I resent anybody getting up and saying that Pennsylvania is not a good State in which to have industry locate.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I never said and I do not say that Pennsylvania is not a good State, and I do not say that we do not have the best type of working men, but I want to make it a better State where everybody can get the best job opportunities. I say that the Chambers of Commerce and businessmen and leaders in the labor field are concerned about the tax program. All I want to bring to your attention again is this: Examine the issues which I have raised and, if you think they are sound, cooperate in bi-partisan legislation. If you think my statement is unsound, come back next week or the week after and tell me wherein I am wrong.

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker and Members of the House, I am not prolonging this debate, so just sit back in your seats. I just want to thank the members of the House, particularly the sponsors who got together that resolution on my birthday, the day after tomorrow. To you young fellows of the House, 63 looks like a pretty old age, but to some of you I am just a youngster. I just want to tell one story and then I am going to sit down.

You know back in our home towns, Tioga County and other places, we are still youngsters. I presume some of you heard this story but it is worth telling, I believe, even if you have heard it. There was a gentleman who was 112 and his wife was 110, so the story goes, and the boy was 81. The boy became sick and died. The father turned to the mother and said, "There, ma, I told you we would never raise that boy." So, I have not been raised back in Tioga County and I am still just a youngster there.

I want to say this to you, I appreciate being here. It has been a lot of fun. I think sometimes we forget to be happy until it is too late. So, I want to say that I am very happy on my 63rd birthday and the happiest, I believe, of anytime in my life. Let us learn to be happy.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. McCANDLESS asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 43, entitled:

A Joint Resolution proposing an amendment to article three section four of the Constitution of the Commonwealth of Pennsylvania changing the procedure on the passage of bills.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—79

Anderson, S. A.,	Gremminger,	McCann,	Riley,
Arlene,	Guesman,	McDevitt,	Rovansek,
Bonner,	Hamilton,	McDonald,	Rubin,
Branca,	Hankins,	McKeever,	Rudisill,
Breth,	Hartley,	Meholchick,	Scarcelli,
Capano,	Irvis,	Monroe,	Schaaf,

Capitolo,	Jenkins,	Morley,	Shelton,
Cauley,	Jones,	Muldowney,	Sherman,
Cianfrani,	Kamyk,	Munley,	Shupnik,
Clarke,	Kelly,	Murphy,	Stank,
Cooley,	Klein,	Musto,	Stone,
Crossin,	Kornick,	Needham,	Sullivan, J. A.,
Curwood,	Kramer,	Parlante,	Sullivan, T. F.,
Doughten,	Lamb,	Pashley,	Taylor,
Eilberg,	Lawson,	Perry,	Tomascik,
Filo,	Leonard,	Petrosky,	Walsh,
Fineman,	Limper,	Polaski,	Wargo,
Flynn,	Long, Wm. Jas.,	Polen,	Yetter,
Fry,	Long, Wm. Jos.,	Prendergast,	Andrews,
Gray,	Lutty,	Reidenbach,	Speaker

NAYS—105

Adams,	Fulmer,	Kistler,	Royer,
Agnew,	Gailey,	Kooker,	Rutherford,
Anderson, J. H.,	Gallagher,	Korns,	Seltzer,
Ashton,	Gelfand,	Lee, A. M.,	Simmons,
Auker,	George,	Lee, K. B.,	Slack,
Backenstoe,	Gibbons,	Lippincott,	Snare,
Blair,	Goldstein, J. H.,	Magee,	Steckel,
Bossert,	Goldstein, M. H.,	Manbeck,	Stimmel,
Bower,	Goodrich,	Markley,	Stiteler,
Bowman,	Gramlich,	Marsh,	Strausser,
Buchanan,	Gross,	Maxwell,	Thompson,
Bush,	Haudenshield,	May,	Tompkins,
Davis,	Heffner,	McCandless,	Varner,
Dengler,	Helm,	McCormack,	Verona,
Dennison,	Henzel,	McInroy,	Wall,
Donaldson,	Hocker,	McNally,	Weidner,
Edwards,	Holliday,	Merry,	Wescott,
Elvey,	Holman,	Miller,	Whittaker,
Eshback,	Horst,	O'Dell,	Willard,
Eshleman,	Isaacs,	O'Donnell, J. P.,	Williams, A. D.,
Ewing,	Jim,	Ogilvie,	Williams, E. S.,
Farabaugh,	Johnson, A. W.,	Piper,	Wilt,
Fetterolf,	Johnson, R. P.,	Price,	Wood,
Foerster,	Kernaghan,	Pursley,	Worley,
Foor,	Kessler,	Reibman,	Wynd,
Fox,	King,	Renwick,	Zimmerman,
Frascella,			

NOT VOTING—24

Bachman,	Gibb,	Mihm,	Sakulsky,
Boles,	Guthrie,	Mills,	Schuster,
Cioffi,	Heavey,	Mullen,	Trusio,
Comer,	Keiser,	Murray,	Ujobai,
Dougherty,	Knecht,	O'Donnell, J. A.,	Welsh,
Down,	McLaughlin,	Odorisio,	Willaredt,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 44, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P L 177) authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Fry,	Lee, A. M.,	Riley,
Agnew,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gailey,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Magee,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Blair,	Goldstein, M. H.,	Markley,	Schaaf,
Bonner,	Goodrich,	Marsh,	Seltzer,
Bossert,	Gramlich,	Maxwell,	Shelton,
Bower,	Gray,	May,	Sherman,
Bowman,	Gremminger,	McCandless,	Shupnik,
Branca,	Gross,	McCann,	Simmons,
Breth,	Guesman,	McCormack,	Slack,
Buchanan,	Hamilton,	McDonald,	Snare,
Bush,	Hankins,	McInroy,	Stank,
Capano,	Hartley,	McKeever,	Steckel,
Capitolo,	Haudenshield,	McNally,	Stimmel,
Cauley,	Heffner,	Meholchick,	Stiteler,
Cianfrani,	Helm,	Merry,	Stone,
Cioffi,	Henzel,	Miller,	Strausser,
Clarke,	Hocker,	Monroe,	Sullivan, J. A.,
Cooley,	Holliday,	Morley,	Sullivan, T. F.,
Crossin,	Holman,	Muldowney,	Taylor,
Curwood,	Horst,	Munley,	Thompson,
Davis,	Irvis,	Murphy,	Tomascik,
Dengler,	Isaacs,	Musto,	Tompkins,
Dennison,	Jenkins,	Needham,	Varner,
Donaldson,	Jim,	O'Dell,	Verona,
Doughten,	Johnson, A. W.,	O'Donnell, J. P.,	Wall,
Edwards,	Johnson, R. P.,	Ogilvie,	Walsh,
Eilberg,	Jones,	Parlante,	Wargo,
Elvey,	Kamyk,	Pashley,	Wescott,
Eshback,	Kelly,	Perry,	Whittaker,
Eshleman,	Kernaghan,	Petrosky,	Willard,
Ewing,	Kessler,	Piper,	Williams, A. D.,
Farabaugh,	King,	Polaski,	Williams, E. S.,
Fetterolf,	Kistler,	Polen,	Wilt,
Filo,	Klein,	Prendergast,	Wood,
Fineman,	Kooker,	Price,	Worley,
Flynn,	Kornick,	Pursley,	Wynd,
Foerster,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,
Frascella,	Lawson,		Speaker

NAYS—0

NOT VOTING—26

Bachman,	Heavey,	Mihm,	Schuster,
Boles,	Keiser,	Mills,	Trusio,
Comer,	Knecht,	Mullen,	Ujobai,
Dougherty,	Long, Wm. Jas.,	Murray,	Weidner,
Down,	Lutty,	O'Donnell, J. A.,	Welsh,
Gibb,	McDevitt,	Odorisio,	Willaredt,
Guthrie,	McLaughlin,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 51 was passed over at the request of the SPEAKER.

Mr. McCANN. Mr. Speaker, I desire to make a small statement on bills 77, 78, 79 and 80 before we get to them.

Mr. Speaker, for the information of the membership of the House, I believe there is one gentleman in this House who served on the Constitutional Revision Commission who is a member of this House now. House bills Nos. 77, 78, 79 and 80 are part of that Constitutional Revision Commission report headed by Judge Woodside. There are other bills that also take the Constitutional offices of Secretary of the Commonwealth and the Attorney General out of the Constitution. I believe, I want the gentleman to correct me, these are called the class 2 recommendations of that Commission. We are going to recommit House bills 77, 78, 79 and 80 and we are not even going to introduce the bills on the same subject dealing with the other Constitutional offices, even though this was recommended by the Constitutional Revision Commission headed by Judge Woodside, and the only member in this House who is now a member serving on that Commission is the Honorable Edwin Tompkins of

Cameron County. Therefore, we are going to recommit and not introduce the other legislation.

Mr. TOMPKINS. Mr. Speaker, I served on that Constitutional Revision Commission. This was among the bills known as class 2 recommendations. We have three classes of recommendations. Number one recommendations were the ones that we felt absolutely should be done; number two, it was questionable, or did not make much difference whether they were done or not; and on class 3 recommendations, we did not think the Commonwealth would fall apart if no action was taken.

Although this was a class 2 recommendation, the reports do not indicate the vote of the commission members on these things, but if you could go back into the documents I think you would find that personally I was against even recommending the abolition of this particular office from the Constitution.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 77, entitled:

A Joint Resolution proposing an amendment to article 4 of the Constitution of the Commonwealth of Pennsylvania repealing section 20 thereof which prescribes certain powers and duties of the Superintendent of Public Instruction.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, entitled:

A Joint Resolution proposing an amendment to article four, section one, of the Constitution of the Commonwealth of Pennsylvania removing the Superintendent of Public Instruction as a constitutional officer.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 79, entitled:

A Joint Resolution proposing an amendment to article four, section eight, of the Constitution of the Commonwealth of Pennsylvania, removing the requirement that the appointment of the Superintendent of Public Instruction be confirmed by two-thirds of the members of the Senate.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 80, entitled:

A Joint Resolution proposing an amendment to article six section four, of the Constitution of the Commonwealth of Pennsylvania, providing for the removal of the superintendent of Public Instruction from office.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 217, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing the definition of "unprotected birds" to exclude snowy owls.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Fry,	Lawson,	Reidenbach,
Agnew,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Royer,
Ashton,	George,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, M. H.,	Lutty,	Sakulsky,
Bonner,	Goodrich,	Magee,	Scarcelli,
Bossert,	Gramlich,	Manbeck,	Schaaf,
Bower,	Gray,	Markley,	Seltzer,
Bowman,	Gremminger,	Marsh,	Shelton,
Branca,	Gross,	Maxwell,	Sherman,
Breth,	Guesman,	May,	Shupnik,
Buchanan,	Hamilton,	McCandless,	Simmons,
Bush,	Hankins,	McCann,	Slack,
Capano,	Hartley,	McCormack,	Snare,
Capitolo,	Haudenshield,	McDonald,	Stank,
Cauley,	Heffner,	McInroy,	Steckel,
Cianfrani,	Helm,	McKeever,	Stimmel,
Cioffi,	Henzel,	McNally,	Stone,
Clarke,	Hocker,	Meholchick,	Strausser,
Cooley,	Holliday,	Merry,	Sullivan, J. A.,
Crossin,	Holman,	Miller,	Sullivan, T. F.,
Curwood,	Horst,	Monroe,	Taylor,
Davis,	Irvis,	Morley,	Thompson,
Dengler,	Isaacs,	Muldowney,	Tomascik,
Dennison,	Jenkins,	Munley,	Tompkins,
Donaldson,	Jim,	Murphy,	Varner,
Doughten,	Johnson, A. W.,	Musto,	Verona,
Edwards,	Johnson, R. P.,	Needham,	Wall,
Eilberg,	Jones,	O'Dell,	Walsh,
Elvey,	Kamyk,	O'Donnell, J. P.,	Wargo,
Eshleman,	Kelly,	Ogilvie,	Wescott,
Ewing,	Kernaghan,	Parlante,	Whittaker,
Farabaugh,	Kessler,	Pashley,	Willard,
Fetterolf,	King,	Perry,	Williams, A. D.,
Filo,	Kistler,	Petrosky,	Williams, E. S.,
Fineman,	Klein,	Piper,	Wilt,

Flynn,	Kooker,	Polaski,	Wood,
Foerster,	Kornick,	Polen,	Worley,
Foor,	Korns,	Prendergast,	Wynd,
Fox,	Kramer,	Price,	Zimmerman,
Frascella,	Lamb,	Pursley,	Andrews, Speaker

NAYS—3

Eshback,	Reibman,	Yetter,

NOT VOTING—25

Bachman,	Heavey,	Mills,	Stiteler,
Boles,	Keiser,	Mullen,	Trusio,
Comer,	Knecht,	Murray,	Ujobai,
Dougherty,	McDevitt,	O'Donnell, J. A.,	Weidner,
Down,	McLaughlin,	Odorisio,	Welsh,
Gibb,	Mihm,	Schuster,	Willaredt,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. The next bill was marked for recommittal and has been cleared by the Republican Floor Leader. We can, therefore, proceed to vote on Senate bill 29, instead of recommitting it to Appropriations Committee.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 29, entitled

An Act amending the act of March 10, 1949 (P. L. 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending, revising, consolidating, and changing the laws relating thereto," increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Frascella,	Lee, A. M.,	Renwick,
Agnew,	Fry,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fulmer,	Leonard,	Rovansek,
Anderson, S. A.,	Gailey,	Limper,	Royer,
Arlene,	Gallagher,	Lippincott,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Sakulsky,
Blair,	Goldstein, J. H.,	Magee,	Scarcelli,
Bonner,	Goldstein, M. H.,	Manbeck,	Schaaf,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Steckel,
Cauley,	Heffner,	McKeever,	Stimmel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Strausser,
Comer,	Holliday,	Miller,	Sullivan, J. A.,
Cooley,	Holman,	Monroe,	Sullivan, T. F.,
Crossin,	Horst,	Morley,	Taylor,
Curwood,	Irvis,	Muldowney,	Thompson,
Davis,	Isaacs,	Munley,	Tomascik,
Dengler,	Jenkins,	Murphy,	Tompkins,
Dennison,	Jim,	Musto,	Varner,
Donaldson,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Edwards,	Jones,	O'Donnell, J. P.,	Walsh,
Eilberg,	Kamyk,	Ogilvie,	Wargo,
Elvey,	Kelly,	Parlante,	Wescott,
Eshback,	Kernaghan,	Pashley,	Whittaker,
Eshleman,	Kessler,	Perry,	Willard,
Ewing,	King,	Petrosky,	Williams, A. D.,
Farabaugh,	Kistler,	Piper,	Williams, E. S.,
Fetterolf,	Klein,	Polaski,	Wilt,
Filo,	Kooker,	Polen,	Wood,
Fineman,	Kornick,	Prendergast,	Worley,
Flynn,	Korns,	Price,	Wynd,
Foerster,	Kramer,	Pursley,	Yetter,
Foor,	Lamb,	Reibman,	Zimmerman,
Fox,	Lawson,	Reidenbach,	Andrews, Speaker

NAYS—0

NOT VOTING—24

Bachman,	Guthrie,	Mihm,	Schuster,
Boles,	Heavey,	Mills,	Trusio,
Dougherty,	Keiser,	Mullen,	Ujobal,
Down,	Knecht,	Murray,	Weidner,
Gibb,	McDevitt,	O'Donnell, J. A.,	Welsh,
Gross,	McLaughlin,	Odorisio,	Willaredt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 40, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section seventeen thereof which authorized the borrowing of money to deray State Government expenses for the biennium beginning June 1, 1933.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, I know this is out of order, but in case some of the Members do not understand this bill, this was a Constitutional change authorized for 1933 only, used at that time for the loan of the money. It can never be used again. It was only for that one purpose. This is simply removing it from the Constitution. If there are some negative votes, it is all right, but so they know, because it serves absolutely no purpose in the Constitution. Your legal advisers will so advise you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Frascella,	Lawson,	Renwick,
Agnew,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, J. H.,	Lutty,	Scarcelli,
Bonner,	Goldstein, M. H.,	Magee,	Schaaf,
Bossert,	Goodrich,	Manbeck,	Seltzer,

Bower,	Gramlich,	Markley,	Shelton,
Bowman,	Gray,	Marsh,	Sherman,
Branca,	Gremminger,	Maxwell,	Shupnik,
Breth,	Gross,	May,	Simmons,
Buchanan,	Guesman,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Steckel,
Cauley,	Haudenshield,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McNally,	Stiteler,
Cioffi,	Helm,	Meholchick,	Stone,
Clarke,	Henzel,	Merry,	Strausser,
Comer,	Hocker,	Miller,	Sullivan, J. A.,
Cooley,	Holliday,	Monroe,	Sullivan, T. F.,
Crossin,	Holman,	Morley,	Taylor,
Curwood,	Horst,	Muldowney,	Thompson,
Davis,	Irvis,	Munley,	Tomascik,
Dengler,	Isaacs,	Murphy,	Tompkins,
Dennison,	Jenkins,	Musto,	Varner,
Donaldson,	Jim,	Needham,	Verona,
Doughten,	Johnson, A. W.,	O'Dell,	Wall,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Walsh,
Eilberg,	Jones,	Ogilvie,	Wargo,
Elvey,	Kamyk,	Parlante,	Wescott,
Eshback,	Kelly,	Pashley,	Whittaker,
Eshleman,	Kernaghan,	Perry,	Willard,
Ewing,	Kessler,	Petrosky,	Williams, A. D.,
Farabaugh,	King,	Piper,	Williams, E. S.,
Fetterolf,	Kistler,	Polaski,	Wilt,
Filo,	Klein,	Polen,	Wood,
Fineman,	Kooker,	Prendergast,	Worley,
Flynn,	Kornick,	Price,	Wynd,
Foerster,	Korns,	Pursley,	Yetter,
Foor,	Kramer,	Reibman,	Zimmerman,
Fox,	Lamb,	Reidenbach,	Andrews, Speaker

NAYS—1

McCormack,

NOT VOTING—23

Bachman,	Heavey,	Mills,	Trusio,
Boles,	Keiser,	Mullen,	Ujobai,
Dougherty,	Knecht,	Murray,	Weidner,
Down,	McDevitt,	O'Donnell, J. A.,	Welsh,
Gibb,	McLaughlin,	Odorisio,	Willaredt,
Guthrie,	Mihm,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

RESOLUTIONS

HOUSE RESOLUTION No. 6

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 6 on page 5 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 16, 1961.

No one knows exactly how many of the mentally ill could be discharged from our hospitals unless there is an opportunity to find out. The Philadelphia State Hospital (Byberry) carried out a small project in 1947 to find an answer to this most important question by taking 20 of its most disturbed patients from the worst building and gave them enough attendants to meet their needs to teach them to take care of themselves, to take them for a walk, to talk to them, to help them back to reality.

At the end of six months five of the 20 were out of the hospital. Another five were able to take care of themselves and were allowed the freedom of the hospital. Over the next year several more were discharged. This result is highly encouraging. In fact, many authorities estimate that with good treatment and care almost 85% of all patients in the average mental hospital can be released in a year or two.

Why cannot the successful pilot project carried out by the Philadelphia State Hospital (Byberry) be applied to all mental patients. The answer is simple; it can, provided sufficient funds are available.

The American Psychiatric Association has set standards for the number of doctors, nurses and attendants needed to give patients good treatment. To meet these standards the Philadelphia State Hospital (Byberry) which currently operates on $3.10 a day per patient would need to spend about $6.00 per day per patient. Pending legislation will raise the amount to $3.45 per patient at Byberry and all of the other 16 State hospitals in Pennsylvania will receive $4.00 or more.

Byberry cannot do more for less just because of its size. Each of its 6,600 patients needs as much care as any other patient in a smaller hospital. Byberry, the largest State hospital, has long past the point where large purchases result in reduced prices.

Insufficient funds mean improper treatment for our mentally ill with a proportionate decrease in the number of persons who can return to normal living, therefore be it

Resolved, That the Joint State Government Commission make a study of the cost of caring for the mentally ill in the Philadelphia State Hospital (Byberry) and investigate and compare the financial aid supplied to the Philadelphia State Hospital (Byberry) with the amount of assistance given other State Hospitals, and be it further

Resolved, That the Joint State Government Commission report its findings and recommendations for supplying the Philadelphia State Hospital (Byberry) with ample funds for its proper operation and maintenance together with drafts of such legislation as may be necessary to carry its recommendations into effect to the next regular session of the General Assembly.

HOUSE RESOLUTION No. 7

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 7 on page 5 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 17, 1961.

During the early part of the month of January, 1961, it has been reported that fourteen people have died from Serum Hepatitis. Of these unfortunate people who have succumbed, four have been residents of Pennsylvania, particularly Levittown and Bucks County.

It has been reported by officials of the State of New Jersey who are conducting an investigation in this matter that the deaths were due to injections. They state that these people contracted this disease, Serum Hepatitis, after receiving injections of drugs used in the practice of psychiatry. The Attorney General of New Jersey has uncovered the fact that a person known as a "carrier" of the disease received injections of drugs from the same source, and subsequent to this other patients were administered drugs with the same instruments, thereby transmitting the disease to other patients and causing the unfortunate death of these fourteen people. It is a medical fact that Serum Hepatitis can only be contracted by injection into a person's bloodstream. The use of improperly sterilized instruments can cause this to happen. Attention should be given to the fact that other deadly diseases can be transmitted in the same manner to unsuspecting people; therefore, be it

Resolved That the House of Representatives of the Commonwealth of Pennsylvania hereby directs the Pennsylvania Department of Health and all of the regulatory licensing boards, i.e., the State Dental Council and Examining Board, State Board of Medical Education and Licensure, State Board of Osteopathic Examiners, State Board of Nurse Examiners and Practical Nurse Examiners of the Commonwealth of Pennsylvania to investigate the possibility of requiring the use of a newly developed instrument known as a "sterile disposable syringe" as a means of preventing a recurrence of this disaster and that the Department of Health shall compile a report of the findings of all such boards and shall make a report to the House of Representatives as soon as possible. In the event legislation is necessary to correct this problem, this fact should be clearly stated in the report; and be it further

Resolved, That the House of Representatives direct the Chief Clerk to transmit a copy of this resolution and a copy of the report of the Department of Health to the Governor of the State of New Jersey and to the State Legislature of New Jersey.

HOUSE RESOLUTION No. 10

Mr. McCANN. I call up House Resolution No. 10 on page 5 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 17, 1961.

The Tall Cedars of Lebanon of the United States of America, an organization of Master Masons, promotes as its national charitable objective muscular dystrophy research and in connection therewith sponsors a research metabolism unit for muscular dystrophy occupying an entire floor of the Institute of Muscle Diseases in New York City.

During the week of March 5 of this year the Tall Cedars of Lebanon will sponsor various activities including emphasis on programs promoting muscular dystrophy research.

Every assistance should be given to any program which has as its objective the reduction and elimination of the crippling disease of muscular dystrophy; therefore, be it

Resolved, That the Governor of this Commonwealth is hereby requested that he issue a proclamation setting apart the week of March 5, 1961, as "National Tall Cedars of Lebanon Week" in order to promote muscular dystrophy research and to urge that the occasion be appropriately observed by the citizens of the Commonwealth of Pennsylvania; and be it further

Resolved, That a copy of this resolution be transmitted to the Governor by the Chief Clerk of the House of Representatives.

HOUSE RESOLUTION No. 21

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 21, which is not on the calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 31, 1961.

President Dwight D. Eisenhower is now a private citizen of this Commonwealth, having established a residence in Cumberland Township, Adams County, near Gettysburg.

He has completed two terms as President of the United States, leaving behind him a record of unselfish devotion to the people of this nation. His record as a distinguished statesman and world leader for peace and international unity is outstanding.

It is both fitting and proper that the Commonwealth of Pennsylvania should welcome President and Mrs. Eisenhower to their adopted home; therefore, be it

Resolved (the Senate concurring), That President and Mrs. Eisenhower be welcomed to this, their first permanent home; and be it further

Resolved, That President Eisenhower be commended for his extraordinary efforts on behalf of world peace and international harmony; and be it further

Resolved, That President Eisenhower be invited to address a joint meeting of the House of Representatives and the Senate; and be it further

Resolved, That a joint committee be appointed consisting of three members from the House of Representatives and three members from the Senate to escort President Eisenhower to the rostrum of the House; and be it further

Resolved, That the three members from the House shall be Mr. Worley, Mr. McCann and Mr. Tomascik; and be it further

Resolved, That the Senate committee consist of Senator DiSilvestro, Senator Berger and Senator Weiner as members of this joint committee; and be it further

Resolved, That Mr. Worley, the Representative of Mr. Eisenhower's district, is hereby made Chairman of this committee; and Mr. Worley shall proceed at his earliest convenience to the home of President and Mrs. Eisenhower and personally present the former President with a copy of this resolution and make full arrangements for the address by the President before a joint meeting of the House and Senate.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SHERMAN asked and obtained unanimous consent to add additionl asponsors to a bill to be introduced by him.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. MULLEN for today because of illness.

Mr. Eilberg for Mr. BOIES for today because of illness.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I wonder if the Majority Leader would be so kind as to announce the schedule for next week before too many Members get out.

Mr. McCANN. Mr. Speaker, I would be most pleased to announce the schedule for the next two weeks. Next week, Monday, Tuesday and Wednesday, 3:30, 1:00 and, I hope, 10:00 a.m. on Wednesday.

The following week: I believe the week starts on Monday the 20th, sessions Monday the 20th and Tuesday the 21st, but on Tuesday the 21st at 10:30 a.m. there will be a Joint Session of the House and Senate observing the 100th Anniversary of President Abraham Lincoln speaking at this Capitol. I believe the program is about 45 minutes long. I am not quite sure of that time. There will be no session on Wednesday, February 22nd. So, for the next two weeks, three days and two days, and then right back into a three-day schedule if the hotels will be available.

Mr. AGNEW. I thank the Majority Leader.

Mr. McCANN. Mr. Speaker, at this point, if we are complete with all business I will move that this House will now recess until some hour later tonight.

The SPEAKER. The Chair prefers an adjournment until tomorrow. The Chair is not going to sit up here all night again waiting for the Senate. We can just as well meet tomorrow morning and sign the bills, if there are any.

Mr. McCANN. Mr. Speaker, I have no objection to that except that in discussing it with the Minority Leader I said there would be no votes, nothing concurred in, nothing adopted, only the signature of bills, but it is absolutely all right so far as I am concerned if he has no objection.

The SPEAKER. I would rather do that at 11 o'clock tomorrow than 11 o'clock tonight.

Mr. AGNEW. It is preferable to me.

Mr. McCANN. It is perfectly satisfactory to me.

ADJOURNMENT

Mr. McCANN. Mr. Speaker, I move that this House do now adjourn until Wesdnesday, February 8, 1961 at 11:00 a.m. e.s.t.

The motion wa sagreed to, and (at 1:57 p.m. e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., WEDNESDAY, FEBRUARY 8, 1961. No. 17.

SENATE

WEDNESDAY, FEBRUARY 8, 1961.

The Senate met at 12:00 m., Eastern Standard Time.

The PRESIDING OFFICER (Fred B. Rooney) in the Chair.

PRAYER

The Chaplain, Rev. DONALD DOUDS, Paster of The First Presbyterian Church, Erie, offered the following prayer:

May we pray?

Eternal God, Creator of the Universe and Father of our spirits, we pause before beginning our work to ask Thy guidance and Thy help.

Thou, Who art all wise and perfectly just, send now Thy Spirit upon this Senate that these servants of the people may govern wisely and decide justly. Wilt Thou so inspire with Thy counsel, and prosper with Thy blessing, what is enacted here that it may truly further the well-being of all the people of our Commonwealth?

Thou, Who hast made us and knowest our weaknesses, keep us humbly mindful of our human limitations and draw us ever back to Thee for light for our decisions and overrule our mistakes. Make successful our efforts for a good and righteous Commonwealth. Give us a sense of what is necessary and important. Help us to accomplish effectively what is needful, and to leave undone what is not needful. Guide us not to dissipate our resources in overcomplex organization, not to lose sight of the common good in competing self-interest, and not to burden the people with unnecessary law, but may all that is done here be of real and lasting benefit to all the people.

Now, O God, be with these Senators. Bind them all together by their love of the common good. Give them charity toward one another. Help them so to fulfill their high trust, that they may come to the end of their duties with a clear conscience in the knowledge that they have done what is best for all their fellow citizens.

This we pray because we love Thee and we long for the coming of Thy Kingdom on earth. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quoroum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scotland School for Veterans' Children:

William S. Rahauser, 2 New Brighton Road, Ben Avon Heights, Pittsburgh 2, Allegheny County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Marlan O. Walter, 400 Market Street, Millersburg, Dauphin County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Victor C. Wise, 600 Fairview Terrace, Williamsport, Lycoming County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

BILL INTRODUCED AND REFERRED

Messrs. PECHAN, SARRAF and SHAFER presented to the Chair **SB 161**, entitled:

An Act amending the act of April 18, 1949 (P. L. 512), entitled "Fiduciaries Act of 1949," changing provisions relating to the order of payment of claims against estates.

Which was committeed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, the bill I am about to introduce touches a subject on which attorneys in the State of Pennsylvania should be interested.

As the law is practiced today, an attorney, even though he may be admitted to the Supreme Court of the State of Pennsylvania, does not have the right to represent a client in any county other than the county in which he has his office without the necessity of taking in another attorney in that county.

The bill I am proposing now would establish the right of any attorney, who has been admitted to practice before

the Supreme Court of Pennsylvania, to represent a client in any county in the State of Pennsylvania without the necessity of engaging other counsel.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT and STIEFEL presented to the Chair **SB 162,** entitled:

An Act amending the act of May 8, 1909 (P. L. 475), entitled "An act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; . . ." further defining the right of attorney-at-law admitted to practice in the Supreme Court to practice in the courts of the several counties.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bill which I am about to introduce elicited a most lively debate in September of 1959, in which Senator Pechan and Senator Seyler were participants. It dealt with a poem for Pennsylvania. You know, we have a bird, a hemlock tree, a pheasant and the laurel, but we do not have a poem.

For many years, I have always been an admirer of Kipling's immortal poem about Pennsylvania. There probably will be many other poets offering poems, but I feel Kipling is as much a part of Pennsylvania as anybody else. It is for this reason that I am introducing this bill.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL presented to the Chair **SB 163,** entitled:

An Act declaring and adopting an excerpt from Rudyard Kiplings' poem "Philadelphia" that could be entitled "All in Pennsylvania" as the official poem of Pennsylvania.

Which was committed to the Committee on Historical Preservation.

Mr. McCREESH presented to the Chair **SB 164,** entitled:

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, permitting citizens eighteen years of age or over to vote.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also presented to the Chair **SB 165,** entitled:

An Act providing for group life insurance and group accidental death and dismemberment insurance for State employes; establishing the amount of insurance available; schedule of payments; rates of contribution; termination and authorizing the purchase of insurance and the regulation of the funds thereof.

Which was committed to the Committee on Insurance.

He also presented to the Chair **SB 166,** entitled:

An Act providing group insurance contracts and benefits for members and employes of the Senate, the cost thereof to be apportioned between the Commonwealth and such members and employes and requiring the Executive Board to enter into the necessary contracts for such purpose.

Which was committed to the Committee on Insurance.

Messrs. McCREESH, DONOLOW, SARRAF and CAMIEL presented to the Chair **SB 167,** entitled:

An Act providing for a referendum to determine the will of the electorate in regard to horse racing with legal wagering within the State.

Which was committed to the Committee on Law and Order.

Mr. YATRON presented to the Chair **SB 168,** entitled:

An Act providing for an additional law judge of the court of common pleas in the twenty-third judicial district.

Which was committed to the Committee on Judiciary General.

He also (By request) presented to the Chair **SB 169,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the coloring or dyeing of chickens, ducks or rabbits, and the sale of colored or dyed chickens, ducks or rabbits.

Which was committed to the Committee on Judiciary General.

Messrs. STROUP, YATRON and DEVLIN presented to the Chair **SB 170,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating the State Council of Higher Education as a departmental administrative board in the Department of Public Instruction; defining its powers and duties; transferring certain duties to the State Council of Higher Education of the State Council of Education and defining and coordinating functions of the two councils.

Which was committed to the Committee on Education.

Mr. BELL presented to the Chair **SB 171,** entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Which was committed to the Committee on Rules.

The PRESIDENT. (Lieutenant Governor John Morgan Davis) to the Chair.

The PRESIDENT. The Chair wishes to take this opportunity to thank Senator Rooney for presiding so well during my absence.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, on behalf of Senator Stevenson, Senator Mallery, Senator Hays, Senator Haluska and myself, I am about to present a series of Pennsylvania Local Government Commission Bills.

BILLS INTRODUCED AND REFERRED

Messrs. LANE, STEVENSON, MALLERY, HAYS and HALUSKA presented to the Chair **SB 172,** entitled:

An Act authorizing counties, cities, boroughs, incor-

porated towns and townships to create historic districts within their geographic boundaries, providing for the appointment of Boards of Historic Architectural Review; empowering governing bodies of political subdivisions to protect the distinctive historical character of these districts; and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 173,** entitled;

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing the condemation of land for garbage disposal and land fill operations.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 174,** entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 175,** entitled

An Act amending the act of June 25, 1913 (P. L. 555), entitled "An act providing for the regulation of dams, or other structures or obstructions, as defined herein, in, along, across, or projecting into all streams and bodies of water wholly or partly within, or forming part of the boundary of, this Commonwealth; . . . " authorizing the repair or replacement of the roadway deck or the extension of certain bridges in townships of the second class without the consent of the Water and Power Resources Board.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 176,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," requiring controllers to appoint accountants, and providing for their compensation.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 177,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing third class counties to establish a department of administration under a director known as a business administrator, and prescribing its powers and duties.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 178,** entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law," further regulating compensation of tax collectors in boroughs and townships of the second class.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 179,** entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," requiring publication of ordances not more than sixty days prior to passage in one newspaper circulating generally in the township.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 180,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing occupation taxes to be abolished and per capita taxes to be levied and collected, and limiting the levy and collection of certain taxes.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 181,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," authorizing the assessment and collection of annual per capita taxes on individuals, limiting the levy and collection of such taxes and taxes on trades, occupations and professions, and authorizing taxes on trades, occupations and professions to be abolished.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 182,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," regulating the use of land for sanitary land fills by zoning.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 183,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing that applicants for the position of policeman and fireman need not be residents of the borough, and authorizing residence to be required after appointment as police and firemen.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 184,** entitled:

An Act amending the act of June 13, 1836 (P. L. 551), entitled "General Road Law," regulating the maximum width of State highways.

Which was committed to the Committee on Highways.

They also presented to the Chair **SB 185,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 186,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing the purchase or condemnation of unobstructed views at curves and intersections.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 187,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519),

entitled "The Borough Code," authorizing the reassessment of after built property in boroughs, and imposing liabilty for borough taxes upon the owners thereof.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 188**, entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," changing provisions relating to election of city charter commissioners.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 189**, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting council to appeal from findings of the Civil Service Commission.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 190**, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

Which was committed to the Committee on Local Government.

Messrs. ROONEY, SEYLER, HAYS, SESLER and YATRON presented to the Chair **SB 191**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," including additional buses within the provisions relating to school buses; further providing for the operation of school buses and lights located thereon and providing penalties.

Which was committed to the Committee on Highways.

Messrs. ROONEY and YATRON presented to the Chair **SB 192**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further providing for the placing of reflectors on vehicles and providing penalties.

Which was committed to the Committee on Highways.

LEAVE OF ABSENCE

Mr. BERGER. Mr. President, may we revert to the order of business of Leaves of Absence?

The PRESIDENT. You may proceed, sir.

Mr. BERGER. Mr. President, I request a leave of absence for my colleague, Senator Wade.

The PRESIDENT. There being no objection, the leave of absence is granted.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. RIPP,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF SCOTLAND SCHOOL FOR VETERANS' CHILDREN

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Scotland School for Veterans' Children:

William S. Rahauser, 2 New Brighton Road, Ben Avon Heights, Pittsburgh 2, Allegheny County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Marlan O. Walter, 400 Market Street, Millerburg, Dauphin County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

Victor C. Wise, 600 Fairview Terrace, Williamsport, Lycoming County, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 40, HB 82, 83, 84, 85, 86, 87, 90, 91, 92, 93, 94 and 97.**

COMMITTEE APPOINTED PURSUANT TO SENATE RESOLUTION, SERIAL NO. 10

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following Senators as Members of the Committee on Histroical Preservation, pursuant to Senate Resolution, Serial No. 10: the gentleman from Philadelphia, Mr. Stiefel, Chairman; the gentleman from Westmoreland, Mr. Mahady, Vice-Chairman; the gentleman from Philadelphia, Mr. Donolow; the gentleman from Centre, Mr. Hays; the gentleman from Fayette, Mr. Kalman; the gentleman from Washington, Mr. Lane; the gentleman from Lackawanna, Mr. McMenamin; the gentleman from Northampton, Mr. Rooney; the gentleman from Erie, Mr. Sesler; the gentleman from York, Mr. Seyler; the gentleman from Warren, Mr. Chapman; the gentleman from Bucks, Mr. Keller; the gentleman from Lancaster, Mr. Kessler; the gentleman from Crawford, Mr. Shafer; the gentleman from Bedford, Mr. Stroup; and the gentleman from Chester, Mr. Ware.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 29.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Seyler,	Wolfe,
Haluska,	McMenamin,	Shafer,	Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

SB 53—On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. President, I request that Senate Bill No. 53 go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I believe today that we cannot be accused of rushing or pushing this matter or anything else, except having it before us and passing the bill. If we do not have the votes, it will then be defeated. However, I think, definitely, we should take up this matter. We have talked this matter to death. We have discussed every angle and every side of it. I think, therefore, we should get on with the business of the Session. If we do not have the votes, the bill should be defeated, thereby ending this measure. Holding it here one more day will not change anybody's mind nor will it make anybody act in any different fashion.

This is a matter of public policy and I think we should proceed on this measure. It is going to go over to the House, where it will remain for awhile. If there are any necessary changes to be made, I think that opportunity will be available to us.

The PRESIDENT. Objection has been made to this bill going over in its order.

And the question recurring,

Shall the bill pass finally?

Mr. FLEMING. Mr. President, I rise to oppose the passage of this bill, as I did when it was defeated last week.

There is no question in my mind but that this bill will take away from the citizens of Pennsylvania a fundamental constitutional right to own and dispose of property as they see fit. The argument has been raised, and I recognize the fact, that there is the problem of human rights involved. Human rights are so closely interwoven with property rights that if we tear at the foundation of one, we may very materially tear at the foundation of the other.

I would like to say that I am not opposed to the objectives of this bill. However, I think some of the proponents of this bill have possibly gone overboard in their zealousness to pass it. I say to you, Mr. President, that the very things which they hope to attain are not going to be attained by the passage of this bill. I am afraid we will find a lot of renting and selling not being advertised on the open market. I think we will find, in many instances, when it comes to borrowing the necessary capital to erect these housing units, a very strong reaction against making the loans.

The proponents have said that this is not a punitive measure. They have emphasized the fact that it is educational. I think the only way in which we can proceed on this type of legislation is by education and by persuasion. If the proponents of the measure say that it is not punitive, then why do they put a punitive provision into the bill? If it is purely persuasive, why do we not amend the bill to the point that it is merely educational and persuasive? However, as the bill stands now, in my opinion, it will do far more harm to the citizens of Pennsylvania, as a whole, than it can possibly do good.

Mr. WEINER. Mr. President, I would like to point out to the gentleman from Allegheny that his concern for the constitutionality of this measure I think can be corrected. We have permanent institutions in this Commonwealth, as well as in the United States, known as the Supreme Court of the Commonwealth and the Supreme Court of the United States. Both of these courts have reiterated the policy which we are setting out in this measure. I do not feel that we are going beyond the statements which they have made in their cases, both in the case itself or in the dicta of the cases.

I would like to allay the gentleman's fears in the sense

that these two bodies will be here as permanent institutions, to look after any acts of omission or commission which we might commit. I think they will take care of any problems which might arise in this area.

Mr. EHRGOOD. Mr. President, unfortunately, I was absent last week. However, there perhaps may be some good come from it in that I am able to be heretoday.

I feel very strongly that this is a good bill. I think we can be proud of the fact that the evolution of human rights are outweighing the private, economic rights of individuals. I think that is important not only to the citizens of this Commonwealth, but to the Country and to the world, as a whole. Perhaps it is best phrased by a letter I received from a minister, stating that: "In a time of crisis, when our laws must match our ideals as Christians and Americans if we are to show the world a better way than communism, I am counting on you to support Senate Bill No. 53."

That, I think, sums it up pretty well. We are putting human rights against economic rights.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Camiel,	Hays,	Mullin,	Seyler,
Confair,	Kalman,	Murray,	Shafer,
Devlin,	Lane,	Ripp,	Silvert,
DiSilvestro,	Mahady,	Rooney,	Staisey,
Donolow,	McCreesh,	Sarraf,	Stiefel,
Ehrgood,	McGinnis,	Scott,	Weiner,
Flack,	McMenamin,	Sesler,	Yatron,
Haluska,	Miller,		

NAYS—16

Bell,	Kessler,	Pechan,	Van Sant,
Berger,	Kromer,	Propert,	Wagner,
Fleming,	Madigan,	Stevenson,	Ware, III,
Keller,	Mallery,	Stroup,	Wolfe,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 88—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

LEAVE OF ABSENCE

Mr. BERGER. Mr. President, I noticed during the previous roll call that Senator Hawbaker did not answer to his name. This reminded me that he had called me earlier in the day and said that he had about eight inches of snow and could not get out. Therefore, I would like to ask for a leave of absence for him.

The PRESIDENT. There being no objection, the leave is granted.

THIRD READING CALENDAR

BILL OVER IN ORDER TEMPORARILY

SB 3—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 28—Read at length the third time and agreed to,

And the amendments made thereto having been printed as requested by the Constitution,

On the question,

Shall the bill pass finally?

Mr. LANE. Mr. President and Members of the Senate, I wish to make my position explicitly clear with reference to Senate Bill No. 28.

As you probably know, last week I raised objection as to the number of petitioners with reference to the city of Philadelphia and the city of Pittsburgh. At that time, the figure was 5,000. Now the bill is amended to show the number of 25,000 petitioners before this legislation can be placed on the ballot for a referendum. I wish to state that although I am not in favor of selling liquor on Sundays, I feel it is my responsibility, as a Member of this Senate, to extend to the people of the city of Philadelphia and the city of Pittsburgh the right of a referendum. I also feel that when the so-called workers, who are going to sign up the petitioners, sample the will of the people, it will be very fair to all the rest of the people in this Commonwealth.

I might also say, Mr. President, if this were to apply to my Senatorial District, my position would be in the negative. However, since we have representatives in this Senate from Pittsburgh and Philadelphia, it is my responsibility to go along with these gentlemen and give their citizenry the opportunity to have a referendum.

Mr. BELL. Mr. President and Members of the Senate, this bill will require a petition, signed by some 25,000 voters in the city of Philadelphia and the city of Pittsburgh. I do not know the exact number of electors in the city of Philadelphia or in the city of Pittsburgh. However, assuming there are about 900,000 electors in the city of Philadelphia, this would permit a referendum to be initiated upon petition of some two and one-half to three per cent of the voters. I do not think this is a good precedent to establish. If it were a higher percentage of the voters,—say, ten per cent of the voters— I think I could support this bill. However, in view of the fact this is establishing a precedent of two and one-half to three per cent of the voters in a district to establish a referendum, I feel obliged to vote against the bill.

Mr. FLEMING. Mr. President, I rise to oppose the passage of this bill, probably on a little different grounds than my predecessor.

I think this is bad legislation. I think this is only the opening wedge—and will be pursued further in later Sessions of the General Assembly—to further liberalize the liquor laws of Pennsylvania. Certainly, if we open the door and permit the hotels in two of the cities to sell liquor on Sunday, unquestionably the tavern owners and the other hotel owners in other counties of the Commonwealth, who are not presently covered by this bill,—and in the counties in which they are located where the opportunity has not been given to them to vote for it—will also want it. We will be opening the door to Sunday sales of liquor all over Pennsylvania.

I would therefore, submit to the Members of the Senate that this cannot make for a better place in which to raise your children or in which to live. I think we should observe the Sabbath Day to the best of our ability.

For that reason, Mr. President, I am completely and unalterably opposed to this or any similar bill.

Mr. WEINER. Mr. President, I think we are laboring

here under a misapprehension, and I would like to correct it if I could. The problem of whether you can or cannot do this thing is not before us today. That has already passed in the previous Session, and that is finished business.

All that is before us today is: shall the people get X number of names as it appeared in the original bill, or shall they get 5,000 names or 25,000 names? That is all that is in front of us. You are not voting on whether you can or cannot do this thing in these different places. That has already been passed here. The only thing you are saying is: do you need 25,000 names to do it, or do you need 350,000 names, or whatever the number you need?

The Senate and the House have already passed this measure. It is already done. Whether the people want it or not is another problem that has to be taken up by the people in the local community.

I have heard—I hope it was from the same Senator, but if I am in error I am sure he will correct me—that they were asking that they have local referenda or local option on some of these other matters. Well here we are having local option on this matter. This is a matter that is perfectly and particularly appropriate to this particular area in itself. All we have before us here is: shall it be 25,000 names or shall it be the number that was originally passed in the bill?

We are not debating the Act. That is long since gone. We have already had that and it is done and finished. This is all that is left before us here.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HALUSKA. Mr. President, being in the hall of the Senate, and not hearing my name being called, I desire to be recorded as voting "aye".

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Camiel,	Keller,	Murray,	Silvert,
Devlin,	Lane,	Ripp,	Staisey,
DiSilvestro,	Mahady,	Rooney,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Van Sant,
Ehrgood,	McGinnis,	Scott,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Kalman,	Mullin,		

NAYS—20

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Wagner,
Flack,	Madigan,	Seyler,	Ware, III,
Fleming,	Mallery,	Shafer,	Wolfe,

A majority of all Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 3 CALLED UP

SB 3—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL OVER IN ORDER

SB 3—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the Majority Leader whether or not this proposed amendment to the Constitution does not, in substance, reiterate a similar amendment which was defeated by a vote of the people in 1959?

Mr. WEINER. Mr. President, if I might, I would like to defer to the Chairman of the Committee on Constitutional Changes and Federal Relations. I believe he has had a discussion with the Attorney General on this matter. I do not know whether he sent you a copy, but I think he was getting an extra copy.

Mr. President, may we be at ease one moment so that he can look through his file?

The PRESIDENT. The Senate will be at ease for a moment.

(The Senate was at ease.)

Mr. BERGER. Mr. President, the question that has been raised in connection with this bill, I believe requires some further research. For that reason, I am going to ask that the bill go over in its order so that this can be done.

The PRESIDENT. There being no objection, Senate Bill No. 3, Printer's No. 3, will go over in its order.

BILLS OVER IN ORDER

HB 89, 95, 96, 98, 99, 100 and **101**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 20 and **23**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 31—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 85, 88, 93 and **94**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SENATE CONCURRENT RESOLUTION SERIAL NO. 101, CALLED UP

Mr. WEINER, without objection, called up from page 5 of the Calendar, Senate Concurrent Resolution, Serial No. 101, entitled:

Joint Committee to Study Abolition of Capital Punishment.

On the question,

Will the Senate adopt the resolution?

SENATE CONCURRENT RESOLUTION, **SERIAL No. 101,** ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, **Serial No. 101.**

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bill: **SB 29.**

ANNOUNCEMENT OF MEETING OF COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, I wish to announce that on Tuesday, at 11:00 a.m., there will be a meeting of the Committee on Local Government in Room 301.

ADJOURNMENT

Mr. RIPP. Mr. President, I move that the Senate do now adjourn until Monday, February 13, 1961, at 3:00 p.m.

Mr. McGinnis. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:54 p.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 8, 1961

The House met at 11:00 a. m., Eastern Standard Time.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. If there are no objections, the Chair will dispense with the usual order of business.

The Chair hears none.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 7, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mrs. REIBMAN, Mr. VARNER, Mrs. MARKLEY and Mr. SHUPNIK. HOUSE BILL No. 389.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), making available full retirement benefits to employes from the time they entered school service.

Referred to the Committee on Appropriations.

By Messrs. MUSTO, CURWOOD, NEEDHAM and MEHOLCHICK. HOUSE BILL No. 390.

An Act repealing the act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; * * *."

Referred to the Committee on Mines and Mineral Industries.

By Messrs. TOMPKINS and ANDREWS. HOUSE BILL No. 391.

A Joint Resolution proposing an amendment to article two, section four of the Constitution of the Commonwealth of Pennsylvania, making the General Assembly a continuing body; and providing for annual sessions, and the calling of special sessions.

Referred to the Committee on Judiciary.

By Messrs. LUTTY and LEONARD. HOUSE BILL No. 392.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections.

Referred to the Committee on Highways.

By Messrs. RUDISILL and BOWMAN. HOUSE BILL No. 393.

An Act changing and making uniform the time in which appeals may be allowed from courts of record of inferior jurisdiction; limiting the time when such appeals shall operate as supersedeas and repealing inconsistent acts and parts of acts inconsistent herewith.

Referred to the Committee on Judiciary.

By Messrs. RUDISILL and BOWMAN. HOUSE BILL No. 394.

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941 (P. L. 490), deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgments of written instruments may be made before certain officers * * *.

Referred to the Committee on Judiciary.

By Messrs. RUDISILL and BOWMAN. HOUSE BILL No. 395.

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof.

Referred to the Committee on Counties.

By Messrs. EILBERG, SCHAAF, GUESMAN and McDONALD. HOUSE BILL No. 396.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

Referred to the Committee on Highways.

By Messrs. McCORMACK and FILO. HOUSE BILL No. 397.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.

Referred to the Committee on Highways.

By Messrs. McCORMACK and FILO. HOUSE BILL No. 398.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

Referred to the Committee on Highways.

By Mr. FILO (By Request) HOUSE BILL No. 399.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating signal lamps on school buses.

Referred to the Committee on Highways.

By Mr. FILO. HOUSE BILL No. 400.

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

Referred to the Committee on Rules.

By Mr. FILO. HOUSE BILL No. 401.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), authorizing issuance of special permits to disabled veterans permitting the use of semi-automatic rifles to hunt big game.

Referred to the Committee on Game and Conservation.

By Messrs. STANK, McDONALD and MEHOLCHICK. HOUSE BILL No. 402.

An Act providing for the licensing of the possession and distribution of coin operated machines used for gambling and the licensing of establishments having on their premises such machines; imposing powers and duties on the Department of Revenue; making it legal to own, distribute, possess and operate such machines; providing

for the payment and allocation of certain moneys; and repealing inconsistent acts.

Referred to the Committee on Law and Order.

By Messrs. STANK, McDONALD and MEHOLCHICK. HOUSE BILL No. 403.

An Act providing for the licensing of operators and sellers of lottery tickets imposing powers and duties on the Department of Revenue, and making it legal to print, possess, distribute, sell and buy such tickets; providing for the payment and allocation of certain moneys, and repealing inconsistent acts.

Referred to the Committee on Law and Order.

By Messrs. STANK, McDONALD and MEHOLCHICK. HOUSE BILL No. 404.

An Act providing for the operation and licensing of money pools; requiring bonds from operators; making appropriations; specifying certain uses of a portion of such appropriations; and repealing inconsistent acts.

Referred to the Committee on Law and Order.

By Messrs. MURPHY, J. A. SULLIVAN, Mrs. MUNLEY and Mr. TAYLOR. HOUSE BILL No. 405.

An Act regulating the time of payment of wages and earnings of railroad employes.

Referred to the Committee on Railroad and Railways.

By Mr. KESSLER. HOUSE BILL No. 406.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), increasing contributions of members in Class A; increasing superannuation retirement allowances of such members; reducing superannuation retirement age; and authorizing superannuation retirement after completion of thirty years of contributory service.

Referred to the Committee on Appropriations.

By Messrs. VERONA and BLAIR and Mrs. REIBMAN. HOUSE BILL No. 407.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), imposing certain temporary restrictions on the taxing authorities of political subdivisions affected by the provisions of said act.

Referred to the Committee on Counties.

By Messrs. POLASKI, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 408.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting expenditures for fire protection from the general township fund.

Referred to the Committee on Townships.

By Messrs. WESCOTT, POLASKI, KORNICK, HAMILTON and WILT. HOUSE BILL No. 409.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating compensation to aged employes.

Referred to the Committee on Boroughs.

By Messrs. WESCOTT, POLASKI, KORNICK HAMILTON and WILT. HOUSE BILL No. 410.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further providing for the employment of a certified public accountant.

Referred to the Committee on Boroughs.

By Messrs. WESCOTT, POLASKI, KORNICK, HAMILTON and WILT. HOUSE BILL No. 411.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for traffic courts in boroughs.

Referred to the Committee on Boroughs.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 412.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing townships to charge a tapping fee when owners of property connect with a sewer or drainage system.

Referred to the Committee on Townships.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 413.

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; * * *," providing for and regulating appeals from valuations and assessments of real property the first year any county makes a complete reassessment of real property in conjunction with a permanent system of records.

Referred to the Committee on Counties.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 414.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), imposing costs in prosecutions for violations when evidence does not show the prosecution is well founded and requiring bonds.

Referred to the Committee on Townships.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 415.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), providing for payment by the Commonwealth of damages occasioned by change of width, lines or grades of streets designated as State highways in cities of the second class A and third class.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 416.

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities, changing the basis for pensions.

Referred to the Committee on Cities—Third Class.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 417.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for traffic courts in cities of the third class.

Referred to the Committee on Cities—Third Class.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 418.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the basis for pensions.

Referred to the Committee on Cities—Third Class.

By Messrs. POLASKI, WESCOTT, KORNICK, HAMILTON and WILT. HOUSE BILL No. 419.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that supervisors, assessors, auditors and tax collectors must be electors of the township in order to be eligible.

Referred to Committee on Counties.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 420.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing county commissioners to exercise certain additional powers.

Referred to the Committee on Counties.

By Messrs. POLASKI, KORNICK, HAMILTON, WESCOTT and WILT. HOUSE BILL No. 421.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), providing for appointment of members of the Board of Assessment and Revision of Taxes in counties of the fourth class.

Referred to the Committee on Counties.

By Messrs. McCANDLESS, FOOR, BONNER, STONE, KING and MAGEE. HOUSE BILL No. 422.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments for property acquired by the Commonwealth for recreational purposes.

Referred to the Committee on State Government.

By Messrs. STONE, BRETH, HAMILTON, KLEIN and AUKER HOUSE BILL No. 423.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

Referred to the Committee on Game and Conservation.

By Messrs. CAPITOLO, ESHBACK, PARLANTE and SCARCELLI. HOUSE BILL No. 424.

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Messrs. TOMPKINS, BUCHANAN, FULMER and Mrs. REIBMAN. HOUSE BILL No. 425.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for alternates to serve on the joint school committee.

Referred to the Committee on Education.

By Messrs. TOMPKINS and OGILVIE. HOUSE BILL No. 426.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) prohibiting the granting or issuance of certificates to teach to certain persons not citizens of the United States.

Referred to the Committee on Education.

By Messrs. STONE, KLINE, BONNER and DONALDSON. HOUSE BILL No. 427.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), authorizing in certain cases to contract for the payment of money in lieu of taxes.

Referred to the Committee on Municipal Corporations.

By Messrs. FINEMAN, KRAMER, CIOFFI and MAXWELL. HOUSE BILL No. 428.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing; providing for the designation of inspection stations for trucks and truck tractors; permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren; prohibiting parking in certain additional places; extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

Referred to the Committee on Highways.

By Messrs. ROVANSEK, VERONA and PRICE. HOUSE BILL No. 429.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the use of fire extinguishers containing carbon tetrachloride in fire apparatus providing penalties.

Referred to the Committee on State Government.

By Messrs. SHERMAN, GELFAND, M. H. GOLDSTEIN, A. D. WILLIAMS and Mrs. ANDERSON. HOUSE BILL No. 430.

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race, religion, color, ancestry or national origin; prohibiting such discriminatory practices; providing for procedure and enforcement; providing for judicial review; providing for administration by the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; and defining its functions powers and duties hereunder.

Referred to the Committee on State Government.

By Messrs. MULLEN, MUSTO, A. M. LEE and FINEMAN. HOUSE BILL No. 431.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the form of applications, certifications and declarations for absentee ballots, and the time within which applications for such ballots must be received.

Referred to the Committee on Elections.

By Messrs. FINEMAN, CAPITOLO, FULMER and AGNEW. HOUSE BILL No. 432.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), adding definitions; bringing dual coverage group within the act and changing certain allowances with respect thereto; eliminating the offset on joint coverage accounts; * * * and bringing extended sick leave under the provisions of the act.

Referred to the Commitee on State Government.

By Messrs. FRASCELLA, RUBIN and KELLY.

HOUSE BILL No. 433.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) changing provisions concerning limitations of actions and proceedings by information and warrant and imposing costs for failure to appear in certain cases.

Referred to the Committee on Judiciary.

By Messrs. FRASCELLA, RUBIN and DOUGHTEN.

HOUSE BILL No. 434.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) compelling the apperaance of certain persons.

Referred to the Committee on Motor Vehicles.

By Messrs. FRASCELLA, RUBIN and KELLY.

HOUSE BILL No. 435.

An Act amending the "Magistrates' Courts Act, one thousand nine hundred twenty-seven" approved May 10, 1927 (P. L. 866) enlarging the powers of magistrates in Philadelphia and changing certain limitations and restrictions.

Referred to the Committee on Cities—Counties First Class.

By Messrs. FRASCELLA, RUBIN and KELLY.

HOUSE BILL No. 436.

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743) clarifying the law with respect to magistrates in Traffic Courts of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

By Messrs. FRASCELLA, RUBIN and DOUGHTEN.

HOUSE BILL No. 437.

An Act amending the "1937 Magistrates' Court Act," approved June 15, 1937 (P. L. 1743) providing for assignment of magistrates by the chief magistrate and making the Traffic Court of Philadelphia a court of record.

Referred to the Committee on Judiciary.

By Messrs. FRASCELLA, RUBIN and DOUGHTEN.

HOUSE BILL No. 438.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), creating the office of magistrates' solicitor, prescribing his powers and duties, fixing his compensation and prescribing powers, duties and liabilities of magistrates.

Referred to the Committee on Judiciary.

By Messrs. FRASCELLA, LIMPER, RUBIN and DOUGHTEN.

HOUSE BILL No. 439.

An Act amending the "1937 Magistrates' Court Act" approved June 15, 1937 (P. L. 1743), enlarging the jurisdiction of the Traffic Court of Philadelphia to include all offenses arising under "The Vehicle Code."

Referred to the Committee on Cities—Counties First Class.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 82.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) making certain changes in the fiscal period.

HOUSE BILL No. 83.

An Act transferring money from the Banking Department Fund to the General Fund.

HOUSE BILL No. 84.

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

HOUSE BILL No. 85.

An Act amending the act of April 22, 1949 (P. L. 711) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

HOUSE BILL No. 86.

An Act amending the act of January 5, 1934 (1933-34 P. L. 219) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans * * *" providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasury and Adjutant General, respectively.

HOUSE BILL No. 87.

An Act amending the Act of May 25, 1939 (P. L. 191) entitled "An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions * * *" by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds.

HOUSE BILL No. 90.

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) increasing the permanent rate of tax and eliminating the temporary tax.

HOUSE BILL No. 91.

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) increasing the permanent rate of tax and eliminating the temporary tax.

HOUSE BILL No. 92.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes * * *" making an additional appropriation conditioned upon an increase in the rate of taxation.

HOUSE BILL No. 93.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) imposing the tax permanently.

HOUSE BILL No. 94.

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor.

HOUSE BILL No. 97.

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 40.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania repealing section seventeen thereof which authorized the borrowing of money to defray State Government expenses for the biennium beginning June 1, 1933.

HOUSE BILL No. 82.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) making certain changes in the fiscal period.

HOUSE BILL No. 83.

An Act transferring money from the Banking Department Fund to the General Fund.

HOUSE BILL No. 84.

An Act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance.

HOUSE BILL No. 85.

An Act amending the act of April 22, 1949 (P. L. 711) entitled "An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund * * *" providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after redemption of all bonds and certification thereof by the State Treasurer.

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HOUSE BILL No. 97.

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) providing that license fees be paid into the general fund.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Senate Bills Nos. 136 and 137.

The SPEAKER. What is the pleasure of the Majority Leader?

The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, I have nothing more at today's session except what has been completed at this point, and I was informed by the Parliamentarian that we are within the provisions of the Constitution since the Senate Concurrent Resolution for adjournment of the House and Senate is not required, because only three days remain and we will be back Monday which will comply with the Constitutional provision on adjournment.

Mr. Speaker, just one other thing I want to ask, does the bell ring that I keep asking about all the time?

The SPEAKER. I am informed that tests will be made over the week end to ascertain whether the bell rings.

ADJOURNMENT

Mr. AGNEW. Mr. Speaker, I move that this House do now adjourn until Monday, February 13, 1961 at 3:30 p. m. E. S. T.

The motion was agreed to, and (at 11:34 a.m. E. S. T.) The House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, FEBRUARY 13, 1961. No. 18.

SENATE

MONDAY, FEBRUARY 13, 1961.

The Senate met at 3:00 p. m. Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplin, Rev. LUTHER H. HARSHBARGER, University Chaplin, The Pennsylvania State University, State College, offered the following prayer:

Let us pray.

O God, Thou great Giver of the law, Who hast called us here to a place of trust and responsibility, we humbly thank Thee for all the ways in which Thou hast blessed and guided us. Among these blessings, may we reckon the demands, opportunities and issues of the day. As we discern them, urgent and difficult though they be, sustain us while we are trying to work out the tedious details and particular applications.

By the counsel of Thy Spirit, we beseech Thee to show to all who make, who interpret or administer the law its underlying meaning and purpose. Teach them, we beseech Thee, what is worth knowing, what is worth accomplishing and how to safeguard what is worth preserving, so that through the true reconciling of hostile forces, all of us may have a new wisdom and a new vision of the future of this Commonwealth.

May wisdom and knowledge be the stability of our time so that, in the words of him whose memory we celebrate this day, "government of the people, by the people and for the people may not perish from the earth." Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read Journal of the preceding session.

The Clerk proceeded to read the Journal of the proceding session, when, on motion of Mr. LANE and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WADE.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBERS OF THE PENNSYLVANIA FISH COMMISSION

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, 374 Byllesby Avenue, Meadville, Crawford County, for reappointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1969, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

February 13. 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Caroline S. Wishik, 1155 Shady Avenue, Pittsburgh, Allegheny County, for reappointment as a member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Allegheny, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roscoe W. Rittase, 523 Prince Street, Littlestown, Adams County, for appointment as Justice of the Peace in and for the

Borough of Littlestown, Adams County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin A. LaPish, R. D. 1, Spring City, Chester County, for appointment as Justice of the Peace in and for the Township of East Vincent, Chester County, to serve until the first Monday of January 1962, vice Charles W. Rambo, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred B. Krider, R. D. 5, Meadville, Crawford County, for appointment as Justice of the Peace in and for the Township of Vernon, Crawford County, to serve until the first Monday of January 1962, vice Henry C. Sherman, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Potoski, R. D. 1, Pittston, Luzerne County, for appointment as Justice of the Peace in and for the Township of Exeter, Luzerne County, to serve until the first Monday of January 1962, vice Daniel A. Ball, deceased.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Messrs. RIPP and WIENER presented to the Chair **SB 193,** entitled:

An Act providing group insurance contracts and benefits for State employes, the cost thereof to be apportioned between the Commonwealth and such employes and requiring the Executive Board to enter into the necessary contracts for such purpose.

Which was committed to the Committee on State Government.

They also presented to the Chair **SB 194,** entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," providing for the inclusion of additional employes and the method of making payments into the fund.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 195,** entitled:

An Act providing for group life insurance for State employes; establishing a schedule providing for payment; providing for reduction of insurance upon retirement and authorizing the Secretary of the Department of Property and Supplies to act as exclusive broker for the purpose of contracting for insurance.

Which was committed to the Committee on State Government.

Messrs. SEYLER and HAYS presented to the Chair **SB 196,** entitled:

An Act amending to the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing the extension of sabbatical leaves of absence because of sickness or physical disability.

Which was committed to the Committee on Education.

Messrs. SEYLER, WEINER, STROUP and BERGER presented to the Chair **SB 197,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949,' providing for special and summer classes for children of migrant laborers; requiring the filing of certain reports and making an appropriation.

Which was committed to the Committee on Education.

Messrs. SEYLER and WEINER presented to the Chair **SB 198,** entitled:

An Act to establish a Governor's Advisory Committee on Migrant Labor and to define existent duties and responsibilities of the various State departments and agencies pertaining to migratory workers and their families.

Which was committed to the Committee on Labor and Industry.

They also presented to the Chair **SB 199,** entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," further regulating the manner of registration.

Which was committed to the Committee on Elections.

Messrs. LANE, MURRAY and WEINER presented to the Chair **SB 200,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," making eligible for assistance certain persons in public medical institutions, and regulating obligations for and payments of certain funds.

Which was committed to the Committee on Public Health Welfare.

They also presented to the Chair **SB 201,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2017), entitled "County Institution District Law," further regulating the powers and duties of local authorities as to persons in foster homes and to children and youth; and further regulating payments for care.

Which was committed to the Committee on Local Government.

Messrs. LANE, KALMAN and McGINNIS presented to the Chair **SB 202,** entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire a tract of land with buildings, improvements and antiques and other personal property therein, in the Borough of

Brownsville, Fayette County, for presentation, care and maintenance as a historical site, by the Pennsylvania Historical and Museum Commission.

Which was committed to the Committee on Historical Preservation.

Messrs. LANE and MAHADY presented to the Chair **SB 203**, entitled:

An Act authorizing and directing the Department of Highways to accept a bridge over the Monongahela River between Donora in Washington County and Webster in Westmoreland County, and providing for the further maintenance thereof.

Which was committed to the Committee on Highways.

Mr. KROMER presented to the Chair **SB 204**, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," further providing for the mileage of jurors when such jurors are temporarily sent home.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 205**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," making it unlawful to shoot any deer not having two or more points to one antler or an antler three or more inches long.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to addres the Senate.

Mr. BELL. Mr. President and Members of the Senate, last Friday afternoon, southeastern Pennsylvania received very bad news. We received news that the Ford Motor Company had decided to completely shut down its Chester assembly plant. This means the loss of jobs for 1,500 employees, of which some thirty per cent live in the city of Philadelphia. The greater number of the remainder live in Delaware County.

This is heavy industry. When heavy industry such as this closes down, the suppliers, and the supporting industries, likewise, face an indefinite future. Therefore, we have here, at one fell swoop, the employmnt of some 6,500 employees. In other words, in southeastern Pennsylvania, 6,500 families face the fact of unemployment. This is pretty rough.

Today, Mr. President, I visited with the Secretary of Commerce, Mr. Davlin, who, despite a little personal difficulty which he has, gave me an hour of his time in order to tell me how deeply interested the Governor of Pennsylvania and his office are in the plight of our employees in southeastern Pennsylvania. For that, I thank the Secretary and I thank the Governor.

Therefore, Mr. President, I am about to introduce a resolution on behalf of Senator DiSilvestro and myself, and I ask for its immediate consideration by this august Body.

SENATE RESOLUTION

URGING THAT THE FORD MOTOR COMPANY RECONSIDER ITS DECISION TO CLOSE THE FORD PLANT AT CHESTER

Messrs. BELL and DiSILVESTRO offered the following resolution **(Serial No. 12)**, which was read as follows:

In the Senate, February 13, 1961.

On Friday, February 10, 1961 Southeastern Pennsylvania was shocked to learn that Ford Motor Company was closing its Chester assembly plant.

For 33 years, Chester Ford has provided employment for many thousands of Pennsylvanians in the assembly plant and in its supporting service industries.

The proposed shut-down will cost the jobs of 1500 Ford employees. The jobs of 5000 others employed in service and supporting industries are likewise jeopardized. Sixty-five hundred families in Delaware County and Philadelphia face a dire future because of this shut-down.

Delaware County and Philadelphia are already critical labor areas with grave unemployment.

NOW THEREFORE, BE IT RESOLVED by the Senate of Pennsylvania the Ford Motor Company reconsider its decision to close the Chester Ford Plant; and

BE IT FURTHER RESOLVED that the Secretary of Labor and Industry and the Secretary of Commerce of Pennsylvania be requested to contact the Ford Motor Company to request such reconsideration; and

BE IT FURTHER RESOLVED that the Secretary of Commerce of Pennsylvania be requested to initiate plans and programs to bring new industry to this stricken area if Ford Motor Company refuses to reconsider its decision to close its Chester Plant; and

BE IT FURTHER RESOLVED that the Secretary of Labor and Industry be requested to initiate plans and programs for the re-employment of employees of Ford Motor Company and its supporting service industries if Ford Motor Company refuses to reconsider its fateful decision; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded immediately after adoption to the President of Ford Motor Company at Detroit, Michigan, to the Secretary of Commerce, and the Secretary of Labor and Industry.

The PRESIDENT. Senator Bell has requested the immediate consideration of this resolution. Is there objection? The Chair hears none.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, I think a measure of this type is important in highlighting that I believe all of us know, but sometimes shut our eyes to; namely, that all of the area in this Commonwealth are intertwined and interbound in the sense that when a matter affects the city of Chester and the county of Delaware, many of the people who are going to feel the effects, and feel them very directly, are the people who live in Philadelphia, Montgomery and Chester Counties, all of whom are brought to this section of Pennsylvania to work.

Therefore, Mr. President, I hope this is a welcome type of resolution. I am sorry it is on this note that we have to speak in the vein of cooperating between the municipalities, the counties, the boroughs and the townships. However, it is with this type of item that you begin to see how government is intertwined and how it is not merely political units which are involved, regardless of their political affiliation or color.

When the gentlemen from these different counties introduce measures which would harm Philadelphia, they, in a sense, are harming themselves. I believe this highlights the fact that this is taking in not only the people of Chester, but the Mayor of the City of Philadelphia, the Governor of the Commonwealth of Pennsylvania and his Cabinet Officers, as well, to work on this problem affects all of us very directly and in a very harsh manner.

Mr. LANE. Mr. President, I am very happy, indeed, to have the opportunity to support the resolution submitted by the distinguished Senator. I believe that what is happening in southeastern Pennsylvania has also happened in southwestern Pennsylvania. As a matter of

fact, unless this august Body wakes up, we are going to have depressed areas all over this great Commonwealth. I believe, at a time like this, it calls for complete cooperation in doing the job of re-employing our people. The time will come very shortly when we will be talking about appropriations for P. I. D. A., which is Pennsylvania Industrial Development Authority. Let us hope that all of us will realize what that particular Authority has done for the Commonwealth, and what we hope it may do in the future. Let us support it in detail and let us give it the money to do the job.

Of course, the Members of the Senate know that we now have a bipartisan Committee of the House and Senate which has been working on the problem of unemployment. We have held a number of hearings. Our committee worked through the holidays and is working without funds. We are glad to do the job, however. We are going up into the hard coal area during the next week or two. We are going to meet either in Wilkes-Barre or Scranton and, from there, we are going to Pittsburgh.

Mr. President, I am happy, indeed, that Senator Bell fully realizes the problem of unemployment, now that it has come to his District. Let us hope that we will receive full and complete cooperation. I am also happy that the gentleman sponsored the resolution because it is going to bring home to all of the people of Pennsylvania the fact that unless we all work together, we are going to have a real depression in Pennsylvania.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

JOHN DAVIS PRESENTED TO SENATE

Mr. WARE. Mr. President, at this time, I would like to offer a resolution of welcome to the new, temporary employee of the Senate who is a very attractive young man whom I just met today, and who certainly gives every evidence of stemming from a distinguished parentage.

I would like to present to the Senate, John Davis, our temporary employee for the day, and welcome him back for another visit.

The PRESIDENT. Thank you very much, Senator Ware.

SENATE CONCURRENT RESOLUTION
WEEKLY ADJOURNMENT

Mr. McCREESH offered the following resolution, which was read, considered and adopted.

In the Senate, February 13, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 20, 1961 at THREE o'clock P.M., E.S.T. and when the House of Representatives adjourns this week, it reconvene on Monday, February 20, 1961 at THREE-THIRTY o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, there is in the city of Philadelphia an institution that is 130 years old. Recently this institution was brought to the attention of the public at large, due to a prison break attempt which took place.

Perhaps some of the people in this Chamber, who are not familiar with the city of Philadelphia, may not be aware of the fact that this prison occupies a five or six block square area, situated in a heavily populated area. There are a great number of schools in this area, and there are a great number of apartment buildings, small homes and businesses. In the recent riot or prison breach that was attempted, I think it was brought home very forcefully what might happen to this community if these people were to get away.

This building is old, and in 130 years there have been some additions and even some modifications, but there is very little room for recreation in this building. There is very little area for the programs that should be carried out in a correctional institution. We feel this institution does not belong in this area. The fact that the prison is situated in my District does not make me particularly attuned to moving it, but I think it is the fact that the city has grown. Incidentally, this prison is within four blocks of the museums which exist in this city and within four or five blocks of the parkways which exist in this city and the areas to which visitors come. I do not feel this is the type of thing for any city which is anxious to attract tourist business, which incidentally, is one of the large industries in the world today and not only in this Country. I would suggest that it be moved to a different outlying area, because when this prison was originally built, this was an outlying area. It was a farm district which was no longer used for farming, and it was felt this was the place for it to be built.

However, I do not want to be the one to state categorically that it should go to X or Y place. I feel a study should be made of this problem, not because I want to shift the responsibility, —that is not my desire at all— but I think all pertinent data should be gathered and anyone who might object to it going into a particular area would have an opportunity to come forth.

I understand that the same problem exists in the area surrounding Pittsburgh, in Allegheny County, where redevelopment is going on, where the Western State Correctional Institution now exists.

Therefore, in the resolution I am about to offer, I am asking that a study be made of both of these institutions and that appropriate steps be taken.

In the Philadelphia area, the prison is situated in one of the most lucrative areas, as far as land values are concerned. It is in center-city. I am sure that if this prison were razed, apartment units or public housing or things of that nature could go up which would, in a sense, help defray the cost of building a new correctional institution which could properly house the people, primarily as a correctional institution, and not merely as a compound.

Therefore, Mr. President, on behalf of Senator McGinnis, of Allegheny County, and myself, I ask that this resolution be read and referred to the apropriate committee for appropriate action.

SENATE CONCURRENT RESOLUTION
DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE RELOCATION OF WESTERN AND EASTERN STATE CORRECTIONAL INSTITUTIONS

Messrs. WEINER and McGINNIS offered the following resolution (**Serial No. 108**), which was read as follows:

In the Senate, February 13, 1961.

WHEREAS, on January 8, 1961, a prison break was

attempted by some of the inmates at the penal institution known as The Eastern State Correctional Institution located in the city of Philadelphia. This outbreak was quelled. This prison is 130 years old. It houses 991 prisoners, of which 177 are maximum security cases, consisting of those who are serving life sentences, awaiting execution and others who require the utmost in security measures.

The facilities of this penal institution are outmoded and woefully lacking in the equipment and necessary facilities in taking care of inmates of this type. It also has become apparent to many that an institution of this kind should not be located in the heart of a residential section as it now is in the city of Philadelphia. There has been widespread fear of the residents who reside around the area where this institution is located.

It is the sense of the Senate of the Commonwealth of Pennsylvania that a study should be made by the Joint State Government Commission of the facilities and security measures surounding this institution, as well as The Western State Correctional Institution, and also a study of removal of these institutions from the Cities of Philadelphia and Pittsburgh to a place better located for institutions of this kind; therefore be it

RESOLVED (the House of Representatives concurring), That the Joint State Government Commission determine and recommend a suitable site to which The Western and Eastern State Correctional Institutions may be moved; and be it further

RESOLVED, That the Joint State Government Commission determine and recommend the type of institution that should be built in order to accommodate the inmates of The Western and Eastern State Correctional Institutions; and be it further

RESOLVED, That the Joint State Government Commission make a report of its studies and recommendations to the General Assembly by April 15, 1961.

Mr. STIEFEL. Mr. President, to add more to the dramatization of what Senator Weiner said and pled so well, Charles Dickens, during his visit to the United States, spoke about the Eastern Correctional Institution and not in good terms. Despite that, it is quite an old problem in Philadelphia.

The PRESIDENT. This resolution is referred to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, the bill I am about to introduce deals with the problem of geriatrics. In most of the jurisdictions through the Nation, it is axiomatic that the subject matter of geriatrics is not only a question of custodial care of the aged, but it is also a question of research and thorough, exhaustive medical study.

Pennsylvania is blessed with one of the outstanding authorities on public health, Doctor Wilbar, our Secretary of Health. I believe that under the skilled hand of this man, the Office for the Aging, which is now under the Department of Public Welfare, will make finer progress and will inure to the advantage of the citizenry of Pennsylvania.

Mr. President, I made an omission. Senator Kalman is desirous of placing his name on this bill.

The PRESIDENT. If Senator Kalman will come up, the Chair will permit him to place his name upon the bill.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and KALMAN, by unanimous consent, presented to the Chair **SB 206**, entitled:

An Act transferring the Advisory Committee for the Aging from the Department of Public Welfare to the Department of Health.

Which was committed to the Committee on State Government.

Messrs. LANE, STEVENSON, SCOTT, VAN SANT and ROONEY, by unanimous consent, presented to the Chair **SB 207**, entitled:

An Act amending the act of May 9, 1949 (P.L. 927), entitled "Sheriff's Fee Bill, Second to Eighth Class Counties," changing fees, mileage and other costs chargeable by sheriffs and making editorial corrections.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, the bill that I am about to introduce is a poor man's bill. It involves fundamental property rights.

Under the rules and regulations of the Department of Revenue, they refuse to list two names with the right of survivorship. In other words, they refuse to title motor vehicles for joint tenants, with the right of survivorship. In the case of many poor people, the only thing they own is an automobile, and when the owner dies, the survivors have to go to a lawyer, pay transfer tax and go through a lot of red tape to make the survivorship possible.

A fundamental right in this Country is to hold property as we see fit. If we elect to hold it as husband and wife by entirety, or by brother and sister with the right of survivorship, that right should not be arbitrarily refused by the Department of Revenue.

Therefore, Mr. President, I am presenting this bill on behalf of myself, Senator Mullin, Senator Ripp and Senator Kalman.

BILLS INTRODUCED AND REFERRED

Messrs. MAHADY, MULLIN, RIPP and KALMAN, by unanimous consent, presented to the Chair **SB 208**, entitled:

An Act amending the act of April 29, 1959 (P.L. 58), entitled "The Vehicle Code," providing for ownership of a motor vehicle, trailer, or semi-trailer by joint tenants, and requiring the Secretary of Revenue to indicate such ownership upon the certificate of title.

Which was committed to the Committee on Highways.

Messrs. YATRON, SESLER and ROONEY, by unanimous consent, presented to the Chair **SB 209**, entitled:

An Act amending the act of April 29, 1959 (P.L. 58), entitled "The Vehicle Code," providing for school bus drivers' seminars; requiring school bus drivers to attend such seminars, and imposing duties upon county superintendents of schools in relation thereto.

Which was committed to the Committee on Highways.

Messrs. SESLER, SHAFER, BERGER, VAN SANT, KALMAN, MULLIN, HALUSKA, MURRAY, ROONEY and KELLER, by unanimous consent, presented to the Chair **SB 210**, entitled:

An Act promoting safe boating, water skiing and similar

activities upon the waters of this Commonwealth; establishing educational programs; improving waterway facilities and regulating the operation and equipment of vessels; conferring powers and imposing duties on the Department of Forests and Waters, the Department of Revenue, and the Boating Board herein created; prescribing penalties for violation; making an appropriation from the General Fund to the Boating Fund of the Department of Forests and Waters for use of the Boating Board; and providing for the reimbursement of the General Fund.

Which was committed to the Committee on Forests and Waters, Game and Fish.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 88—Mr. WEINER. Mr. President, I request that House Bill No. 88, Printer's No. 88, go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, my explanation for making this request is, I think, a rather simple one; namely, that we do not have the votes. The basis for this is that we have the Members present on the Democratic side who are ready, willing and able to perform on these measures. However, we do not even have an opportunity, at this time, to test whether the President of the Senate, in this case, the Lieutenant Governor, can exercise his ability to vote on these measures. This is due to the fact that the Members on the other side are lacking one or more of their Members.

I would merely like to point out that we can continue in this vein of dragging these bills along or having them defeated. However, I would like to respectfully suggest to the gentlemen on the other side that two years ago we faced this very same situation. About in March sometime, the fourth class school districts and the third class school districts found themselves in the position where they needed their money and it was not available.

I would like to advise the gentlemen on the other side that the information I am giving to the Members of this Senate is also available to them from the same source as I obtained it. I have suggested on this floor before that they could have any of these people appear either individually or at their Caucus. However, I would like to advise the gentlemen that the cash position of the Commonwealth of Pennsylvania is a precarious one, unless we get it in a position, by passing some of these measures, where we will be able to operate. Without this money in the till, or without money coming into the till, not only the State but any individual who has some care about his business and his affairs would not act in any manner except one which is prudent. I know that none of you would spend your money unless you knew where it was coming from. Until you pass these measures, many of you who have second, third and fourth class school districts are going to feel the pinch and you will find the same problems which you found two years ago.

I am also well aware that there are many gentlemen sitting on the other side who recognize their responsibility and who are willing to help us pass this tax program and let us bear the onus of it, as well as the responsibility for it. However, probably this is not the week for this to be. I am willing to yield or bow to this judgment, but I think it is not the type of thing which makes for the proper operation of the Commonwealth.

In reviewing the entire picture, as we did last week, I think you are willing to help us put taxes on the people generally. However, I think you are more or less evading the same responsibility which goes along with putting it on the other people in our society. In two of these measures, particularly House Bill No. 89, you are only increasing the rate of payment on corporations which are already paying their taxes. You are merely asking them to step up the time in which they are paying them. You are asking them to use their borrowing power on behalf of the Commonwealth because they can get it at a cheaper rate than we can. I do not know when the gentlemen will be willing to do it, but I think after you go back into your own areas and find out about some of the needed services, and that the money which is needed to operate this Commonwealth is lacking and not forthcoming because of this dilatory action, you will find that the responsible thing to do is to meet this responsibility today when the heavy pressure is not upon us.

Mr. BERGER. Mr. President, I am very glad that the Majority Leader touched upon the phrase "responsibility of this side." That is exactly what we feel we are exercising in wanting to obtain additional information about the acceleration bills.

Mr. President, we realize there has been no great opposition from the large corporations in Pennsylvania against the acceleration of their corporate net income tax and gross receipts tax. However, as it has been suggested, —and very correctly suggested, in my opinion—we have heard today about an industry which is leaving the city of Chester. This is a large, heavy industry, throwing 1,500 people out of employment. We are contemplating appropriating a large amount of money to the Pennsylvania Department of Commerce for the purpose of assisting industry in coming into the Commonwealth. Yet, we are saying to industry, by the passage of these bills, that as soon as you get into Pennsylvania, you are going to be hit by a tax which will be upon profits or upon business which you have not yet had an opportunity to make in the Commonwealth.

Mr. President, I understand there is presently an industry contemplating locating in one of our counties in Pennsylvania. It is quite possible that, because of the location of this county, this industry could locate in an adjacent State not very many miles away—probably a half a dozen. However, the passage of this anticipatory tax bill might have an adverse effect upon the location of that industry.

Mr. President, we are interested in giving employment. We do not want to create a climate which will discourage businesses from coming into Pennsylvania. We want to find out from statistics and from estimates as to what effect this will have on new businesses or small corporations, already in existence.—They cannot borrow money at a rate which is comparable to that which a large corporation can or comparable to what the Commonwealth of Pennsylvania would have to pay. They must go to the bank and probably pay through the nose in order to pay this accelerated tax. Therefore, Mr. President, we want that information. We want to know what effect this is going to have upon our small businesses. They are the

ones which we fear will suffer by this. They are the ones from which we would anticipate the growth of industry in Pennsylvania.

Mr. President, in so far as the Republican Members of this Senate having any interest in protecting business by not passing these taxes, that is a fallacy for the reason that so-called big business is not opposing these taxes. We realize that. We have seen the Democratic Majority pass a tax upon the small people of Pennsylvania when they put an additional two cents on gasoline last week. We want to know what this is going to do to small business and to employment in Pennsylvania before we will be ready to vote on it.

Mr. WEINER. Mr. President, in answer to the gentleman's question, I believe he answered it in his statement when he said that nobody has come forward to complain. All of us here in the Legislature realize that industry is not shy about writing any Member of the Legislature, nor are they shy about coming and seeing them in their home Districts or in Harrisburg, if necessary. The fact that nobody is complaining about it should be indication enough that there is no serious problem connected with this.

Secondly, you are not saying to this industry that they must pay more money than they ever paid before. Eventually, they will have to pay the entire amount. You are merely saying that they must pay it earlier.

I may not have been very clear when I pointed out to the gentleman last week that the department allows time for these people to obtain additional time, if necessary, and to get additional benefits, if that becomes necessary.

I think the record will prove there has never been an industry which ever moved out of an area because of the tax climate. I think your biggest problem here—and it is symtomatic of the times we are living in and symtomatic of the economic conditions, as we find them today—is that these industries are closing. They are closing down plants which are obsolete. It is cheaper for them, under the tax structure as it exists today, to build new plants and to write off a certain amount for obsolescence and depreciation. That is why many of these people and corporations are anxious to obtain this benefit. Most of them come under the fifty-two per cent bracket, if not higher, where the Government, itself, will pay better than fifty per cent in helping to build these plants. If they put money into an industry or plant which is thirty-eight years old, the benefit redounding to the corporation is very small, indeed. If they build a new plant and write it off over a period of years, they can certainly do well.

This is true in many of the areas. I think the climate that industry has enjoyed has been a good one. The fellow who really needs the help is the small businessman who has received little or no help. However, this bill pertains only to large industries. The first bill is even on foreign corporations which are not in this Commonwealth. To be reluctant to do something which no one objects to, hardly shows responsibility.

If further information or facts are needed, I think the same amount of information is available on these bills as was available on the gasoline tax, as was availble on the Bridge and Highway Authority when we raised that amount, and as was aviable on the realty tax. All of this information is aviable. I am even willing to make the people in the Administration responsible for availing some of this information to the gentleman on the other side. I do not know of anything further we can do. If we have overlooked anything, I will be very happy to supply that, as well.

Mr. BERGER. Mr. President, I believe I was quite clear in my statement. If I was not, I will repeat myself, if the Senate will permit me.

I said that we understood so-called big business does not object to this acceleration of taxes. However, Mr. President, I must repeat that we are concerned with the small businessmen and the small corporations.

I am sure Senator Weiner would not say there is anything written into this bill to the effect that if a little corporaion wants an extension of time in order to pay these taxes, that the bill says he can receive it. I have no doubt that under reasonable circumstances, the department may grant that extension of time. However, so far as I know, the corporation must pay it when the bill says it has to pay it. As a consequence, what we want to get and what we intend to get, Mr. President, are some statistics as to how this may effect little businesses, for which Senator Weiner was properly solicitous, rather than big business which apparently does not object to it.

Mr. MAHADY. Mr. President, in order to clear the air here with a definate statement, let me say that it is not a question of an additional burden during the year. It is a question of the tempory effect upon cash positions. That is the whole issue. You are paying beforehand and anticipating, just as individuals do. We anticipate on a quarterly basis on our Federal Income Tax. Here, the corporation is asked to anticipate on a yearly basis.

What is the effect upon the cash position of the corporations? They are paying no more. The answer is that someone doing approximately $1,000,000 worth of gross business in a year will find that their cash position is effected, temporarily, by approximately $800. You will find that this is probably the maximum figure which will affect them cash-wise.

Out of six corporations, doing approximately from $800,000 to a little over $1,000,000, I find that the change in their cash position is a maximum of $800. That is the effect on small or large businesses. The percentage-effect upon their cash position is the problem. The problem is not whether you are soaking them or making a different climate. The only climate which you have is a temporary effect for the first year on their cash position.

The PRESIDENT. There being no objection, House Bill No. 88 will go over in its order.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 3—Mr. WEINER. Mr. President, I request that Senate Bill No. 3, Printer's No. 3, go over in its order. The reason for doing so is that I am advised by the Chairman of the Committee on Constitutionl Changes and Federal Relations, Senator Mahady, that he is getting augmentation on the opinion he received last week from the Attorney General, which he will give to the Members on the other side.

The PRESIDENT. There being no objection, the bill will go go over in its order.

HB 89—Mr. WEINER. Mr. President, I request that House Bill No. 89, Printer's No. 221, go over in its order

for the reason mentioned earlier in connection with House Bill No. 88.

The PRESIDENT. There being no objection, the bill will go over in its order.

HB 95, 96, 98, 99, 100 and **101**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 20—Without object, the bill was passed over in its order at the request of Mr. WEINER.

BILL POSTPONED

SB 23—Mr. WEINER. Mr. President, I move that Senate Bill No. 23, Printer's No. 154, be placed on the Second Reading Postponed Calendar.

The PRESIDENT. Is there a second to this motion?

Mr. MAHADY. Mr. President, in connection with this motion, I wish to state that we intend to hold public hearings on this bill, the first of which will be at 2:00 p. m. on Thursday, the 23rd of February, in the Governor's Conference Room in the Penthouse of the State Office Building in Philadelphia.

The second meeting will be at 2:00 p. m. on Thursday, March 3rd, in the Governor's Conference Room in the State Office Building in Pittsburgh, Pennsylvania.

We are extending invitations to people who have sent us telegrams—and we have recieved a great many—asking for the pubilc hearings. We are going to extend invitations to the Deans of the Law Schools and their faculties who may be interested in this in any manner, and to other different groups who have, by letter or telegram, manifested an interest.

Mr. BERGER. Mr. President, I understood Senator Mahady to say that the first hearing will be on what date in Philadelphia?

Mr. MAHADY. Mr. President, on Thursday, February the 23rd.

Mr. BERGER. Thank you, Senator.

Mr. President, I might suggest—and I believe this is in order—that if the Majority Leader intends to call the bill from the Postponed Calendar, if this motion passes, and return it to committee next week, that would be proper. It is, however, taking two bites of the cherry for the reason that the bill should be in the possession of the committee at the time the hearings are being held, I believe.

Mr. SEYLER. Mr. President, I wish to second the motion made by the Majority Leader.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I do not believe there is any precedent for either one of those moves. If the bill is placed on the Postponed Calendar, it is in print. The actual measure, as far as the wording and the rest of it reflecting the original bill or the amendments that might have been put into it, will be in the hands of all of the members of the committee. By having it on the Postponed Calendar, when the Committee makes it report,—whenever that might be or if it never happens—you are in a position to then act on it without wasting a lot of time having it re-printed and going through all of the other motions.

I believe that either procedure is correct. If I am incorrect, I would like to be corrected.

Mr. BERGER. Mr. President, I do not think it is a matter of burning importance except that the purpose of a public hearing is to develop information upon bills being considered by a committee or by the Senate. If such information and intelligence should develop a need for amendments, the bill is then in the possession of the committee and may be brought out on the same reading, as amended, on which it was returned to committee.

I am not pressing for it at all. I simply say this has been the proper procedure at all times when bills are being considered at a public hearing.

Mr. WEINER. Mr. President. I agree with the Minority Leader that that is one way of doing it. I think it is not incorrect if we leave it on the Postponed Calendar and when we have all of our amendments,—if they become necessary—they can be introduced at that point, and the bill can be called from the Postponed Calendar and read for the second time and prepared for Third Reading so that we can get fast action on this measure.

There may be some problems connected with this bill and we hope that all of the Members of the Senate on both sides of the aisle will attend these hearings in order to make their wishes known to us.

Mr. MAHADY. Mr. President, I have made an error. In checking the calendar, I find the date should be Thursday, March 2nd. The first hearing is scheduled for Thursday, February 23rd, and the second one for Thursday, March 2nd. I said March 3rd. That was in error.

Mr. BELL. Mr. President and gentlemen of the Senate, I have listened to this discussion concerning a committee holding a hearing on a bill which it does not have in its custody. I am also concerned a little bit that perhaps—although I do not know—if the committee members desire to be reimbursed for their travel and per diem expenses, I question whether financially they would be in a position to ask for such reimbursement.

Therefore, I would like to ask, if I am in order, for a point of order as to whether a committee can hold hearings on a bill which is not in its custody. I would like to ask that question.

The PRESIDENT. Senator Bell, that would be a matter for the fiscal officers of the Senate to pass upon when expense items were presented. However, the Chair has a motion to postpone a bill, which is not debatable.

Mr. BELL. Mr. President, I will withdraw my point of order.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

The PRESIDENT. This bill will be placed on the Second Reading Postponed Calendar.

BILLS ON SECOND READING

SB 31 and 85—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 88—Mr. WEINER. Mr. President, I request that

Senate Bill No. 88, Printer's No. 88, go over in its order. There are amendments being prepared for this measure and I do not want to move this bill until they are all together.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 93 and **94**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

TRIBUTE TO ABRAHAM LINCOLN

Mr. SHAFER. Mr. President, yesterday we celebrated the birthday anniversary of one of the greatest Presidents of the United States, Abraham Lincoln. Since the death of this great man, his name has grown and he has become a man of such stature that I think he is perhaps second to none in the esteem of all American citizens. In fact, his contributions to human relations, and the principles for which he stood, have given him such recognition that he is considered to be one of the first citizens of the world.

Perhaps nothing that I could say here today has not already been said before about Abraham Lincoln. However, I think it is fitting and proper that we, in the Senate of Pennsylvania, take a moment in silent tribute to this great man—one of the finest men who ever lived, Abraham Lincoln.

Therefore, Mr. President, I ask you to request the Senate of Pennsylvania to devote a moment in silent tribute to Abraham Lincoln.

The PRESIDENT. Thank you, Senator Shafer. Will the Members of the Senate and those present in the Senate Chamber please rise for the observance of a moment of silence?

(Moment of silence was then observed in tribute to Abraham Lincoln.)

Mr. STIEFEL. Mr. President, in the past,—I would say during the last six years—a great honor has been bestowed upon me by this august Body to deliver remarks on the day of President Lincoln's birth. However, this year I have not prepared any address and did not ask to deliver one, because it is not my desire to detract from what will happen next Tuesday.

As everybody knows, next Tuesday, under a Senate Concurrent Resolution which we previously adopted, there will be a celebration in which we will try to reproduce that historical moment of President Lincoln's visit to Harrisburg on February 22, 1861. At that time, all of the dignitaries of the Commonwealth will come here and this entire scene will be re-enacted.

For this reason, I did not deliver an address today. However, I did not want it to appear as though I were remiss in my duty.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, I speak now merely as a Senator from the city of Philadelphia, and not on behalf of anyone and not on behalf of the Democratic Party.

The subject I am going to take just two minutes to discuss is probably one that most people would think we should say nothing about or just leave it pass. I do not think, when the people in your community elect you to office or ask you to represent them, that you ought not to speak out on problems that exist in the community or in the area, in the hope that maybe the people on the other side who are creating some of this problem might understand the other point of view.

I read recently in the newspaper that the Pennsylvania Railroad has now cut out dining cars on the trains running from Philadelphia to New York. I do not know if the people who operate that railroad ever ride those cars or ever ride the railroad. However, I think they might be interested in knowing that if they did so, they would learn quite a few things which apparently are not apparent to them.

I, and many other people in this room, have ridden the railroad and have gotten on the train in New York as early as seven o'clock in the morning, even on a Saturday, and there are never enough seats to take care of the people on the train. Of course, this is also true when you travel from Philadelphia. They have cut out a great deal of the services they used to render.

I would like to point out to them that at one time in this Country, they were one of the favorite industries. If you feel this is not so, all you have to do is walk into the downtown area of the city of Philadelphia, where Penn Center is built, and where millions and millions of dollars have been poured into the construction of beautiful office buildings and other facilities of that type. Who do you think is the owner of that area? The Pennsylvania Railroad is the owner. How did they get this property? It was not that they used great foresight in purchasing this land and sitting by, waiting for the city to grow up around it. This was given to them by eminent domain. Very cleverly, or good businesswise, they went along and obtained a complete release from the owners. So, when the land was no longer used for the purpose for which it was obtained, it reverted back to them as the owners and they are now in the real estate business and no longer in the transportation business.

This is true throughout the Country. The Pennsylvania System is one of the biggest railroads in the Country. However, I think recently they are taking the attitude of the public be damned.

Very recently, in one of the newspapers, there appeared a story that someone mentioned to one of the vice-presidents of the railroad that the weather was bad and they ought to put on extra cars. It was not felt this should be done, and the result was people crowding and pushing on the railroad.

It might well be that they are losing revenue. However, it also is interesting to note that the taxpayer is picking up some of the tab that the railroad is getting, both by subsidies from the Federal Government and I think, in this State, we have been rather generous to them as well.

I think it comes in ill-grace, at this point, to take the attitude—especially when people are moving out to various areas where they must depend upon the railroad, where there are not sufficient highways to carry the automobiles and where you have overcrowding as far as parking is concerned—of: "The public be damned. We do not care

about them and we are just not going to stay in the passenger business any longer."

Many people do things they find are not attractive to them or find they are not happy with them, but I do not think they take the completely callous attitude of just not caring.

I think it might very well be that some of the executives who run the railroad are out of touch with what is going on. I also think it might be well if they sort of took a ride one of these days from New York to Washington and found out how late the trains run, how dirty some of those cars are, how ill-serviced they are and the general attitude of the people who operate them. It might well be that this is a problem for labor and management to look into.

However, I think the first problem is that the people who run the railroad should give service to the communities they serve and to the people at large. I think the people and the taxpayers have been pretty good to them. I think in their moment of need, they ought to be pretty good to the people who use the facilities.

Mr. MAHADY. Mr. President, I want to add that they took the dining cars off not only from Philadelphia to New York, but we got on the five o'clock train from Latrobe yesterday—which I have used many and many a time—and, without notice, the dining car was taken from that train. Also, Members of the Legislature,—the House and the Senate—who were with me, were put into a car which had no lights in it. It had one emergency light that lasted a half-hour.

When we came into Altoona, everybody expected, as in the old days, that a crew of people would arrive and try to remedy that situation. However, nothing was done and nothing was said. The car was packed. There were no extra places; not even an empty seat. It was so dark it reminded you of the coal mines of western Pennsylvania. We all agreed that perhaps they kept it dark so we could not see how dirty it was.

Mr. FLEMING. Mr. President and Members of the Senate, I certainly do not wish to rise as a defender of the Pennsylvania Railroad. I have no stock in it. However, one of the previous speakers said that the Pennsylvania Railroad had an attitude of "the public be damned." That may be true in parts of Pennsylvania; I do not know.

I would like the record to show, however, that in Allegheny County, where we are presently attempting a study by the Port Authority of Allegheny County,—which reaches not only into the county of Allegheny, but into the five adjacent counties—the Pennsylvania Railroad has been most cooperative. The Pennsylvania Railroad has offered to cooperate with the Port Authority in solving the problem of mass transit. It has offered to give to the Port Authority, after proper negotiation, the rights of the commuter service and to furnish them with property along the side and to do it either on the basis of a rental or, through cooperation on their part, by only paying for the service which they render to the Authority, if and when that Authority takes over the problem of mass transportation.

In this particular instance, I would say that they have done a most excellent public service. I think I would be remiss in my duty if I would not let the Senate know that they have come forward and offered us—the members of the Port Authority—the utmost in cooperation.

Mr. ROONEY. Mr. President, I do not wish to admonish my Democratic colleague, Senator Weiner, but, quite frankly, I do not think the gentleman has a legitimate complaint. He has lost his dining service, but we have lost the entire service of the Lehigh Valley Railroad Company from Bethlehem, Pennsylvania to New York. Consequently, I do not think the gentleman has too much of a complaint. If he lost his dining car, let it go at that.

Mr. President, I would like to make a few other comments about the Lehigh Valley Railroad.

I have been fighting the Lehigh Valley Railroad for the past two years. Finally, the I. C. C. has granted them permission to discontinue all passenger service which serves the entire Lehigh Valley. I think it is about time when both the State Government and the Federal Government become cognizant of this real problem which we have in our Country today. We are the leading Country of the world and we have a second-rate railroad service.

For the past two years, the Lehigh Valley Railroad has complained to the I.C.C., in Washington, stating that they lose a few million dollars every year with the passenger service from Bethlehem to New York. At the same time, the Pennsylvania Railroad controls most of the stock in the Lehigh Valley Railroad Company and, in turn, charges them a million and a half dollars for toll service between Newark, New Jersey, and the State of New York. This is part of the accounting procedures which the railroads are basing their case on. Quite frankly, Mr. President, I do not think they have a case.

I sincerely hope that our present Administration works in close conjunction with the Federal Government. This is a national problem which we have. In World War II, the railroads carried ninety per cent of our military personnel. If we retire all of the passenger trains, then we are going to have to do something about it during the time of emergency.

Mr. President, I also would like to say regarding the Lehigh Valley Railroad—and I guess I could say it about every other railroad which serves our community—they have not purchased one piece of new passenger equipment since 1938. Now they are faced with a bit of competition with the automobiles and with the air transportation. However, the only thing the railroads have ever done about this competition is to increase the passenger fare and decrease the service. That is no way to run an industry.

Mr. BERGER. Mr. President, I am not particularly anxious to enter into this discussion, but I merely want to observe that this is what happens when we do not time ourselves right.

Mr. President, the remarks which have been made here have some justification on both sides. However, I wonder whether, if we had not had forty or fifty inches of snow in the eastern part of Pennsylvania, there would have been so much griping about the railroad service. I do not think very many people would have ridden on the railroads. We expect the railroads to be there when the weather is foul, and then we completely ignore them when the weather is good.

I just want to make one other remark, Mr. President. I am guilty of the same thing. I wonder whether I am going to go home tonight and then wonder whether I will be able to catch the seven o'clock plane or not. It is just that way.

Mr. President, I believe this might be apropos of this discussion. I consider that the people who run the railroads are pretty good businessmen. I think probably the accounting procedures, about which Senator Rooney complained, are accounting procedures that are required by certain of our regulatory commissions. If these businessmen were allowed to run their business as other businessmen are allowed to run theirs,—to some extent, that is—then, Mr. President, I believe that you would receive more service and better service from the railroads.

Now, Mr. President, I am going to drop that subject and take up another one. This is not trying to admonish anybody, but I hope we are able, during the balance of this Session, to end our Sessions as early as we have today or, at any rate, end them by six o'clock. This has been the unwritten rule in this Senate. There have been complaints come to me from the Senators on our side, to the extent that they certainly hope that there will be no necessity, until the very closing days, for us to hold night Sessions in this Senate. The reason for this is obvious.

As I said before in discussing the same subject, it is dangerous to the health of a great many of our Members. If Senator Weiner and his colleagues will try to end the Session at six o'clock or, at least, by six-thirty, it will be appreciated a great deal by all of the Members of the Senate on both sides.

Mr. VAN SANT. Mr. President, in the interest of the health of the Senators, I will make my statement very brief.

Mr. President, I cannot help but concur in the statements made by Senator Rooney, from my neighboring county of Northampton. As a boy, I remember the famous Black Diamond of the Lehigh Valley Railroad. It was one of the prize trains in the entire Country. The railroad service in the Lehigh Valley area, which Senator Rooney and I represent, has become a shambles. It is not the fault of the people of our area in not patronizing the railroads. It is the failure of the railroads to compete with the other means of transportation.

I could not help but note that Senator Mahady said something about dim lights on the train coming into Harrisburg. The Lehigh Valley Black Diamond and their crack Wilkes Line, in recent years, have had dim lighting and dingy, dirty conditions, and they have done nothing to encourage the people to use them.

Out of the Lehigh Valley area alone, there was a time when the people could leave Allentown and Bethlehem between the hours of six and eight o'clock in the morning, go into New York, do a day's business and return to the Lehigh Valley area. This has been discouraged by the Lehigh Valley Railroad Company. Perhaps my statement comes in ill-grace because in my early years, I depended upon the Lehigh Valley Railroad for my substance.

However, Mr. President, I do feel that certainly if you go to the western part of the Country, and you look at the modern transportation which they afford the people out there, something could be done here in the eastern part of the Country in order to sustain the railroads.

I recall, coming out of Chicago last summer, that I saw a Burlington aluminum, double-decker, floating motel. It certainly was something which encouraged the people to use the railroads. If we are to continue railroad service, let us give the people service and I am sure that the railroads, just as our luxury liners of the airlines and our luxury buses, will be in competition with the rest of their competitors.

The PRESIDENT. Following the caution expressed by the Minority Leader, if it were not for that and the fact that the hour is growing late, I would have been inclined to call upon the fifty-first Senator for his comments on this situation.

Mr. SILVERT. Mr. President, I know the hour is growing late and I never make long speeches. However, I want to say here today, since we have heard the story on the Lehigh Valley Railroad and on the Pennsylvania Railroad, I am awfully glad that I do not own any railroad stocks.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 14, 1961

Time	Committee	Room
10:00 A. M.	HIGHWAYS	542
10:30 A. M.	FORESTS & WATERS, GAME & FISH	539A
11:00 A. M.	LOCAL GOVERNMENT	301
11:30 A. M.	EXECUTIVE NOMINATIONS	539A

SPECIAL NOTICE

There will be a Public Hearing on Senate Bill 23 on February 23, 1961 in the Penthouse of the Philadelphia State Office Building at 2:00 p. m., and on, March 2, 1961 at 2:00 p. m., in the Pittsburgh State Office Building.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, February 14, 1961, at 12:00 m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:07 p. m.

HOUSE OF REPRESENTATIVES

MONDAY, February 13, 1961

The House met at 3:30 p.m., Eastern Standard Time.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Speaker announces with profound sorrow the death on Saturday, February 11, 1961, of the Honorable Francis X. Muldowney, late a member of this House, representing the Seventh District of the County of Philadelphia.

As a mark of respect to his memory, the Chair requests that at the conclusion of the prayer we stand in silence for a brief interlude, heads bowed until the gravel sounds.

PRAYER

The Reverend Timothy Stockmeyer, Assistant Pastor of St. Michael's Roman Catholic Church, Pittsburgh, Allegheny County, guest Chaplain, and the guest of the gentleman from Allegheny, Mr. Lutty, and the House Chaplain, offered the following prayer:

Oh Lord our God, through whom we live and move and have our being and without whom we can accomplish nothing of lasting value, we implore Thee today to give us the strength and the wisdom to deliberate well on the problems before us, all human problems dealing with the welfare of human beings. May we tackle these problems with a view to social justice and divine glory in accordance with the eternal designs of God in the creation and preservation of the world.

We pray especially for the happy repose of the soul of Francis X. Muldowney, who, Representative from Philadelphia, God has taken to Himself in the midst of his 6th term in the House, for comfort and strength for his family in their bereavement. We ask these things in the Name of Jesus Christ. Amen.

(At the close of the prayer members stood in memory of Honorable Francis X. Muldowney.)

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journal of Tuesday, January 31 and Wednesday, February 1, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, February 8, 1961 will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 136.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" increasing the debt limit of school districts of the first class.

Referred to the Committee on Education.

SENATE BILL No. 137.

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

Referred to the Committee on Cities—Counties First Class.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 28 and 53.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 29.

An Act amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system including certain provision applicable as well to private and parochial schools amending, revising, consolidating and changing the laws relating thereto" increasing room rentals at State Colleges and providing for the disposition of the increased rentals.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. REIDENBACK asked and obtained permission for the Committee on Liquor Control to meet during the session of the House.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 28.

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" changing the number of electors required on petition for referendum.

Referred to the Committee on Liquor Control.

SENATE BILL No. 53

An Act amending the act of October 27, 1955 (P. L. 744), entitled "Pennsylvania Fair Employment Practice Act" prohibiting discrimination in the selling, leasing, or financing of commercial housing and discrimination in places of public accommodation resort or amusement because of race, color, religious creed, ancestry, or national origin, changing the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission and qualifying the scope of the act.

Referred to the Committee on Law and Order.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 13, 1961.

Resolved, (the House of Representatives concurring),

That when the Senate adjourns this week, it reconvene Monday, February 20, 1961 at three o'clock P.M., E.S.T., and when the House of Representatives adjorns this week, it reconvene on Monday, February 20, 1961 at three-thirty o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

HOUSE OF REPRENENTATIVES

Harrisburg, Penna.

February 13, 1961.

Mr. Speaker:

Will you kindly make the following announcement:

Representative Russell C. Keiser and family wish to express their sincere gratitude to the members and employees of the House for the many kindnesses shown during their recent bereavement.

Gratefully,

/s/ Russel C. Keiser.

LEGISLATIVE BUDGET AND FINANCE COMMITTEE APPOINTMENTS

The SPEAKER. In compliance with the provisions of an act approved the 4th day of August, 1959, P. L. 587, the Speaker appoints as members of the Legislative Budget and Finance Committee the Majority Leader, Stephen McCann, Greene County; Edwin W. Tompkins Cameron County, Minority Whip (designated by the Minority Leader to serve in his stead; J. Dean Polen, Washington County; Norman Wood, Lancaster County; Ronald L. Thompson, Allegheny County, and Hiram G. Andrews, Cambria County (a member under this act by virtue of his office as Speaker).

APPOINTMENT BY THE SPEAKER TO THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

The SPEAKER. In accordance with the provision of the Act of 1929, P. L. 177, as amended by the Act of 1945, P. L. 1398, and 1951, P. L. 491, the Speaker appoints as a member of the Pennsylvania Historical and Museum Commission the gentleman from Washington, Mr. J. Dean Polen, vice the gentleman from Fayette, Mr. E. Gadd Snider.

PERMISSION TO ADDRESS HOUSE

Mrs. HENZEL asked and obtained unanimous consent to address the House.

Over the past weekend we were made aware of the fact that the budget office has stated that there is a strong indication that the fourth class school districts of our Commonwealth are to be denied their full payment in the next State subsidies which they expect. The reason given is that there is just not enough money to pay them.

Many of these districts are striving hard to maintain their educational standards and are already taxing to their highest potential. Therefore, each penny is budgeted to its extreme. What, therefore, does this mean to them?

It means that they must borrow money to make their payments; to pay salaries to their teachers and other employes; to pay for instructional materials which have not yet been purchased; and to make payments on bonds for which they have committed themselves and other obligations which must be met without postponement.

Not more than four weeks ago the Legislature voted and passed certain deficiency appropriations, appropriations for public assistance, for welfare and, if I remember correctly, an appropriation for harness racing.

Certainly these areas, some of them, are worthy ones, and some of the causes are most needy, but if our country is to continue to exist with its philosophy of freedom, is not the education of those who are to guide the destiny of it in years to come of equal, if not more importance? Surely this particular deficiency must have been evident four weeks ago, yet not one word was said about its anticipation.

Because I charge that this is either a deception or an oversight, neither of which is acceptable, it is a real threat to the basic concept of our society and our educational system, because it will depreciate the confidence in the State and undermine the confidence of the people who have the commitments which have been made and accepted in good faith. It will also make apprehensive local districts in their efforts to go forward educationally and discourage the already discouraged persons who might choose to enter the field as it reflects itself in the inability to pay and maintain acceptable salary schedules payable at an expected time.

These payments from the State to the fourth class school districts were to have been made in March. Nothing has yet been said about the second and third class districts who expect their State subsidies in April. This payment, too, at this time is quite improbable.

Therefore, there are questions that I should like to have answered at some point in this week's session:

1. Why was not this area considered as deficient at the time of the presentation of the deficiency appropriations bills?
2. If the deficiency was not then known, only four weeks ago, why wasn't it?
3. What is to be done about making these current payments—our obligation just as strongly as to the areas upon which we voted and which have been passed?

These questions, Mr. Speaker, I should like answered.

Thank you.

Mr. McCANN. Mr. Speaker, I shall be most pleased to enlighten the lady and the membership of this House regarding the questions I believe she has outlined in her discussion.

There is no deficiency appropriation needed or required other than what was enacted in the deficiency bills. The question regarding the payment of the fourth class school districts in the month of March deals with actual cash balance, not appropriation. The payments due in April to the first, second and third class school districts deal with the same subject, cash balance, not appropriated amounts of money. There is the possibility at this point, as has been indicated, that the fourth class school districts whose subsidy payments are due in the month of March might not be able to be paid in full at that given date and time. There is prepared at this point the entire payment cards for every fourth class school district and

there will be prepared in the next few days the first, second and third class school district payments card for the month of April. Now, other payments to institutions and other expenditures are being held back right at this point in payment of bills in order to have cash balance to pay the school districts on the given schedule.

Yes, the lady has raised a good point, if you care to talk about cash balance. If the tax program now in the Senate were enacted, the cash balance would be in an excellent position to pay these. There is no deficiency; it is only a cash balance transaction in paying this at a given date, that given date being March.

There is a possibility that we will have that answer very shortly for the lady, as well as all the members of this House, as to the exact amount of cash anticipated that can be available at any given day in March to meet this payment. This has been discussed and it is of deep concern to everyone, but may I assure the lady there is no deficiency appropriation needed. None was needed except what has been passed, and that point was thoroughly discussed at the time of the deficiency.

I would like to say again to the lady that that very question will be answered in the next few days as to the cash balance, so we will have the cash balance picture for the payments to the fourth class school districts which come due in the month of March and, also, provide for money for the first, second and third class school districts whose payments are due in the month of April. May I assure the lady again that there is absolutely no deficiency appropriation required at this point for the 1960-1961 payments to the school districts, based on the previous school records in the normal procedure by which we pay.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 82, 83, 84, 85, 86, 87, 90, 91, 92, 93, 94 and 97.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 8, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 82, Printer's No. 82, entitled "An Act amending the act of April 9, 1929 (P. L. 177) entitled 'The Administrative Code of 1929' making certain changes in the fiscal period."

DAVID L. LAWRENCE.

February 8, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 83, Printer's No. 83, entitled "An act transferring money from the Banking Department Fund to the General Fund."

DAVID L. LAWRENCE.

February 8, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 84, Printer's No. 84, entitled "An act transferring money from the Federal Unemployment Relief Fund to the General Fund and providing that such money transferred shall be used for the payment of public assistance."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 85, Printer's No. 85, entitled "An Act amending the act of April 22, 1949 (P. L. 711) entitled 'An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania to defray the cost of acquisition of toll bridges creating a special fund in the State Treasury to be known as the Toll Bridge Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue and the Secretary of Highways in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriation' providing for the transfer to the General Fund of all moneys remaining in the Toll Bridge Fund after the redemption of all bonds and certified thereof by the State Treasurer."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 86, Printer's No. 219, entitled "An Act amending the act of January 5, 1934 (1933-34 P. L. 219) entitled 'An act authorizing the issue and sale of bonds by the Commonwealth of Pennsylvania for the payment of compensation to certain veterans creating a special fund in the State Treasury to be known as the Veterans' Compensation Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto and providing for the payment of interest on the redemption of such bonds and making an appropriation' providing for the transfer to the General Fund of all moneys remaining in the Veterans' Compensation Fund after the redemption of all bonds and payment of compensation and certification thereof by the State Treasurer and Adjutant General respectively."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 87, Printer's No. 220, entitled "An Act amending the act of May 25, 1939 (P. L. 191) entitled 'An act authorizing transfers of sums of money from the General Fund to the State Stores Fund under certain conditions providing for subsequent transfers of equal sums from the State Stores Fund to the General Fund and making appropriations necessary to effect such transfers' by increasing the limit of funds which may be temporarily transferred from the General Fund to the State Stores Fund and by changing the date for return of such funds."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 90, Printer's No. 90, entitled "An Act amending the act of January 14, 1952 (P. L. 1965) entitled as amended 'Fuel Use Tax Act' by increasing the permanent rate of tax and eliminating the temporary tax."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 91, Printer's No. 91, entitled "An Act amending the act of May 21, 1931 (P. L. 149) entitled as amended 'The Liquid Fuels Tax Act' increasing the permanent rate of tax and eliminating the temporary tax."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 92, Printer's No. 222, entitled "An Act amending the act of June 1, 1956 (P. L. 1944) entitled 'An Act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities boroughs incorporated towns and townships for their road street and bridge purposes conferring powers and imposing duties on local officers and the Department of Highways and making an appropriation out of the Motor License Fund and repealing existing legislation' making an additional appropriation conditioned upon an increase in the rate of taxation and continuing an existing conditional appropriation for the calendar years 1962 and 1963."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 93, Printer's No. 93, entitled "An Act reenacting and amending the act of December 27, 1951 (P. L. 1742) entitled as amended 'The Realty Transfer Tax Act' imposing the tax permanently."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 94, Printer's No. 223, entitled "An Act amending the act of April 18, 1949 (P. L. 604) entitled 'State Highway and Bridge Authority Act' increasing the power of the Authority to borrow money and issue evidences of indebtedness therefor."

DAVID L. LAWRENCE.

February 9, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 97, Printer's No. 97, entitled "An Act amending the act of July 8, 1957 (P. L. 594) entitled 'Pennsylvania Cigarette Tax Act' providing that license fees be paid into the General Fund."

DAVID L. LAWRENCE.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permisison for the Committee on Appropriations to meet during the session of the House.

MEMBER-ELECT WELCOMED

The SPEAKER. The House is under observation today. The Chair notices, in the rear of the House, the presence of the Member-elect from Berks County, Gerald Zember. He is here to look us over. If he approves the way we conduct ourselves, I presume he will shortly have a Certificate of Election and a seat on the floor of the House.

The Chair extends its greetings to the Member-elect from Berks County and we hope that when he gets here —we know we like him and we hope he likes us.

Mr. AGNEW. Mr. Speaker, there are many things I could say at this time which, for the sake of harmony, I will not say, but I just want to inform the Speaker that whether or not Mr. Zember approves of us, he is under instructions to be here as soon as the local board certifies his election. I am sure he will be, and we hope that is next week.

The SPEAKER. And I gather, from the remarks of the Minority Leader, that his interest in peace and harmony increases with each passing hour.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LUTTY asked and obtained permission for the Committee on Cities—Counties Second Class and Second Class A, to meet during the session of the House.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Resolution for concurrence, Senate Resolution Serial No. 101.

The SPEAKER. The Chair wishes to state that the gentleman from Lehigh, Mr. Backenstoe, made good. The Chair observes that the business of the proud father is to distribute cigars not to just a few members but to all of them. I understand that cigars have been distributed. Those who have failed to receive them can consult the gentleman from Lehigh, Mr. Backenstoe. It is a very fine baby, I understand.

ANNOUNCEMENT

The SPEAKER. The Chair is informed that the House will convene tomorrow at 12:00 o'clock, so there will be opportunity before noon, prior to the convening of the House, to have committee meetings.

The Chair wishes to inform the sergeants-at-arms that the only persons privileged to have discussion groups in the rear of the House are members of this House. There is no place for discussion groups in the rear of the House.

If members of the House are back there talking one to another, that is their privilege, but it is not the privilege of visitors to form discussion groups on the floor of this House, in this Chamber, and the Chair simply will not tolerate it.

The Chair requests the gentleman from Allegheny, Mr. Filo, to preside temporarily.

Mr. FILO in the Chair.

REPORTS FROM COMMITTEE

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 132, entitled:

An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania amending revising consolidating and changing the laws relating thereto im-

posing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

Mr. POLEN from the Committee on Appropriations, reported as committed, House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

Mr. WARGO from the Committee on Liquor Control, reported as committed, House Bill No. 332, entitled:

An Act amending the act of July 5, 1957 (P. L. 485) entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; * * *" Changing the expiration dates of licenses and registrations and further providing for the marking of labels.

Mr. WALSH from the Committee on Cities—Counties Second and Second Class A, reported as committed, House Bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authoritey Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

Mr. McCANN from the Committee on Rules, reported as committed, House Bill No. 400, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

Mr. SCARCELLI from the Committee on Liquor Control, reported as committed, Senate Bill No. 28, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 13.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 18.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 22.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 24.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 25.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Concurrent Resolution Serial No. 103.

Mr. McCANN from the Committee on Rules, reported as committed, Senate Concurrent Resolution Serial No. 105.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act amending the act of July 5, 1957 (P. L. 485) entitled "An act for the protection of the public health and welfare, and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks; * * *" Changing the expiration dates of licenses and registrations and further providing for the marking of labels.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 400, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 28, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mr. IRVIS from the Committee on Cities—Counties, Second Class and Second Class A, returned with the recommendation that it be re-referred to the Committee on Public Utilities and Corporations, House Bill No. 140, entitled:

An Act amending the act of June 13, 1883 (P. L. 122), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred seventy-four, providing for the improvement, amendment and alteration of the charters of cor-

porations of the second class, * * " removing a provision relating to construction of the act.

The SPEAKER. The bill is re-referred to the Committee on Public Utilities and Corporations.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 20, entitled:

An Act providing for the determination of the date of injury damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 65, entitled:

An Act providing for pensions for war veterans blinded through service connected injuries; conferring powers and imposing duties on the Department of Military Affairs and the Adjutant General and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 128, entitled:

An Act making loss of a spouse's consortium an element of damage for which recovery may be had.

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for third reading.

Agreebly to order,

The House proceeded to the second reading and consideration of House Bill No. 194, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), exempting certain appointees in police and fire forces from civil service examination.

And said bill having been read at length the second time and agreed to

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 208, entitled:

An Act regulating the sale of electron receiving and picture tubes used in home type radio and television receivers or other home type electronic devices, and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143), entitled: "An act designating certain days of each year as Arbor Days and Bird Days, one of which days shall be the ninth day of April * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 240, entitled:

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 251, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the use of nets.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act amending the act of September 23, 1959 (P. L. 933), entitled: "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof * * * further regulating fences and deleting certain requirements relating to the keeping of records.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 312, entitled:

An Act amending the "Oleomargarine or Butterine

Law," approved June 30, 1947 (P. L. 1154), providing for the use of the word margarine.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand, nine hundred forty-nine," approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 1 (Sec. 3), page 3, line 5, by inserting after "Governor" may designate his Secretary of Administration and

Amend Sec. 1 (Sec. 3), page 3, lines 7 and 8, by striking out "a member of their respective departments" and inserting: their first deputies.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 356, entitled:

An Act amending the "State Public Building Authority Act," approved July 5, 1947 (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 1 (Sec 3), page 3, line 1, by inserting after "Governor" may designate his Secretary of Administration and.

Amend Sec. 1 (Sec. 3), page 3, lines 3 and 4, by striking out "any member of their departments respectively" and inserting their first deputies.

Thy were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

RESOLUTION

CONDOLENCE

Messrs. FRASCELLA, LIMPER and the members of the Philadelphia Delegation offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 13, 1961.

On February 11, 1961 death brought to an untimely end the brillian political career of State Representative Francis X. Muldowney.

He was born in the city of Philadelphia on December 4, 1913, son of Martin J. and Elizabeth Muldowney. His wife, Mae Dwyer Muldowney and seven children survive him. He resided at 862 North 22nd Street in Philadelphia.

He is also survived by two brothers, Reverend James F. Muldowney, S.J., and Edward L. Muldowney, and three sisters, Sister Martin Elizabeth, S.S.J., Mrs. Rita Smith and Mrs. Kay M. Lang.

His political career spanned six terms in the House of Representatives from 1950 down to the time of his death. He represented his district in the House with aggressiveness, ability and fidelity of duty which made him an outstanding member of this legislative body. His affabiltiy and sincerity will be missed; therefore be it

Resolved, That the House of Representatives extends to his brothers and sisters and to his widow, Mae Dwyer Muldowney and his children, Martina, Mauren, Patricia, Kevin, James, Francis X. Jr., and Edward, the deepest sympathy and condolences upon the death of a beloved brother, husband and father as well as a faithful public servant; and be it further

Resolved, That a copy of this resolution be sent to his wife, Mrs. Mae Dwyer Muldowney; and be it further

Resolved, That copies of this resolution be sent to Sister Martin Elizabeth, S.S.J., and to Reverend James F. Muldowney, S.J.

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

COMMITTEE APPOINTED TO ATTEND FUNERAL SERVICES OF THE HONORABLE FRANCIS X. MULDOWNEY

The Speaker appoints as a committee to attend the funeral services of the Honorable Francis X. Muldowney, late a member of this House from the County of Philadelphia, all members of the House.

It is suggested that members who expect to attend should advise the Chief Clerk.

SENATE RESOLUTION REFERRED

SENATE RESOLUTION SERIAL No. 101

Referred to the Committee on Rules.

PERMISSION GRANTED COMMITTEE TO MEET MEET DURING SESSION

Mr. WELSH asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Resolution Serial No. 101.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. DOUGHERTY for the week because of illness.

Mr. Eilberg for Mr. BOIES for the week because of illness.

Mr. Tompkins for Mr. BOWMAN for the week because of illness.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

Mr. McCANN. Mr. Speaker, we are ready to vote on the one noncontroversial bill on the calendar today. Therefore, Mr. Speaker, if I am in order I call up on page 4, House bill 61, printer's number 61.

The SPEAKER. Is there a committee out as yet?

Mr. McCANN. I ask that the committee announcements be brought to the desk by all committee chairmen scheduling meetings tomorrow. Please get them to Mr. Eilberg and Mr. Lopresti immediately.

The SPEAKER. Tomorrow morning, forenoon, is a good time for committee meetings. Has the committee on law and order returned? The House will then be at ease awaiting the return of the committee on law and order.

We are going to have one roll call today.

The present instance illustrates why the Chair views with marked disfavor committee meetings off the floor unless there is a case of emergency. Situations such as this keep the whole membership of the House awaiting the return of committees.

Frankly, I feel that committee meetings could be held tomorrow forenoon. They might possibly have met earlier in the day. I doubt it, but it could have been tomorrow forenoon. Committee meetings off the floor that keep the whole House waiting are only justified when we face a real legislative emergency which demands that a bill be brought out and acted on.

The Chair cannot be arbitrary in such matters. The Chair would like to say no, unless there is a real reason why you must meet off the floor, but if that is what the majority of the members of this House want, the Chair must needs go along. But I repeat, we look at these meetings of committees off the floor with pronounced disfavor unless there is a real reason why they should be held.

Would it be possible to send word to the committee now or within the next few minutes?

Mr. McCANN. They are coming in the door, Mr. Speaker.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 61, entitled:

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Gailey,	Lawson,	Pursley,
Agnew,	Gallagher,	Lee, A. M.,	Reidenbach,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Renwick,
Anderson, S. A.,	George,	Leonard,	Riley,
Arlene,	Gibb,	Limper,	Rovansek,
Ashton,	Gibbons,	Lippincott,	Royer,
Auker,	Goldstein, J. H.,	Long, Wm. Jas.,	Rubin,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Goodrich,	Lutty,	Rutherford,
Blair,	Gramlich,	Magee,	Sakulsky,
Bonner,	Gray,	Manbeck,	Scarcelli,
Bossert,	Gremminger,	Markley,	Schaaf,
Bower,	Gross,	Marsh,	Schuster,
Buchanan,	Guesman,	Maxwell,	Seltzer,
Bush,	Guthrie,	May,	Shelton,
Capano,	Hamilton,	McCandless,	Sherman,
Capitolo,	Hartley,	McCann,	Shupnik,
Cauley,	Haudenshield,	McDevitt,	Slack,
Cianfrani,	Heavey,	McDonald,	Snare,
Cioffi,	Heffner,	McInroy,	Stank,
Clarke,	Helm,	McKeever,	Stimmel,
Comer,	Henzel,	McLaughlin,	Stiteler,
Cooley,	Hocker,	McNally,	Strausser,
Crossin,	Holliday,	Meholchick,	Sullivan, J. A.,
Curwood,	Holman,	Merry,	Sullivan, T. F.,
Davis,	Horst,	Mihm,	Taylor,
Dengler,	Irvis,	Miller,	Thompson,
Dennison,	Isaacs,	Mills,	Ujobai,
Donaldson,	Jenkins,	Monroe,	Varner,
Doughten,	Jim,	Morley,	Verona,
Down,	Johnson, A. W.,	Muldowney,	Wall,
Edwards,	Johnson, R. P.,	Mullen,	Walsh,
Eilberg,	Jones,	Murphy,	Wargo,
Elvey,	Kamyk,	Murray,	Weidner,
Eshback,	Keiser,	Musto,	Wescott,
Eshleman,	Kelly,	Needham,	Whittaker,
Ewing,	Kernaghan,	O'Dell,	Willaredt,
Farabaugh,	Kessler,	O'Donnell, J. A.,	Williams, A. D.,
Fetterolf,	King,	Ogilvie,	Williams, E. S.,
Filo,	Kistler,	Parlante,	Wilt,
Fineman,	Klein,	Pashley,	Wood,
Flynn,	Knecht,	Petrosky,	Worley,
Foor,	Kooker,	Piper,	Wynd,
Fox,	Kornick,	Polaski,	Yetter,
Frascella,	Korns,	Polen,	Zimmerman,
Fry,	Kramer,	Prendergast,	Andrews,
Fulmer,	Lamb,	Price,	Speaker

NAYS—3

McCormack, O'Donnell, J. P., Reibman,

NOT VOTING—18

Boles,	Foerster,	Simmons,	Tompkins,
Bowman,	Hankins,	Steckel,	Trusio,
Branca,	Munley,	Stone,	Welsh,
Breth,	Odorisio,	Tomascik,	Willard,
Dougherty,	Perry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrecne.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Hankins.

Mr. HANKINS. Mr. Speaker, I would like to be recognized for the purpose of voting on House bill No. 61. I was present. I was in the hall of the House at the time of the voting, on the Committee of Law and Order.

The SPEAKER. The gentleman can state for the record how he would have voted had he voted.

The Chair has now recorded his presence in the hall of the House, and the remarks of the gentleman will be spread upon the record.

Mr. HANKINS. Mr. Speaker, I would like to put in the record that I would have voted "aye" on that particular bill, House bill No. 61.

The SPEAKER. The remarks will be spread upon the record and the gentleman will be so recorded.

BILLS PASSED OVER

The SPEAKER. Without objection, House Bills Nos. 51 and 184 will be passed over.

The Chair hears no objection.

REPORTS FROM COMMITTEE

Mr. SCARCELLI from the Committee on Law and Order, reported as committed, Senate Bill No. 53, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin, by employers, employment agencies, labor organiaztions and others as herein defined; creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions powers and duties providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement and imposing penalties," prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of publc accommodation, resort, or amusement because of race, color, religious creed, ancestry or national origin; changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission, and qualifying the scope of the act.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 53, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin, by employers, employment agencies, labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry; defining its functions, powers and duties; providing for procedure and enforcement; providing for formulation of an educational program to prevent prejudice; providing for judicial review and enforcement, and imposcing penalties"; prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of public accommodation resort of amusement because of race, color, religious creed, ancestry or national origin; changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission, and qualifying the scope of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131-A, Tuesday, February 14 at 10:30 a.m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, February 14 at 11:00 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, February 14 at 10:00 a.m.

PHILADELPHIA DELEGATION AND DEMOCRAT CAUCUSES

Mr. McCANN. Mr. Speaker, I have been asked that the Philadelphia Democratic members of the House, immediately when the House adjourns, go to Room 149 for a Philadelphia Democratic caucus.

And immediately upon the adjournment of this House, the Democratic members will have a Democratic caucus immediately.

REPUBLICAN CAUCUS

Mr. AGNEW. Mr. Speaker, there will be a Republican House caucus immediately after adjournment.

Mr. McCANN. Mr. Speaker, could I ask the Chief Clerk to emphatically announce what he has written to every member regarding transportation to Philadelphia tomorrow before we adjourn today.

The SPEAKER. There is in the box of each member a communication from the Chief Clerk which the Chief Clerk will read.

The CHIEF CLERK. Mr. Speaker, arrangements have been made for the committee of the House of Representatives to attend the viewing of the late Francis X. Muldowny, as follows: A bus will leave from the main Capitol entrance at approximately 2:30 p.m., tomorrow, and will go directly by escort—being escorted by State Police—to the Parkway House in Philadelphia, 22nd and Parkway, at which time arrangement has been made to have some dinner, and then at about 6:30 we will leave for the funeral parlor at 1923 Spring Garden Street in Philadephia. From there those who must return to Harrisburg will be taken back either by bus or the way they came, with their own machines.

The Philadelphia Delegation and other members will remain, I understand, in Philadelphia to meet for breakfast the next morning so they can attend the funeral services on Wednesday morning, which will take place from the St. Francis Xaxier Church at 24th and Green Streets, Philadelphia. Then, we will proceed to have our ceremony and whatever arrangements the committee will make then, and some will proceed to the cemetery, the Holy Cross Cemetery. That is the arrangement that has been made as of now.

The SPEAKER. I presume the Chief Clerk would like to have every member who intends making the trip to Philadelphia to let him know so adequate arrangements can be made, for one bus or maybe two buses, but inform him in advance so he may know how many members desire to make the trip and adequate transportation will be furnished.

The SPEAKER. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, if the Majority Leader announced the plans for the rest of the week, I missed it. Are we to understand there will be a session tomorrow and there will be no session Wednesday, and the members can check out of their hotel rooms tomorrow?

Mr. McCANN. Mr. Speaker, there will be a session tomorrow beginning at 12:00 noon, which will be completed by 2:00 p.m. There will not be any session on Wednesday in respect to Representative Francis X. Muldowney. All members who so desire may check out of their hotels tomorrow, Tuesday, February 14.

Mr. AGNEW. I thank the gentleman.

ADJOURNMENT

Mr. DOUGHTEN. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 14, 1961, at 12:00 o'clock noon, e.s.t.

The motion was agreed to, and (at 5:28 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, FEBRUARY 14, 1961. No. 19.

SENATE

TUESDAY, FEBRUARY 14, 1961.

The Senate met at 12:00 m Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. LUTHER H. HARSHBARGER, University Chaplain, The Pennsylvania State University, State College, offered the following prayer:

Let us pray.

O Ruler of men, give to all who have civil power that due nobility of purpose which relates them to the whole realm of justice and truth, as these are known to Thee, so that those who frame the law may be the servants of all, but hirelings of none.

Strengthen, we beseech Thee, the sense of duty in political life. Hasten the day when Thy presence and the strong arm of Thy purpose shall be aboard, not only in the hearts of the elected few, but throughout this Commonwealth, in the court and council chamber, in workshop and market place, in the city and in the field; that there may be a new respect for man and reverence for woman; a new happiness in work and justice in reward; so that every Member may bring his tribute of excellence to the Commonwealth. Whatever we ourselves can do. give us the grace this day to begin. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SEYLER, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 61,** which was referred to the Committee on Military Affairs and Aeronautics.

RECESS

The PRESIDENT. The Senate will now take a five minute recess for the purpose of having a photograph taken.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

TREASURER IN AND FOR THE COUNTY OF MERCER

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley H. Patterson, 135 South Shenango Street, Mercer, Mercer County, for appointment as Treasurer in and for the County of Mercer, until the first Monday of January 1962, vice Hon. Robert G. Hunter, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE COLLEGE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of West Chester State College, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Mrs. Louise M. John, 829 South High Street, West Chester, Chester County, vice Dr. John S. Adams, Jr., Paoli, whose term expired.

Joseph A. Joyce, 309 West Virginia Avenue, West Chester, Chester County, vice Dr. H. LaRue Frain, Birchrunville, whose term expired.

Robert R. Batt, 130 Willowburn Road, Villanova, Delaware County. (Reappointment)

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. Betty Lou Kradel, Avalon Drive, R.D. 2, New Castle, Lawrence County, for appointment as Justice of the Peace in and for the Township of Union, Lawrence County, to

serve until the first Monday of January 1962, vice M. Jane Lanigan, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. Lloyd McClelland (Democrat), 119 Central Avenue, Masontown, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Hon. J. Woodrow Cooley, Fairchance, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank McKinney, R. D., Elizabeth, Allegheny County, for reappointment as a member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Gertrude Sample, Box 181, Allenport, Washington County, for appointment as Justice of the Peace in and for the Borough of Allenport, Washington County, to serve until the first Monday of January 1962, vice Frank Sample, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Allegheny County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1967, and until her successor is appointed and quailfied.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Horace W. Scott, Box 44, R. D. 2, Oxford, Chester County, for appointment as Justice of the Peace in and for the Township of East Nottingham, Chester County, to serve until the first Monday of January 1962, vice William H. Dutton, Sr., resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSPITAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Skovira, 225 Hand Street, Jessup, Lackawanna County, for appointment as a member of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Joseph Krempasky, Jessup, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas Skrabak (Democrat), 210 East Bertsch Street, Lansford, Carbon County, for appointment as a member of the Carbon County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice W. Joseph Engler, Esq., Jim Thorpe, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Katherine L. Wolff, 515 State Street, Shillington, Berks County, for appointment as Justice of the Peace in and for the Borough of Shillington, Berks County, to serve until the first Monday of January 1962, vice W. Otto Rohland, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pensylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Caroline S. Wishik, 1155 Shady Avenue, Pittsburgh, Allegheny County, for reappointment as member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until her sucessor is appointed and qualified.

DAVID L. LAWRENCE

REPORTS FROM COMMITTEES

Mr. STAISEY, from the Committee on Highways, reported, as committed, **SB 25, 77, 99, 100, 101** and **102**; and, as amended,**SB 74** and **75.**

Mr. RIPP, from the Committee on Local Government, reported, as committed, **SB 91** and **178.**

BILLS INTRODUCED AND REFERRED

Messrs. EHRGOOD, BERGER, McGINNIS, SARRAF, STROUP, ROONEY, STEVENSON and DiSILVESTRO presented to the Chair **SB 211,** entitled:

An Act making appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McMENAMIN presented to the Chair **SB 212**, entitled:

An Act changing the method of reclassifying cities of the second class A upon a decrease in population; authorizing retention of existing classification; authorizing elections and permitting selection of a form of city government in such cases from among several optional plans.

Which was committed to the Committee on Local Goverment.

He also presented to the Chair **SB 213**, entitled:

An Act fixing maximum days and hours of service for policemen in cities of the second Class A.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, one of the foremost problems which the Commonwealth of Pennsylvania must surmount in the future is the care of its mounting, aged population. Nothing is more distressing to a human being than to be discarded by his fellow men after his fruitful years of life are over and his service to mankind has come to an end.

Who is to care for Pennsylvania's aged? In most cases, families, burdened by the high cost of living and insurmountable circumstances, cannot sufficiently provide for their loved ones. In other cases, many aged citizens are without family ties and are left to confront the twilight of their years in utter loneliness and abandonment.

In accordance with these remarks, Mr. President, I am about to introduce a bill providing for a State Home for the Aged in West Philadelphia, to be financed through the General State Authority. I hope this will be just one of the several to be located in the Commonwealth, where sanitary living conditions will be provided; where qualified personnel, learned in the care of the human heart, will guide the needs of the aged; and where adequate supervisory and recreational facilities will be attained.

Yes, it is true that such an expenditure will cost the taxpayers money. All of us, as taxpayers, must grow old. However, we will grow old realizing that Pennsylvania has not forgotten those who helped to make it the finest State in the Union.

Mr. President, I am also introducing several other bills.

BILLS INTRODUCED AND REFERRED

Mr. McCREESH presented to the Chair **SB 214**, entitled:

An Act amending the act of June 29, 1953 (P. L. 304), entitled "Vital Statistics Law of 1953," further providing for the registration of children born in countries other than the United States and the registration of foreign born children adopted in Pennsylvania.

Which was committed to the Committee on Public Health and Welfare.

He also presented to the Chair **SB 215**, entitled:

An Act providing for group life insurance for members and employes of the Senate; establishing a schedule; providing for payment and providing for reduction of insurance upon retirement.

Which was committed to the Committee on Insurance.

He also presented to the Chair **SB 216**, entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," bringing State Colleges within the scope of the act and increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Which was committed to the Committee on State Goverment.

Messrs. STROUP and WAGNER persented to the Chair **SB 217**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," regulating the number of school directors to be selected to serve on joint school committees.

Which was committed to the Committee on Education.

Mr. HALUSKA presented to the Chair **SB 218**, entitled:

An Act prohibiting any political subdivision from increasing taxes over the amounts imposed in 1961 without court approval.

Which was committed to the Committee on Local Government.

Messrs. FLEMING and DiSILVESTRO presented to the Chair **SB 219**, entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled, as amended, "Barber's Lincense Law," altering the requirements for licensure; regulating hours for barber schools; permitting further regulation by health authorities; providing for the health, sanitation and management of barber shops; changing fees; prescribing penalties; requiring reports and making an appropriation.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 220**, entitled:

An act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," regulating membership and compensation of the State Board of Barber Examiners and imposing duties on the board.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, further reported the following nomination, made by His Excellency, the Governor, which was laid on the table:

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPEMENT AUTHORITY

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Roddis, Jr., President, Pennsylvania Electric Company, Johnstown, Cambria County, for appointment as a member of The Pennsylvania Industrial Development Authority, until July 24, 1964, and until his successor shall be

duly appointed and qualified, vice Francis X. McBrearty, Philadelphia, resigned.

DAVID L. LAWRENCE.

MAJOR GENERAL A. J. DREXEL BIDDLE, ADJUTANT GENERAL OF THE COMMONWEALTH, PRESENTED TO SENATE

Mr. WEINER. Mr. President, I know it might be in bad taste to interrupt the business of the Senate, but I think when a distinguished visitor comes into the hall of the Senate, he should be made known to the gentlemen here.

I think we would be remiss if we did not note the presence of General Anthony J. Drexel Biddle, who has been nominated by the President of the United States to be our Ambassador to Spain. We wish to congratulate him and also state that we are happy to have him here with us.

The PRESIDENT. I invited him for the purpose of presenting him to you. I have prevailed upon General Biddle to say a few words to you.

REMARKS BY MAJOR GENERAL A. J. DREXEL BIDDLE

GENERAL BIDDLE. Governor Davis and gentlemen of the Senate: I want you to know how deeply I appreciate your sentiments, Senator Weiner. Furthermore, I am most grateful to you for the kind greetings which you expressed by your applause. I am very touched by it.

I want to say that I am torn in my emotions, naturally, because it is a mighty hard thing to pick up and leave your good friends and associates, made over these past six years. My experience here has been an enriching one and a rewarding one. I cannot tell you how much I appreciate the wonderful cooperation we have received from you gentlemen in this illustrious Senate. I know that it has meant great progress for the military forces of our Commonwealth. I am happy to report to you that they are at a standard of training now which they have never achieved before. Therefore, you may be really and truly proud of both the Air and Ground National Guard of this great Commonwealth.

As I said, I am very proud indeed to have in prospect the possibility of representing our Country in Spain. At the same time, my heart will be back here with you, my good friends.

Thank you so much.

Mr. STIEFEL. Mr. President, I desire to embrace this opportunity to again state, as I stated in many instances, that General Biddle could have written a most fascinating Book, describing his escape from Hitler. He made a historic escape from Poland at a time when Hitler wanted to capture him. That experience has never been written about. Now that he is going to be in Spain, and ensconced in the Embassy of the United States, it will be high time for him to prepare his memoirs. I am sure the civilized world will enjoy reading them.

Therefore, Mr. President, I urge the General here, on this solemn occasion, to take his pen, which is trenchant and prolific, and write his memoirs about his escape from Poland.

Mr. PECHAN. Mr. President, I would like to join with the other Members of the Senate in congratulating my very good friend, General Biddle, with whom I had the pleasure to serve for six years on the Aeronautics Commission. As Vice-Chairman of the Senate Committee on Military Affairs and Aeronautics, I have also had much to do with General Biddle.

I want the General to know that knowing him, and the way in which he performed his duties, has been a rewarding experience for Al Pechan. I feel I am a much better citizen and a much better Senator. Thank you very much.

I wish to extend to General Biddle my congratulations, and say that our loss in Pennsylvania is going to become the Federal Government's gain.

Mr. BELL. Mr. President, during the past few years in which Tony Biddle has been our Adjutant General, I had the opportunity to serve as the Pennsylvania President of the Reserve Officers Association of the United States. Presently, I am the National Chairman of the Army Affairs Committee of the Reserve Officers Association of the United States.

Prior to the arrival of General Biddle in Pennsylvania, there was friction between the Army Reserve and the National Guard. They just did not get along. The first thing that Tony did when he came to Pennsylvania was to sell to the Pennsylvania Reservists and Guardsmen what we know as the one-army concept. This gentlemen is responsible for the fine relations between the Reserves and the Guard in Pennsylvania. He is also responsible for the tremendous efficiency of the 28th Infantry Division and the other National Guard units. They rate with the best in the United States.

We are going to miss Tony Biddle because, although our Country gains, we lose. To me, it has been a wonderful experience working with General Biddle. I speak on behalf of the Reserve Officers of Pennsylvania when I stand here and say that he has been one of the finest men to wear the uniform which he is wearing today.

Mr. TAYLOR. Mr. President, it is seldom that I get on my feet to eulogize a Democrat. However, I just want to say that one of the finest men I have ever met, and one of the most polished men I have ever met,—and I wish to heaven some of it would rub off on me—is General Biddle.

The PRESIDENT. I am just happy to know that my colleagues in the Senate feel as I do about General Biddle. Thank you very much.

REPORTS FROM COMMITTEE

Mr. STROUP, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 86.**

Mr. VAN SANT, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 73** and **180**

Mr. KROMER, by unanimous consent, from the Committee on Local Government, reported, as committed, **SB 84.**

BILLS INTRODUCED AND REFERRED

Messrs. MAHADY and McCREESH presented to the Chair **SB 221,** entitled:

An Act amending the act of June 8, 1911 (P. L. 710), entitled "An act to regulate the doing of business in this Commonwealth by foreign corporations; . . . . . ,"

prohibiting certain foreign corporations from engaging in certain financial transactions.

Which was committed to the Committee on Banking.

Messrs. SHAFER, WEINER, SILVERT, MULLIN, MALLERY, STEVENSON, EHRGOOD and BELL presented to the Chair **SB 222,** entitled

An Act amending the act of April 24, 1947 (P. L. 100), entitled "Estates Act of 1947," defining conveyance.

Which was committed to the Committee on Judiciary General.

They also presented to the Chair **SB 223,** entitled:

An Act amending the act of April 24, 1947 (P. L. 89), entitled "Wills Act of 1947," providing for the revocation of wills by persons in military service and mariners and providing a rule of interpretation for the lien of pecuniary legacies in excess of one hundred dollars.

Which was committed to the Committee on Judiciary General.

Messrs. RIPP, WEINER and STIEFEL presented to the Chair **SB 224,** entitled:

An Act creating a temporary State commission for the promotion and celebration of the one-hundredeth anniversary of the American Civil War; prescribing the powers and duties of the commission; providing for powers and duties of the Pennsylvania Historical and Museum Commission in relation thereto; and making an appropriation.

Which was committed to the Committee on Historical Preservation.

Messrs. MURRAY and WAGNER presented to the Chair **SB 225,** entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employes' Retirement Code of 1959," further regulating contributions on account of past service.

Which was committed to the Committee on Education.

The PRESIDENT. The Chair now turns the gavel over to the stalwart Senator from York, Senator Seyler, to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

BILL INTRODUCED AND REFERRED

Mr. WEINER (By request) presented to the Chair **SB 226,** entitled::

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," making it unlawful for certain employers to issue checks to employes without sufficient funds in a separate account for the payment thereof.

Which was committed to the Committee on Judiciary General.

SENATE RESOLUTION

COMMENDING CHIEF JUDGE JAMES CULLEN GANEY

Messrs. ROONEY, WEINER and DiSILVESTRO offered the following resolution **(Serial No. 13),** which was read, considered and adopted:

In the Senate, February 14, 1961.

The Senate of the Commonwealth of Pennsylvania is proud to have as one of its citizens and native of the city of Bethlehem, a man of such stature and dignity as is found in Judge James Cullen Ganey.

A graduate of Lehigh University and Harvard Law School, he was one of the youngest men to serve as Federal prosecutor, having been appointed United States Attorney for eastern Pennsylvania on May 19, 1937. Three years later, at the age of forty, he became one of the youngest judges to serve on the United States District Court for this area.

Even though Chief Judge James Cullen Ganey, over the years, has acquired a reputation for his moderation and tolerance with respect to the imposition of sentences in criminal cases, he rose to new heights by virtue of the courageous manner in which he conducted the electrical anti-trust cases and in the wisdom displayed in sentencing guilty industrial giants; therefore be it.

RESOLVED, That the Senate of the Commonwealth of Pennsylavnia commend Chief Judge James Culen Ganey for the courageous and just manner in which he conducted the trials and sentenced the defendants in the anti-trust cases involving the largest electrical equipment manufacturers in the world; and be it further

RESOLVED, That a copy of this resolution be transmitted to Chief Judge James Cullen Ganey.

PERMISSION TO ADDRESS SENATE

Mr SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, on behalf of the eight Senators from the Keystone City of Philadelphia, I am offering this resolution and request its immediate adoption.

SENATE RESOLUTION

THANKS OF THE SENATE EXTENDED TO DOCTOR WILLIAM N. PARKINSON, FORMERLY OF TEMPLE UNIVERSITY

Messrs. SILVERT, WEINER, MULLIN, STEIFEL, DONOLOW, McCREESH, DiSILVESTRO and CAMIEL offered the following resolution **(Serial No. 14),** which was read as follows:

In the Senate, February 14, 1961.

On January 31, 1961, Dr. William N. Parkinson, the Vice President of Medical Affairs for Temple University, retired after having served forty years with the university. There is no question that Temple will miss Dr. Parkinson, as will the City of Philadelphia and all those who had the pleasure of working with him. There are very few men who have done so much for the Medical Center at Temple and for the school as a whole as did Dr. Parkinson.

The Dean Emeritus of the Medical School first came to Temple in 1921 as an Associate Dean of the School of Medicine. From 1924 to 1928, he studied abroad and upon his return to the United States he rejoined the faculty of the university as a Professor of Clinical Surgery and as Medical Director of the hospital. In 1929, the Honorable Doctor was made Dean of the School of Medicine. He was also a member of the Board of Trustees of Temple University, as well as the holder of a degree, either earned or honorary, from every medical school in the City of Philadelphia.

Most of the credit for the great development of the Medical Center at Temple goes to Dr. William N. Parkinson. It was under his able hand that a fourteen million dollar expansion program was completed. Without his great efforts, Temple University and the City of Philadelphia would not be able to boast of this magnificent center devoted to the healing of human ailments. Since 1956, Dr. Parkinson has worked tirelessly as the Vice President of Medical Affairs and the rest he is now taking is well earned; therefore be it

RESOLVED, That the Senate of Pennsylvania extend its heartfelt thanks to Dr. William N. Parkinson for the splendid job he did at Temple; and be it further

RESOLVED, That we wish him all the happiness in

his retirement and may he enjoy the many years that he has to come in complete relaxation; and be it further

RESOLVED, That a copy of this resolution be forwarded to Dr. Parkinson in care of Dr. Wade Myers, #1 Tampa Blvd., Tampa, Florida and a copy to the President of Temple University, Dr. M. E. Gladfelder.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER, Mr. President, on behalf of this resolution, I would like to make a brief statement.

This resolution is commending Doctor Parkinson, of Temple University, who has served that institution over a long period of time, and who has seen Temple University Medical School grow from a small unit to one of the finest units in the Country today. Their hospital is second to none and they are expanding their services. I think they offer a great service to the Commonwealth of Pennsylvania.

Doctor Parkinson, as one of the leaders and pioneers in the medical profession, I think is duly recognized in this resolution.

Therefore, I join with Senator Silvert in asking for the immediate consideration and adoption of this resolution.

Mr. STIEFEL. Mr. President, Temple University School of Medicine is in my District. I thus have had ample opportunity to observe the phenomenal growth and expansion of this institution. It has verily rendered to Philadelphia, to the Commonwealth of Pennsylvania and to the Nation a most magnificent service.

The man who stood at the helm of this institution, Doctor Parkinson, is a man of vision and action. For this reason, I, too, second the motion for the adoption of this resolution.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. DiSILVESTRO,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows

TREASURER IN AND FOR THE COUNTY OF MERCER

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Stanley H. Patterson, 135 South Shenango Street, Mercer, Mercer County, for appointment as Treasurer in and for the County of Mercer, until the first Monday of January 1962, vice Hon. Robert G. Hunter, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WEST CHESTER STATE COLLEGE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of West Chester State College, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Mrs. Louise M. John, 829 South High Street, West Chester, Chester County, vice Dr. John S. Adams, Jr., Paoli, whose term expired.

Joseph A. Joyce, 309 West Virginia Avenue, West Chester Chester County, vice Dr. H. LaRue Frain, Birchrunville, whose term expired.

Robert R. Batt, 130 Willowburn Road, Villanova, Delaware County. (Reappointment)

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Lou Kradel, Avalon Drive, R. D. 2, New Castle, Lawrence County, for appointment as Justice of the Peace in and for the Township of Union, Lawrence County, to serve until the first Monday of January 1962, vice M. Jane Lanigan, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE FAYETTE COUNTY BOARD OF ASSISTANCE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate D. Lloyd McCelland (Democrat), 119 Central Avenue, Masontown, Fayette County, for appointment as a member of the Fayette County Board of Assistance, until December 31, 1962, and until his successor is duly appointed and qualified, vice Hon. J. Woodrow Cooley, Fairchance, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In confromity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank McKinney, R. D., Elizabeth, Allegheny County, for reappointment as a member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Nn conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Gertrude Sample, Box 181, Allenport, Washington County, for appointment as Justice of the Peace in and for the Borough of Allenport, Washington County, to serve until the first Monday of January 1962, vice Frank Sample, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sara R. Sattler, 375 Semple Street, Pittsburgh 13, Allegheny County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Horace W. Scott, Box 44, R. D. 2, Oxford, Chester County, for appointment as Justice of the Peace in and for the Township of East Nottingham, Chester County, to serve until the first Monday of January 1962, vice William H. Dutton, Sr., resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SCRANTON STATE HOSIPTAL

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Skovira, 225 Hand Street, Jessup, Lackwanna County, for appointment as a member of the Board of Trustees of Scranton State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Joseph Krempasky, Jessup, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE CARBON COUNTY BOARD OF ASSISTANCE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas Skrabak (Democrat), 210 East Bertsch Street, Lansford, Carbon County, for appointment as a member of the Carbon County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice W. Joseph Engler, Esq., Jim Thorpe, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Katherine L. Wolff, 515 State Street, Shillington, Berks County, for appointment as Justice of the Peace in and for the Borough of Shillington, Berks County, to serve until the first Monday of January 1962, vice W. Otto Rohland, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MAYVIEW STATE HOSPITAL

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Caroline S. Wishik, 1155 Shady Avenue, Pittsburgh, Allegheny County, for reappointment as a member of the Board of Trustees of Mayview State Hospital, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis H. Roddis, Jr., President, Pennsylvania Electric Company, Johnstown, Cambria County, for appointment as a member of The Pennsylvania Industrial Development Authority, until July 24, 1964, and until his successor shall be duly appointed and qualified, vice Francis X. McBrearty, Philadelphia, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wagner,
DiSilvestro,	Madigan,	Sarraf,	Ware, III,
Donolow,	Mahady,	Scott,	Weiner,
Ehrgood,	Mallery,	Sesler,	Wolfe,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Seyler,
Haluska,	McMenamin,	Staisey,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I request that House Bill No 88, Printer's No. 88, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER, Mr. President, the reason I stated yesterday is the reason why we will have to pass the tax measures over in order.

Now it seems strange to me, as I stated yesterday,—and I am not going to make a long speech today—that if we are willing to put the tax on the average citizen and tax the individual, I think the business community ought to also bear their fair share.

Yesterday in this Senate, we heard the Minority Leader state that they had received no complaints about House Bill No. 88 and House Bill No. 89, which provide for the stepping-up of the corporate taxes. Business is not complaining and no individual has written to me complaining about it. Therefore, the source of the trouble must lie somewhere else.

This might very well be political capital. I do not accuse anybody of anything, as I have no facts on which to base an accusation. However, I am stating that if this is political capital, I think this is the wrong place to do it. You do not play this kind of a game with the schools, the hospitals and other persons who are dependent on the Commonwealth of Pennsylvania to aid them. I am not saying that this is being done. I am not accusing anyone of doing it. However, I certainly think we ought to get to this business.

If the gentlemen on the other side feel they do not want to help us in providing these votes, I say to them, that they should bring all of their membership in here and we will have the Lieutenant Governor cast the deciding ballot. If we have to make a test case of that, this is a good place to begin.

Time is growing short. The school districts will not wait. I, and the Members here, do not want to be stampeded into action at a time when we think the need is becoming greater.

If the gentlemen on the other side are against this package,—and I am not saying this is a panacea that will cure all of the ills—I would be happy to see any program that they have, or any tax measure they think would be the proper measure to put forth. Perhaps we can agree in that area.

If I knew what the problem was and the Democratic Members knew what it was, we could certainly work on this problem and try to work it out. We, in effect, are the board of directors who run this corporation, known as the Commonwealth of Pennsylvania. I think if anyone is disturbed about what the board of directors is doing or the president of the corporation is doing, this is the proper place to bring it up. If they do not want to do it publicly, I would be happy and I am sure the other Members on our side would be happy to hear it privately.

I think by just sitting back and saying, "We are against this, we are against that, we are not going to do that this week, we are not going to do this next week," and so on and so forth, you never get to any kind of constructive action or get to any place where you can work on it.

I also heard the gentlemen say yesterday that they want to get more information and give this matter further study. If they will direct me as to what areas they want to study and what they have found as a result of their study, perhaps I can work along with them. Maybe I could come to the same conclusion they have arrived at. To not give us any information, and to sit back and say they not only are not going to vote for this but they are not going to let us vote for it, is not the kind of an attitude which leads toward helping the Commonwealth solve some of the problems that it has. I am sure this is not the spirit they would like to have us live in or work in.

If they will come forth and say to us honestly, "We do not like this, do not like that and are not going to vote for it, but here is our program," then we can move from that point toward progress. Nothing will happen if we just sit here stalemating each other.

Mr. PECHAN. Mr. President, the Majority Leader used the expression "stampeded"; that he does not want to be stampeded. I want to say to you, Mr. President, and my colleagues in the Senate, that we are not going to be stampeded on this side. There is no need for a rush on this sort of thing. The Governor, in his budget, has eighty-two millions of dollars that are to take care of a deficiency appropriation. In the past, that deficiency was taken up usualy in the next Session of the Legislature. Here we are doing it for him within the same fiscal year.

As we understand it on this side, $35,000,000 is to come from the C.N.I. acceleration, $20,000,000 from the gross receipts, $17,000,000 from insurance, and $10,000 from bank shares.

The Majority Leader stated that perhaps our schools are going to suffer as a result of our investigating a little further into the feasibility of these new measures. The money coming from these two bills is to take care of the Governor's—we understand—deficiencey appropriation because of the overexpending in this very same fiscal year. I think the Majority Leader will agree that in the past, we have always taken care of that in the Session following.

We are not going to be stampeded. The Minority Leader yesterday made a statement that business is not objecting to House Bill No. 88 and House Bill No. 89. I have had many objections, both written and by telephone calls. Certainly no one likes taxes. I think business realizes that they have to bear their fair share of the revenues which are required to run our State, and they want to pay it. However, we on this side, as Senator Berger said yesterday, do not want to hurt the little businesses that may be thinking about coming into the State. An example was give where a concern, which will employ some 350 people, will move just six miles south of the Pennsylvania border if this is enacted. We do not know whether or not that is true. However, there is no need to be stampeded. When the time comes and we feel that it is justifiable,I think you may get forty-nine votes in the Senate for these two bills. However, do not try to stampede us, because we have the right to investigate. We want to find out whether or not it is going to hurt industry, because it has been hurt plenty in Pennsylvania.

I hate to hear the Majority Leader use the expression that the gasoline tax was levied last week on the little guy and business has been getting a free ride. He did not say that, but he inferred as much. I am sure that we, on this side, will see to it that a fair shake is given on all of these measures when and if we are satisfied that it should be done and when it should be done.

I do not think anyone has approached you about any deals of any kind. Certainly, Al Pechan will not, and I do not think any member of the leadership on this side will.

Mr. WEINER. Mr. President, I am sure the gentleman would like to have the record corrected and I want to do that.

The amount of money we are appropriating in these measures is a deficiency that we know about now and that we have been told about. It is true that the books are not closed, but the amount is in sight. It also is not due to overspending. It is due primarily to revenues falling off; to the lack of revenue and the lack of money coming in. It is like a man who depends on X or Y number of dollars coming in each week, and when it does not come in, he has a deficiency. It is not because he has overspent. It is because he has never had it to spend, and the cost of operation goes on and his overhead goes on. This is what has happened to the State.

These taxes are not the kind of thing that is new. There is not one measure in this tax package that is a new tax in the sense of being something different. I think the measures were introduced sometime around January 16th. Today is February 14th. I do not think that is being hasty. I do not think it is being speeded up. The appropriation hearings are almost over. As a matter of fact, the Treasury Department is over there today at the Joint Hearings. Therefore, we are practically finished with our work.

If the plan is to drag on the Session and be here for a long time without accomplishing anything, this is one way to do it. If we are interested in getting down to business and handling the matters we have before us, then we should proceed to give these matters our consideration.

I did say— and I want to make sure the record is clear —that this is not a panacea that will cure all of the financial ills of the Commonwealth; not by a long shot. However in view of the fact that we do not have anything else before us, this is all we have to work on. If the gentlemen on the other side will come up with some other proposal, I will be happy to work on that.

I think we ought to come in here each week and insist that we get some work done, and move ahead to the day when we can finally finish here and leave here. If the point is to remain here a year or drag on beyond that,—which we cannot do any longer because of the constitutional amendment—I think this is one way to do it. I abhor that and I think every Member, on both sides of the aisle, who has been here and sat through some of these Sessions is certainly against that. Now is the time to start moving and getting our problems solved.

Mr. WARE. Mr. President, it seems to me appropriate that we all remind ourselves on occasions such as this that there is no such thing as a tax on business. The revenues of any business come from only one source, and that is the public; the consuming, the purchasing public. It makes no difference as to the form of the tax. Whether it is accelerated or decelerated or whatnot, the consumer has to bear the burden in the end.

I think the Majority Leader probably was a little hasty in his phrasing of the suggestion that there is any thought here of relieving a burden on business. The burden is on the consuming public the 11,000,000 citizens of this Commonwealth for whom, I am sure, the president of this corporation—who was referred to a moment ago— and this board of directors have a very serious concern.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

THIRD READING CALENDAR

BILL REREFERRED

SB 3—Upon motion of Mr. MAHADY, seconded by Mr. KALMAN, and agreed to, the bill was rereferred to the Committee on Constitutional Changes and Federal Relations.

BILLS OVER IN ORDER

SB 31, 85, HB 89, 95, 96, 98, 99, 100 and **101**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 20, 88, 93 and **94**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. KALMAN. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 25, 73, 74, 75, 77, 84, 86, 91, 99, 100, 101, 102, 178,** and **180.**

And said bills having been read at length for the first time

Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

REPUBLICAN CAUCUS ..... 1:00 P. M.

DEMOCRATIC CAUCUS ..... 2:00 P. M.

SPECIAL NOTICE

There will be a Public Hearing on Senate Bill 23 on February 23, 1961, in the Penthouse of the Philadelphia State Office Building at 2:00 p. m., and on March 2, 1961 at 2:00 p.m., in the Pittsburgh State Office Building.

ADJOURNMENT

Mr. RIPP. Mr. President, I move that the Senate do now adjourn until Monday, February 20, 1961, at 3:00 p. m.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:17 p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 14, 1961

The House met at 12:00 o'clock noon, EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Reverend Kenneth Arthur, Pastor of the First Methodist Church of Orbisonia, guest Chaplain, and guest of the gentleman from Huntingdon, Mr. Snare, and the House Chaplain, offered the followed prayer:

We humbly thank Thee, Almighty God, for the many blessings which Thou hast given to our State of Pennsylvania, and add this, O Lord, to Thy other mercies, that we may be enabled to use them to better Thy services.

Grant unto Thy servants the deep insight to understand the causes for which they now meet. May they realize that many times it is better to fail in a cause that will ultimately succeed than to succeed in a cause that will ultimately fail.

Instill within these, Thy servants, a remembrance of those who have dutifully elected them to this high office that they might be ever mindful of the cries of their people for food, freedom, and the foundation of a Godly State.

O Thou, our great Counselor and Guide, we do pray for these things in this moment of meditation, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 13, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. CIANFRANI and FINEMAN.

HOUSE BILL No. 440.

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115), providing that removal notices may be filed by registered electors moving within an election district or from one election district to another within the same county.

Referred to the Committee on Elections.

By Messrs. TAYLOR, J. A. SULLIVAN, McDEVITT and McCORMACK. HOUSE BILL No. 441.

An Act providing that the salaries of clerks and other court officers of the several courts in counties of the first class shall be determined by the General Assembly and repealing inconsistent acts.

Referred to the Committee on Cities—Counties First Class.

By Messrs. FETTEROLF and McCORMACK.

HOUSE BILL No. 442.

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286), permitting certain minors to be employed as caddies.

Referred to the Committee on Labor Relations.

By Messrs. WALSH and STRAUSSER.

HOUSE BILL No. 443.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), redefining the term "unemployed" to include certain college students.

Referred to the Committee on Rules.

By Messrs. LIPPINCOTT, ISAACS, GIBBONS and Mrs. KERNAGHAN. HOUSE BILL No. 444.

An Act making an appropriation to Sleighton Farm School for Girls, situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. SAKULSKY, PETROSKY, AGNEW and WILT. HOUSE BILL No. 445.

An Act amending the act of June 4, 1913 (P. L. 883), entitled "An act authorizing and directing the Department of Highways to erect * * * a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; * * *," making the bridge a free bridge; * * * and making an appropriation.

Referred to the Committee on Highways.

By Mr. WEIDNER. HOUSE BILL No. 446.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing burgesses to appoint guards employed by business establishments as additional policemen; and prescribing the powers and duties of such additional policemen.

Referred to the Committee on Boroughs.

By Messrs. FINEMAN, GAILEY and GIBBONS.

HOUSE BILL No. 447.

An Act providing that charitable, religious and nonprofit corporations, organizations and institutions shall be subject to liability for torts.

Referred to the Committee on Judiciary.

By Messrs. HAMILTON, STONE and ESHLEMAN.

HOUSE BILL No. 448.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the admission of beginners to the public schools.

Referred to the Committee on Education.

By Messrs. HAMILTON and DOWN.

HOUSE BILL No. 449.

An Act amending the act of June 28, 1895 (P. L. 408), entitled, as amended, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, * * *' * * *" further providing for relief fund associations or pension funds to which moneys may be paid, and regulating the use of such moneys.

Referred to the Committee on State Government.

By Messrs. FARABAUGH and McNALLY.

HOUSE BILL No. 450

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Forests and Waters and the Governor, to grant and convey a certain tract of land to the Borough of Ebensburg.

Referred to the Committee on State Government.

By Messrs. FINEMAN and ZIMMERMAN.
HOUSE BILL No. 451.

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township, Juniata County, for State forest administrative purposes.

Referred to the Committee on State Government.

By Messrs. RENWICK, PETROSKY, KORNICK and YETTER. HOUSE BILL No. 452.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land.

Referred to the Committee on State Government.

By Messrs. ROVANSEK, McDONALD, FINEMAN and W. JOSEPH LONG. HOUSE BILL No. 453.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks.

Referred to the Committee on State Government.

By Messrs. ROVANSEK, McDONALD, FINEMAN and W. JOSEPH LONG. HOUSE BILL No. 454.

An Act amending "The Administrative Code of 1929,'" approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

Referred to the Committee on State Government.

By Mr. POLEN. HOUSE BILL No. 455.

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, * * *" authorizing powers conferred by the act to be done on a fiscal period basis, and changing the amount of money which may be borrowed, and providing two additional methods of borrowing money.

Referred to the Committee on Appropriations.

By Messrs. FINEMAN and KELLY.
HOUSE BILL No. 456.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring proof of liability insurance coverage by owners of motor vehicles, trailers or semitrailers at the time of registration thereof.

Referred to the Committee on Insurance.

By Messrs. CAPANO, FLYNN, MURPHY and BONNER. HOUSE BILL No. 457.

An Act amending the "Unemployment Compensation Law" approved December 5, 1936 (1937 P. L. 2897), authorizing the Commonwealth and its political subdivisions and instrumentalities to come within the provisions of the act.

Referred to the Committee on Workmen's Compensation.

By Messrs. RILEY, SCARCELLI and SHERMAN.
HOUSE BILL No. 458.

An Act requiring toilet facilities to be furnished for employes and patrons of parking lots and fixing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. HORST, DENNISON, ELVEY and PETROSKY. HOUSE BILL No. 459.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), providing for notice to persons nominated by write-in votes.

Referred to the Committee on Elections.

By Messrs. MAXWELL, MILLS, POLEN, and J. A. O'DONNELL. HOUSE BILL No. 460.

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

Referred to the Committee on State Government.

By Messrs. RENWICK, FINEMAN, and BOSSERT.
HOUSE BILL No. 461.

An Act authorizing the conveyance of certain lands in Leidy Township, Clinton County, to the government of the United States.

Referred to the Committee on State Government.

By Messrs. SHUPNICK, CAPANO, DENGLER and BUCHANAN. HOUSE BILL No. 462

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350) authorizing credit for sick leave and providing for payments.

Referred to the Committee on Appropriations.

By Messrs. J. A. SULLIVAN, McDEVITT and TAYLOR. HOUSE BILL No. 463.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) requiring the Secretary of Revenue to obtain the fingerprints of each applicant for an operator's license.

Referred to the Committee on State Government.

By Messrs. BOSSERT, GROSS and BOWER.
HOUSE BILL No. 464.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), providing for the issuing of free resident fishing licenses to persons sixty-five years of age or over, and to certain disabled veterans.

Referred to the Committee on Fisheries.

By Messrs. BOSSERT, GROSS and BOWER.
HOUSE BILL No. 465.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing the granting of free licenses to residents over sixty-five years of age.

Referred to the Committee on Game and Conservation.

By Mr. FRASCELLA. HOUSE BILL No. 466.

An Act regulating the manufacture of stuffed toys intended for sale, gifts, or use in Pennsylvania; ***;

providing for a disinfection of such material containing products of animal origin; providing penalties.

Referred to the Committee on State Government.

By Messrs. MURRAY, GUESMAN and JENKINS.
HOUSE BILL No. 467.

An Act imposing liability for interest upon insurance companies when an appeal is taken by the insurance company or its indemnitee.

Referred to the Committee on Insurance.

By Mr. COMER. HOUSE BILL No. 468.

An Act repealing section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes ***; and making an appropriation," abolishing certain requirements.

Referred to the Committee on Highways.

By Messrs. McLAUGHLIN and IRVIS.
HOUSE BILL No. 469.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for the establishment of kindergartens.

Referred to the Committee on Education.

By Messrs. CAULEY, LAMB, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 470.

An Act amending the act of December 14, 1863 (1864 P. L. 1127), entitled "An act relating to the liens of common carriers, and others," reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

Referred to the Committee on Judiciary.

By Messrs. KAMYK, KRAMER, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 471.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the removal of wrecked vehicles and tractors from the highway.

Referred to the Committee on Highways.

By Messrs. BUCHANAN, DENNISON, ROVANSEK and STANK. HOUSE BILL No. 472.

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), designating certain house trailers as subjects of taxation.

Referred to the Committee on State Government.

By Messrs. JIM, SCHAAF, FINEMAN and W. JOSEPH LONG. HOUSE BILL No. 473.

An Act amending "The Administrative Code of 1929," approved April 9, 1929, (P. L. 177), further regulating the price to be paid for State forest lands.

Referred to the Committee on State Government.

By Messrs. JIM, SCHAAF, FINEMAN, and WM. JOS. LONG. HOUSE BILL No. 474.

An Act amending the act of May 20, 1921 (P. L. 984), entitled, as amended, "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish; * * *," providing for the payment of money into court for the benefit of persons entitled thereto, and for the crediting of such payments.

Referred to the Committee on State Government.

By Messrs. BONNER, REIDENBACH and STRAUSSER and Mrs. MARKLEY. HOUSE BILL No. 475.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for additional increments for professional employes having thirty years of public school service.

Referred to the Committee on Education.

By Messrs. BONNER, REIDENBACH and STRAUSSER and Mrs. MARKLEY. HOUSE BILL No. 476.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), changing definition of final average salary for classroom teachers with thirty-five or more years of service.

Referred to the Committee on Education.

REPORTS FROM COMMITTEE

Mr. LAMB from the Committee on Judiciary, reported as committed, House Bill No. 29 entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

Mr. SCHAFF from the Committee on Judicary, reported as committed, House Bill No. 63, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind, paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

Mr. WARGO from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 302, entitled:

An Act amending the "Pennsylvania Fertilizer Law of 1956," approved May 29, 1956 (P. L. 1795), providing for the filing of reports and statements by certain persons, changing the method of sampling, inspection and analysis.

Mr. WARGO from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 306, entitled:

An Act amending the act of July 22, 1913 (P. L. 928), entitled "An act relating to domestic animals; * * * providing methods of improving the quality thereof, and of preventing, controlling, and eradicating diseases thereof; * * * and providing penalties for the violation of this act," prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

Mr. KORNS from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 309, entitled:

An Act amending the "Oleomargine or Butterine Law," approved June 30, 1947 (P. L. 1154) defing certain terms.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 29, entitled:

An Act authorizing the court to order the parties under

certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to Order,
The House proceeded to the first reading and consideration of House Bill No. 63, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind, paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act amending the "Pennslvania Fertilizer Law of 1956," approved May 29, 1956 (P. L. 1795), providing for the filing of reports and statements by certain persons, changing the method of sampling, inspection and analysis.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to Order,
The House proceeded to the first reading and consideration of House Bill No. 306, entitled:

An Act amending the act of July 22, 1913 (P. L. 928), entitled "An act relating to domestic animals; ***providing methods of improving the quality thereof, and of preventing, controlling, and eradicating diseases thereof;*** and providing penalties for the violation of this act," prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 309, entitled:

An Act amending the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154) defining certain terms.

And said bill having been read at length the fist time, Ordered, to be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside temporarily.

Mr. HAMILTON in THE CHAIR

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FOERSTER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 332, entitled:

An Act amending the act of July 5, 1957 (P. L. 485), entitled "An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcholic drinks * * * " Changing the expiration dates of licenses and registrations and further providing for the marking of labels.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 400, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 28, entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code" changing the number of electors required on petition for referendum.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 53, entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled "An act prohibiting certain practices of discrimination because of race, color, religious creed, ancestry, age or national origin by employers, employment agencies, labor organizations and others as herein defined creating the Pensylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions, powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties" prohibiting discrimination in the selling, leasing or financing of commercial housing and discrimination in places of public accommodation resort or amusement because of race, color, religious creed, ancestry or national origin

changing the name of the Pennsylvania Fair Employment Practice Commission to the Pensylvania Human Relations Commission and qualifying the scope of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

The SPEAKER pro tempore. The Chair recoginzes the Majority Leader.

Mr. McCANN. I would like on third reading of House bill No. 20, to change it to amend. An amendment has been agreed to and it is ready. House bill 20 was marked over temporarily. Change it to amend.

The SPEAKER pro tempore. Mr. McCann, are the amendments controversial?

Mr. McCann Noncontroversial and evidently agreed to. They just arrived.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 20, entitled:

An Act providing for the determination of the date of injury, damage or death in tort action and requiring the prothonotary to add interest to awards and verdicts.

On the question,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 2, lines 5 and 6, by striking out "the" where it appears the second time in line 5, and all of line 6, and inserting: suit or litigation was commenced.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the Minority Whip.

Mr. TOMPKINS. Mr. Speaker, I have no leaves, but I think yesterday that a leave was granted to Mr. Bowman of Dauphin County for the week. He has recovered from his disabilities and is back on the floor.

We are just withdrawing the leave for the balance of the week now.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the Minority Leader.

Mr. AGNEW. Mr. Speaker, I would like to interrogate the Majority Leader or a sponsor of the bill.

The SPEAKER. pro tempore. Will the gentleman permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall, but the caucus chairman has handled House bill No. 45, but I personally will be most glad to be interrogated.

Mr. AGNEW. I understand that the bill came out of Appropriations, I would be willing to interrogate the gentleman from Washington.

Mr. McCANN. Mr. Speaker, the bill was reported from the committee, sent to the floor, recommitted to Appropriations to determine all costs, re-reported from the Committee on Appropriations and Mr. Polen certainly will be glad to answer cost questions.

The SPEAKER. The Majority Leader yields to the gentleman from Washington, Mr. Polen.

Mr. AGNEW. Mr. Speaker, I would like to ask the gentleman from Washington, Mr. Polen, if he can tell us on an annual basis what this bill will cost?

Mr. POLEN. Mr. Speaker, this will cost no additional money over what is now being spent. Actually, these employes are permanently employed, but it was overlooked to give them the necessary authority which this bill does. The amount is included in the budget for the new fiscal year to cover this in the Property and Supplies Department.

I did not secure a breakdown as to what these particular offices cost at Pittsburg and Philadelphia. There was no question raised concerning that. I only ascertained that it was included in the budget and, further, that the employes are presently employed and this is to extend their authority which was not given previously.

Mr. AGNEW. In other words, Mr. Speaker, this bill does not envision the addition of any personnel.

Mr. POLEN. It does not call for any additional personnel; it only covers present personnel.

Mr. AGNEW. What does the gentleman mean when he says it extends their authority? Is it to give these persons additional police authority?

Mr. POLEN. At present the acts now provide for these Capitol Police, or police officers, to be given certain powers which cover all the State buildings. The powers were never extended to cover these two new buildings and that is what this act does.

Mr. AGNEW. Mr. Speaker, does this set up an additional police force like the Capitol Police?

Mr. POLEN. It does not set up any new force, no, sir.

Mr. AGNEW. In other words, there are personnel now acting as police officers or police and custodial officers, and this merely extends their authority, gives them additional status, but does not add anybody to the payroll.

Mr. POLEN. That is correct. It adds no one additional to the payroll, but extends their operations to cover the new State office buildings at Philadelphia and Pittsburg.

Mr. AGNEW. There is no authority in this bill to add to the payroll or to add to the cost of maintenance at the State office buildings, is that correct?

Mr. POLEN. That is correct.

Mr. AGNEW. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Agnew,	Gailey,	Lawson,	Pursley,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Reibman,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Reidenbach,
Arlene,	Gibb,	Leonard,	Renwick,
Ashton,	Gibbons,	Limper,	Riley,
Auker,	Goldstein, J. H.,	Lippincott,	Rovansek,
Bachman,	Goldstein, M. H.,	Long, Wm. Jas.,	Royer,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Rubin,
Bonner,	Gramlich,	Lutty,	Rudisill,
Bossert,	Gray,	Magee,	Rutherford,
Bower,	Gremminger,	Manbeck,	Sakulsky,
Bowman,	Gross,	Markley,	Scarcelli,
Branca,	Guesman,	Marsh,	Schaaf,
Breth,	Guthrie,	Maxwell,	Schuster,
Buchanan,	Hamilton,	May,	Seltzer,
Capano,	Hankins,	McCandless,	Shelton,
Capitolo,	Hartley,	McCann,	Sherman,
Cauley,	Haudenshield,	McCormack,	Simmons,
Cianfrani,	Heavey,	McDevitt,	Slack,
Cioffi,	Heffner,	McDonald,	Snare,
Clarke,	Helm,	McInroy,	Steckel,
Comer,	Henzel,	McKeever,	Stimmel,
Cooley,	Hocker,	McLaughlin,	Stiteler,
Crossin,	Holliday,	McNally,	Strausser,
Curwood,	Holman,	Meholchick,	Sullivan, J. A.,
Davis,	Horst,	Merry,	Sullivan, T. F.,
Dennison,	Irvis,	Miller,	Taylor,
Donaldson,	Jenkins,	Mills,	Thompson,
Doughten,	Jim,	Monroe,	Tomascik,
Down,	Johnson, A. W.,	Morley,	Tompkins,
Edwards,	Johnson, R. P.,	Mullen,	Ujobai,
Eilberg,	Jones,	Murphy,	Varner,
Elvey,	Kamyk,	Murray,	Verona,
Eshback,	Keiser,	Musto,	Wall,
Eshleman,	Kelly,	Needham,	Walsh,
Ewing,	Kernaghan,	O'Dell,	Wargo,
Farabaugh,	Kessler,	O'Donnell, J. A.,	Weidner,
Fetterolf,	King,	Ogilvie,	Welsh,
Filo,	Kistler,	Parlante,	Wescott,
Fineman,	Klein,	Pashley,	Willaredt,
Flynn,	Knecht,	Perry,	Williams, E. S.,
Foerster,	Kooker,	Petrosky,	Wilt,
Foor,	Kornick,	Polaski,	Wood,
Fox,	Korns,	Polen,	Wynd,
Fry,	Kramer,	Prendergast,	Yetter,
Fulmer,	Lamb,	Price,	Andrews, Speaker

NAYS—7

Bush,	Piper,	Williams, A. D.,	Zimmerman,
Isaacs,	Whittaker,	Worley,	

NOT VOTING—16

Adams,	Dougherty,	Munley,	Stank,
Blair,	Frascella,	O'Donnell, J. P.,	Stone,
Boles,	George,	Odorisio,	Trusio,
Dengler,	Mihm,	Shupnik,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 51, Printer's No. 51 and

House Bill No. 128, Printer's No. 128

were passed over at the request of the SPEAKER pro tempore.

There being no objection

House Bill No. 184, Printer's No. 186,

was passed over temporarily at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 194, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), exempting certain appointees in police and fire forces from civil service examination.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Agnew,	Fulmer,	Lawson,	Renwick,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lutty,	Scarcelli,
Bonner,	Goodrich,	Magee,	Schaaf,
Bossert,	Gramlich,	Manbeck,	Schuster,
Bower,	Gray,	Markley,	Seltzer,
Bowman,	Gremminger,	Marsh,	Shelton,
Branca,	Gross,	Maxwell,	Sherman,
Breth,	Guesman,	May,	Simmons,
Buchanan,	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Steckel,
Cauley,	Haudenshield,	McInroy,	Stimmel,
Cianfrani,	Heffner,	McKeever,	Stiteler,
Cioffi,	Helm,	McLaughlin,	Strausser,
Clarke,	Henzel,	McNally,	Sullivan, J. A.,
Comer,	Hocker,	Meholchick,	Sullivan, T. F.,
Cooley,	Holliday,	Merry,	Taylor,
Crossin,	Holman,	Miller,	Thompson,
Curwood,	Horst,	Mills,	Tomascik,
Davis,	Irvis,	Morley,	Tompkins,
Dennison,	Isaacs,	Mullen,	Ujobai,
Donaldson,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Murray,	Verona,
Down,	Johnson, A. W.,	Musto,	Wall,
Edwards,	Johnson, R. P.,	Needham,	Walsh,
Eilberg,	Jones,	O'Dell,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eshback,	Keiser,	Ogilvie,	Welsh,
Eshleman,	Kelly,	Parlante,	Wescott,
Ewing,	Kernaghan,	Pashley,	Whittaker,
Farabaugh,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polaski,	Wood,
Flynn,	Knecht,	Polen,	Worley,
Foerster,	Kooker,	Prendergast,	Wynd,
Foor,	Kornick,	Price,	Yetter,
Fox,	Korns,	Pursley,	Zimmerman,
Frascella,	Kramer,	Reibman,	Andrews,
Fry,	Lamb,	Reidenbach,	Speaker

NAYS—1

Lee, A. M.,

NOT VOTING—19

Adams,	George,	Munley,	Stone,
Blair,	Heavey,	O'Donnell, J. P.,	Trusio,
Boles,	McCormack,	Odorisio,	Willard,
Dengler,	Mihm,	Rudisill,	Williams, E. S.,
Dougherty,	Monroe,	Shupnik,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 208, entitled:

An Act regulating the sale of electron receiving and picture tubes used in the home type radio and television receivers or other home type electronic devices, and fixing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Gailey,	Lee, K. B.,	Renwick,
Agnew,	Gallagher,	Leonard,	Riley,
Anderson, J. H.,	Gelfand,	Limper,	Rovansek,
Anderson, S. A.,	Gibb,	Lippincott,	Royer,
Arlene,	Gibbons,	Long, Wm. Jas.,	Rubin,
Ashton,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Auker,	Goldstein, M. H.,	Lutty,	Rutherford,
Bachman,	Goodrich,	Magee,	Sakulsky,
Backenstoe,	Gramlich,	Manbeck,	Scarcelli,
Bonner,	Gray,	Markley,	Schaaf,
Bossert,	Gremminger,	Marsh,	Seltzer,
Bower,	Gross,	Maxwell,	Shelton,
Bowman,	Guesman,	May,	Sherman,
Branca,	Guthrie,	McCandless,	Simmons,
Breth,	Hamilton,	McCann,	Slack,
Buchanan,	Hankins,	McCormack,	Snare,
Bush,	Hartley,	McDevitt,	Stank,
Capano,	Haudenshield,	McDonald,	Steckel,
Capitolo,	Heavey,	McInroy,	Stimmel,
Cauley,	Heffner,	McKeever,	Stiteler,
Cianfrani,	Helm,	McLaughlin,	Strausser,
Cioffi,	Henzel,	McNally,	Sullivan, J. A.,
Clarke,	Hocker,	Meholchick,	Sullivan, T. F.,
Comer,	Holliday,	Merry,	Taylor,
Cooley,	Holman,	Miller,	Thompson,
Crossin,	Horst,	Mills,	Tomascik,
Curwood,	Irvis,	Monroe,	Tompkins,
Davis,	Isaacs,	Morley,	Ujobai,
Dennison,	Jenkins,	Mullen,	Varner,
Donaldson,	Jim,	Murphy,	Verona,
Doughten,	Johnson, A. W.,	Murray,	Wall,
Down,	Johnson, R. P.,	Musto,	Walsh,
Edwards,	Jones,	Needham,	Wargo,
Eilberg,	Kamyk,	O'Dell,	Weidner,
Elvey,	Keiser,	O'Donnell, J. A.,	Welsh,
Eshback,	Kelly,	O'Donnell, J. P.,	Wescott,
Eshleman,	Kernaghan,	Ogilvie,	Whittaker,
Ewing,	Kessler,	Parlante,	Willaredt,
Farabaugh,	King,	Pashley,	Williams, A. D.,
Fetterolf,	Kistler,	Perry,	Williams, E. S.,
Filo,	Klein,	Petrosky,	Wilt,
Fineman,	Knecht,	Piper,	Wood,
Flynn,	Kooker,	Polaski,	Worley,
Foerster,	Kornick,	Polen,	Wynd,
Foor,	Korns,	Prendergast,	Yetter,
Fox,	Kramer,	Price,	Zimmerman,
Frascella,	Lamb,	Pursley,	Andrews,
Fry,	Lawson,	Reibman,	Speaker
Fulmer,	Lee, A. M.,	Reidenbach,	

NAYS—0

NOT VOTING—13

Blair,	George,	Odorisio,	Stone,
Boles,	Mihm,	Schuster,	Trusio,
Dengler,	Munley,	Shupnik,	Willard,
Dougherty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143) entitled "An act designating certain days of each year as Arbor Days and Bird Days one of which days shall be the ninth day of April *** and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers" further providing for the designation of Arbor Day.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 2, line 1 by striking out "Sections" and inserting:

The title and sections 1

Amend Bill, page 2, by inserting between lines 8 and 9

AN ACT

Designating a certain [days] day of each year as Arbor [Days and Bird Days, one of which days shall be the ninth day of April, except when the ninth dey of April falls on Saturday, Sunday or Good Friday] Day; providing that the week [of the ninth of April] in which the last Friday of April falls be proclaimed as Conservation Week, and directing suitable observance of Arbor [Days and Bird Days in public schools under the direction of superintendents and teachers] Day.

Section 1. The Governor each year shall appoint an appropriate [days] day to be designated as Arbor (Days) Day and shall recommend by proclamation to the people that such [days] day be suitably observed by widespread planting of trees and shrubs and by group and community programs stressing the value and importance of trees and forests.

Amend Sec. 1 (Sec. 2), page 2, line 9 by inserting a bracket before "One".

Amend Sec. 1 (Sec. 2), page 2, line 9 by striking out the brackets before and after "shall".

Amend Sec. 1 (Sec. 2), page 2, line 9 by striking out "may".

Amend Sec. 1 (Sec. 2), page 2, line 12 by inserting a bracket after "Friday."

Amend Sec. 1 (Sec. 2), page 2, line 13 by striking out "One of the days" and inserting:

The day

The SPEAKER PRO TEMPORE. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. I desire at this time, with the consent of the Chair, to go back to House bill 184. The amendments are ready now. On page 4, I call up House bill 184. The gentleman from Bucks, Mr. Williams, has the agreed amendments ready.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 184, entitled:

An Act amending "The Borough Code" approved May 4,

1927 (P. L. 519), authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. A. D. WILLIAMS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 2498), page 2, lines 6 and 7, by striking out "In the exercise of the authority granted hereby any borough" and inserting: Any borough which engages in the furnishing of such service.

Amend Sec. 1 (Sec. 2498), page 2, line 13, by inserting after "borough" No borough shall engage in the furnishing of coaxial television service if facilities for such service exist within the borough prior to the effective date of this act, nor shall any borough have the authority to purchase or in any way acquire such existing facilities without the consent of the owner. A borough may, however, regulate the rate or rates to be charged for the use of such existing facilities.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Berks rise?

Mr. ADAMS. Mr. Speaker, I wish to be recorded as voting "aye" on House bill 45 and House bill 194.

The SPEAKER pro tempore. The gentleman cannot be recorded. His remarks, under a question of personal privilege, will be spread upon the Journal.

Mr. ADAMS. Mr. Speaker, had I been in the hall of the House at the time of voting, I would have voted "aye" on those two bills.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 240, entitled:

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Gailey,	Limper,	Renwick,
Agnew,	Gallagher,	Lippincott,	Riley,
Anderson, J. H.,	Gelfand,	Long, Wm. Jas.,	Rovansek,
Anderson, S. A.,	Gibb,	Long, Wm. Jos.,	Royer,
Arlene,	Gibbons,	Lutty,	Rubin,
Ashton,	Goldstein, J. H.,	Magee,	Rudisill,
Auker,	Goldstein, M. H.,	Manbeck,	Rutherford,
Bachman,	Goodrich,	Markley,	Sakulsky,
Backenstoe,	Gramlich,	Marsh,	Scarcelli,
Bossert,	Gray,	Maxwell,	Schaaf,
Bower,	Gremminger,	May,	Seltzer,
Bowman,	Groes,	McCandless,	Shelton,
Branca,	Guesman,	McCann,	Sherman,
Breth,	Guthrie,	McCormack,	Shupnik,
Buchanan,	Hamilton,	McDevitt,	Simmons,
Bush,	Hankins,	McDonald,	Slack,
Capano,	Hartley,	McInroy,	Snare,
Capitolo,	Haudenshield,	McKeever,	Stank,
Cauley,	Heavey,	McLaughlin,	Steckel,
Cianfrani,	Heffner,	McNally,	Stimmel,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Hocker,	Merry,	Sullivan, J. A.,
Comer,	Holliday,	Miller,	Sullivan, T. F.,
Cooley,	Horst,	Mills,	Taylor,
Crossin,	Irvis,	Monroe,	Thompson,
Curwood,	Isaacs,	Morley,	Tomascik,
Davis,	Jenkins,	Mullen,	Tompkins,
Dennison,	Jim,	Murphy,	Ujobai,
Donaldson,	Johnson, A. W.,	Murray,	Varner,
Doughten,	Johnson, R. P.,	Musto,	Verona,
Down,	Jones,	Needham,	Wall,
Edwards,	Kamyk,	O'Dell,	Walsh,
Eilberg,	Keiser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	O'Donnell, J. P.,	Weidner,
Eshback,	Kernaghan,	Ogilvie,	Welsh,
Eshleman,	Kessler,	Parlante,	Wescott,
Ewing,	Kistler,	Pashley,	Whittaker,
Farabaugh,	Klein,	Perry,	Willaredt,
Fetterolf,	Knecht,	Petrosky,	Williams, E. S.,
Filo,	Kooker,	Piper,	Wilt,
Fineman,	Kornick,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Prendergast,	Wynd,
Foor,	Lamb,	Price,	Yetter,
Fox,	Lawson,	Pursley,	Zimmerman,
Frascella,	Lee, A. M.,	Reibman,	Andrews,
Fry,	Lee, K. B.,	Reidenbach,	Speaker
Fulmer,	Leonard,		

NAYS—4

Holman,	King,	Stiteler,	Williams, A. D.,

NOT VOTING—14

Blair,	Dougherty,	Munley,	Stone,
Boles,	George,	Odorisio,	Trusio,
Bonner,	Henzel,	Schuster,	Willard,
Dengler,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 251, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), further regulating the use of nets.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Gailey,	Lee, K. B.,	Renwick,
Agnew,	Gallagher,	Leonard,	Riley,
Anderson, J. H.,	Gelfand,	Lippincott,	Rovansek,
Anderson, S. A.,	Gibb,	Long, Wm. Jas.,	Royer,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rubin,
Auker,	Goldstein, J. H.,	Lutty,	Rudisill,

Bachman,	Goldstein, M. H.,	Magee,	Rutherford,
Backenstoe,	Goodrich,	Manbeck,	Sakulsky,
Bonner,	Gramlich,	Markley,	Scarcelli,
Bossert,	Gray,	Marsh,	Schaaf,
Bower,	Gremminger,	Maxwell,	Schuster,
Bowman,	Gross,	May,	Seltzer,
Branca,	Guesman,	McCandless,	Shelton,
Breth,	Guthrie,	McCann,	Sherman,
Buchanan,	Hamilton,	McCormack,	Shupnik,
Bush,	Hankins,	McDevitt,	Simmons,
Capano,	Hartley,	McDonald,	Slack,
Capitolo,	Haudenshield,	McInroy,	Snare,
Cauley,	Heavey,	McKeever,	Stank,
Cianfrani,	Heffner,	McLaughlin,	Steckel,
Cioffi,	Helm,	McNally,	Stimmel,
Clarke,	Hocker,	Meholchick,	Stiteler,
Comer,	Holliday,	Merry,	Strausser,
Cooley,	Holman,	Miller,	Sullivan, J. A.,
Crossin,	Horst,	Mills,	Sullivan, T. F.,
Curwood,	Irvis,	Monroe,	Taylor,
Davis,	Isaacs,	Morley,	Thompson,
Dennison,	Jenkins,	Mullen,	Tomascik,
Donaldson,	Jim,	Murphy,	Tompkins,
Doughten,	Johnson, A. W.,	Murray,	Ujobai,
Down,	Johnson, R. P.,	Musto,	Varner,
Edwards,	Jones,	Needham,	Verona,
Eilberg,	Kamyk,	O'Dell,	Wall,
Elvey,	Keiser,	O'Donnell, J. A.,	Walsh,
Eshback,	Kelly,	O'Donnell, J. P.,	Wargo,
Eshleman,	Kernaghan,	Ogilvie,	Weidner,
Ewing,	Kessler,	Parlante,	Welsh,
Farabaugh,	King,	Pashley,	Wescott,
Fetterolf,	Kistler,	Perry,	Whittaker,
Filo,	Klein,	Petrosky,	Willaredt,
Fineman,	Knecht,	Piper,	Williams, A. D.,
Flynn,	Kooker,	Polaski,	Williams, E. S.,
Foerster,	Kornick,	Polen,	Wilt,
Foor,	Korns,	Prendergast,	Wood,
Fox,	Kramer,	Price,	Worley,
Frascella,	Lamb,	Pursley,	Wynd,
Fry,	Lawson,	Reibman,	Yetter,
Fulmer,	Lee, A. M.,	Reidenbach,	Andrews, Speaker

NAYS—0

NOT VOTING—15

Arlene,	Dougherty,	Mihm,	Trusio,
Blair,	George,	Munley,	Willard,
Boies,	Henzel,	Odorisio,	Zimmerman,
Dengler,	Limper,	Stone,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305, entitled:

An Act amending the act of September 23, 1959 (P. L. 933), entitled "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof *** further regulating fences and deleting certain requirements relating to the keeping of records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fulmer,	Leonard,	Rovansek,
Agnew,	Galley,	Limper,	Royer,
Anderson, J. H.,	Gallagher,	Lippincott,	Rubin,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gibb,	Long, Wm. Jos.,	Rutherford,
Ashton,	Gibbons,	Lutty,	Sakulsky,
Auker,	Goldstein, J. H.,	Magee,	Scarcelli,
Bachman,	Goodrich,	Manbeck,	Schaaf,
Backenstoe,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bower,	Gross,	May,	Sherman,
Bowman,	Guesman,	McCandless,	Shupnik,
Branca,	Guthrie,	McCann,	Simmons,
Breth,	Hamilton,	McCormack,	Slack,
Buchanan,	Hankins,	McDevitt,	Snare,
Bush,	Hartley,	McDonald,	Stank,
Capano,	Haudenshield,	McInroy,	Steckel,
Capitolo,	Heavey,	McKeever,	Stimmel,
Cauley,	Heffner,	McLaughlin,	Stiteler,
Cianfrani,	Helm,	McNally,	Strausser,
Cioffi,	Hocker,	Meholchick,	Sullivan, J. A.,
Clarke,	Holliday,	Merry,	Sullivan, T. F.,
Comer,	Holman,	Miller,	Taylor,
Cooley,	Horst,	Mills,	Thompson,
Crossin,	Irvis,	Monroe,	Tomascik,
Curwood,	Isaacs,	Morley,	Tompkins,
Davis,	Jenkins,	Mullen,	Ujobai,
Donaldson,	Jim,	Musto,	Varner,
Doughten,	Johnson, A. W.,	Needham,	Verona,
Down,	Johnson, R. P.,	O'Dell,	Wall,
Edwards,	Jones,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Wargo,
Elvey,	Keiser,	Ogilvie,	Weidner,
Eshback,	Kelly,	Parlante,	Welsh,
Eshleman,	Kernaghan,	Perry,	Whittaker,
Ewing,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Kistler,	Polaski,	Williams, E. S.,
Filo,	Klein,	Polen,	Wilt,
Fineman,	Knecht,	Prendergast,	Wood,
Flynn,	Kooker,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Wynd,
Foor,	Kramer,	Reidenbach,	Yetter,
Fox,	Lawson,	Renwick,	Zimmerman,
Frascella,	Lee, A. M.,	Riley,	Andrews, Speaker
Fry,	Lee, K. B.,		

NAYS—6

Dennison,	Lamb,	Price,	Wescott,
Kornick,	Murphy,		

NOT VOTING—15

Blair,	George,	Munley,	Stone,
Boies,	Goldstein, M. H.,	Murray,	Trusio,
Dengler,	Henzel,	Odorisio,	Willard,
Dougherty,	Mihm,	Pashley,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 312, entitled:

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) providing for the use of the word margarine.

An said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Fox,	Kramer,	Reidenbach,
Agnew,	Frascella,	Lamb,	Renwick,
Anderson, J. H.,	Fry,	Lawson,	Riley,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Rovansek,
Arlene,	Galley,	Lee, K. B.,	Royer,
Ashton,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Bossert,	Gramlich,	Lutty,	Schaaf,
Bower,	Gray,	Markley,	Schuster,

Bowman,	Gremminger,	Maxwell,	Shelton,
Branca,	Gross,	May,	Sherman,
Breth,	Guesman,	McCann,	Shupnik,
Buchanan,	Guthrie,	McCormack,	Simmons,
Capano,	Hamilton,	McDevitt,	Slack,
Capitolo,	Hankins,	McDonald,	Snare,
Cauley,	Hartley,	McKeever,	Stank,
Clanfrani,	Haudenshield,	McLaughlin,	Steckel,
Cioffi,	Heavey,	McNally,	Stimmel,
Clarke,	Heffner,	Meholchick,	Strausser,
Comer,	Helm,	Merry,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Irvis,	Morley,	Tomascik,
Dennison,	Isaacs,	Mullen,	Ujobai,
Donaldson,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Musto,	Verona,
Down,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	Ogilvie,	Weidner,
Eshback,	Keiser,	Parlante,	Welsh,
Eshleman,	Kelly,	Perry,	Willaredt,
Ewing,	Kernaghan,	Petrosky,	Williams, E. S.,
Farabaugh,	Kessler,	Polaski,	Wilt,
Fetterolf,	Klein,	Polen,	Wood,
Filo,	Knecht,	Prendergast,	Worley,
Fineman,	Kooker,	Price,	Wynd,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Andrews,
Foor,			Speaker

NAYS—22

Bush,	Kistler,	O'Dell,	Tompkins,
Elvey,	Magee,	O'Donnell, J. P.,	Wescott,
Goodrich,	Manbeck,	Piper,	Whittaker,
Holman,	Marsh,	Seltzer,	Williams, A. D.,
Horst,	McCandless,	Stiteler,	Zimmerman,
King,	McInroy,		

NOT VOTING—16

Blair,	George,	Munley,	Stone,
Boles,	Goldstein, M. H.,	Murray,	Trusio,
Dengler,	Jones,	Odorisio,	Walsh,
Dougherty,	Mihm,	Pashley,	Willard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 355, Printer's No. 477 and

House Bill No. 356, Printer's No. 478,

were passed over at the request of the SPEAKER pro tempore.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I would like at this time to ask the sponsors of House bill 128, on page 4, if they are ready and if Mr. Lamb and Mr. Goldstein will call up the bill?

Mr. Speaker, I ask permission to turn to page 4, House bill 128, Printer's number 128.

Mr. Speaker, I call up to vote House bill 128, Printer's number 128.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 128, entitled:

An Act making loss of a spouse's consortium an element of damage for which recovery may be had.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I understand that a graphic description of this bill has been given in both the Democratic Caucus and the Republican Caucus by the respective sponsors.

We are trying to do something which the Supreme Court of Pennsylvania brought about. We are trying to create equal rights for women in negligence actions. The Supreme Court in its logic indicated that it thought the law should be as set forth in the opinion and at the same time stated that the Legislature is the place where the other action could be remedied. Now, I recall, I know all of us recall, when we picture ourselves as being members of King Arthur's Round Table, whereby we would be Sir Lancelot fighting for our ladies fair. In this particular cause of action, if we give it an affirmative vote, we can be Sir Lancelot again casting our legislative votes of equal rights for women so that their rights of consortium, which is a broad and vast subject, can be protected in the courts of this Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fulmer,	Lamb,	Riley,
Agnew,	Gailey,	Lawson,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rubin,
Arlene,	Gibb,	Leonard,	Rudisill,
Ashton,	Gibbons,	Limper,	Rutherford,
Auker,	Goldstein, J. H.,	Lippincott,	Sakulsky,
Bachman,	Goldstein, M. H.,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Schuster,
Blair,	Gramlich,	Lutty,	Seltzer,
Bonner,	Gray,	Magee,	Shelton,
Bossert,	Gremminger,	Manbeck,	Sherman,
Bower,	Gross,	Markley,	Shupnik,
Branca,	Guesman,	Marsh,	Simmons,
Breth,	Guthrie,	Maxwell,	Slack,
Buchanan,	Hamilton,	May,	Snare,
Bush,	Hankins,	McCandless,	Stank,
Capano,	Hartley,	McCann,	Steckel,
Capitolo,	Haudenshield,	McDevitt,	Stimmel,
Cauley,	Heavey,	McDonald,	Strausser,
Clanfrani,	Heffner,	McInroy,	Sullivan, J. A.,
Cioffi,	Helm,	McKeever,	Sullivan, T. F.,
Clarke,	Henzel,	McLaughlin,	Taylor,
Comer,	Hocker,	McNally,	Thompson,
Cooley,	Holliday,	Meholchick,	Tomascik,
Crossin,	Holman,	Merry,	Tompkins,
Curwood,	Horst,	Miller,	Ujobai,
Davis,	Irvis,	Mills,	Varner,
Donaldson,	Isaacs,	Monroe,	Verona,
Doughten,	Jenkins,	Morley,	Wall,
Down,	Jim,	Murphy,	Walsh,
Edwards,	Johnson, A. W.,	Musto,	Wargo,
Eilberg,	Johnson, R. P.,	Needham,	Weidner,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kamyk,	Ogilvie,	Wescott,
Eshleman,	Keiser,	Parlante,	Whittaker,
Ewing,	Kelly,	Perry,	Willaredt,
Farabaugh,	Kernaghan,	Petrosky,	Williams, A. D.,
Fetterolf,	Kessler,	Piper,	Williams, E. S.,
Filo,	King,	Polaski,	Wilt,
Fineman,	Kistler,	Polen,	Wood,
Flynn,	Klein,	Prendergast,	Worley,
Foerster,	Knecht,	Price,	Wynd,
Foor,	Kooker,	Pursley,	Yetter,
Fox,	Kornick,	Reibman,	Zimmerman,
Frascella,	Korns,	Reidenbach,	Andrews,
Fry,	Kramer,	Renwick,	Speaker

NAYS—6

Bowman,	McCormack,	O'Dell,	Schaaf,
Dennison,	Mullen,		

NOT VOTING—14

Boles,	Mihm,	Odorisio,	Stone,
Dengler,	Munley,	Pashley,	Trusio,
Dougherty,	Murray,	Stiteler,	Willard,
George,	O'Donnell, J. P.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 53, Printer's No. 53, on page 6 of today's calendar, bills on third reading postponed.

RESOLUTIONS

Mr. McCANN. Mr. Speaker, I call up on page 7 of today's calendar, Senate Resolution Serial No. 101.

SENATE RESOLUTION SERIAL NO. 101

JOINT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT

In the Senate, January 17, 1961.

The act of April 12, 1794 abolishing capital punishment in the Commonwealth of Pennsylvania except for first degree murder was, in effect, a return to the "great law of Penn" which had been promulgated for the proprietary colony of Pennsylvania in 1682. Later the act of May 14, 1925 gave the right to the jury, in first degree murder cases, upon conviction, to select the punishment of either life imprisonment or death. In recent years and especially in this past year, it has been learned that all crimes throughout the Commonwealth of Pennsylvania had decreased with the exception of murder. The death penalty seems to have failed in deterring the crime of murder. There is a rising tide, not only in Pennsylvania, but throughout the United States as well as in many foreign countries against the imposition of the death penalty.

At present, there are nine states and forty foreign countries which have abolished capital punishment. A recent survey indicates that of the ten states which have the fewest murders, four had abolished the death penalty and of the ten states which had the most murders, all of them enforced the death penalty. Recent indications in Pennsylvania seems to prove that the imposition of the death penalty in murder cases have been a complete failure in acting as a deterent to the crime of murder. In spite of the imposition of the death penalty, murder has been on the increase. It is further said that in a number of states, where the death penalty has been removed as a possible punishment, more convictions were secured and there were fewer delays in enforcing the punishment. It is the swiftness and certainty of the punishment and not the severity that deters. We are further told that usually murder is the act of the mentally ill and those acting under the impulse of sudden passion and are not the acts of the criminal class.

The opposition to the imposition of the death penalty is growing in momentum and today we find an increasing demand from many church and civic organizations as well as citizens throughout the Commonwealth of Pennsylvania, calling for the abolition of the death penalty. This issue is now becoming one of the most important of our times; therefore be it

Resolved, (the House of Representatives concurring), That the President Pro Tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House, who together shall constitute a committee to examine the entire issue of the abolition of capital punishment in the Commonwealth of Pennsylvania, and be it further

Resolved, That the committee shall elect a chairman and such additional officers as it may deem necessary, that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subponenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee, and be it further

Resolved, That the committee shall report its findings together with a recommendation for appropriate legislation as soon as possible.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the Clerk inform the Senate accordingly.

SENATE RESOLUTION SERIAL NO. 103

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PHILADELPHIA EAGLES FOOTBALL TEAM

In the Senate, January 23, 1961.

Whereas, The Eagles on December 26, 1960 defeated the Green Bay Packers at Franklin Field, Philadelphia, by a score of 17-13 in the annual National Football League Championship Game before a sell-out crowd of 67,325; and

Whereas, the Championship Contest was a tribute to the Eagle's management in securing the type of player needed to mold the championship team; a tribute to the coaches of the team, a tribute to the players themselves for their great spirit and courage during the 1960 season; and

Whereas, the Championship Contest was viewed on nation-wide television by more than 60 million people, more than 220 television stations in all corners of the United States; broadcast on radio nationally and to the Armed Forces wherever they may be, thus bringing the Commonwealth of Pennsylvania and the City of Philadelphia into world-wide focus; and

Whereas, By their stirring victory the Eagles have greatly strengthened Philadelphia's position as the Sports Capital of the Nation and given the Commonwealth of Pennsylvania its second championship athletic team of 1960—their fame echoes that of the Pittsburgh Pirates who won the world championship of baseball; now be it therefore

Resolved (if the House concurs) that the General Assembly of Pennsylvania extend its congratulations to the owners, management, coach and players of the Philadelphia Eagles for their outstanding achievement in winning the 1960 World Football Championship in the National Football League game played at Philadelphia on December 26, 1960; and

Be it further resolved, That a certified copy of the instant Resolution be forwarded, upon its adoption, to Mr. Frank L. McNamee, President of the Philadelphia Eagles, as evidence of the profound appreciation by the membership of the Senate and the House of Represent-

atives of the General Assembly of Pennsylvania, of the fame and glory the Eagles football players and coaches have brought to the City of Philadelphia and the Commonwealth of Pennsylvania.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. McCANN asked and obtained permission for the Committee on Rules to meet during the session of the House.

Mr. McCANN asked and obtained permission for the Committee on Education to meet during the session of the House.

Mr. McCANN. I ask the membership not to leave because when we come back from the meeting of the Rules Committee we will have some important announcements. There will be no more roll calls but there will be some important announcements.

The SPEAKER pro tempore. The House will be at ease, awaiting the return of these few committees.

PARLIAMENTARY INQUIRY

Mr. SCHAAF. I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAAF. Mr. Speaker, Senate resolution Serial No. 103, whereby, as I read it, the Senate extends its congratulations to the Philadelphia Eagles. May I ask why we here in the House have to vote on the Senate congratulatory intents and purposes?

The SPEAKER pro tempore. The only reason we have is that the Senate has sent it to the House for our concurrence and we are trying to go along with that request. That is the reason for it, Mr. Schaaf.

Mr. SCHAAF. Is that ordinarily done, that we concur in that body congratulating a football team, a boxing team or whatever it might be?

The SPEAKER pro tempore. The effect of the resolution now is that both bodies are congratulating the Eagles.

Mr. SCHAAF. I thank the Speaker.

ANNOUNCEMENT

Mr. POLEN. Mr. Speaker, I would like to make a brief announcement about the joint Appropriation Committee hearings.

The SPEAKER pro tempore. The Chairman of the Appropriation Committee wishes to make an important announcement. The Chair hears no objection.

Mr. POLEN. Mr. Speaker, the hearings scheduled for tomorrow, Wednesday, are cancelled on account of the death of Representative Muldowney and those desiring to attend his funeral. The hearing for the State Treasurer will be held at 1:30 p. m. today, and on Monday, February 20, starting at 10:00 a. m., we will have Penn State University, followed by the University of Pennsylvania, Temple and, in the evening at 7:30, the University of Pittsburgh. There will be no hearings tomorrow. They are cancelled. The final hearing today will be at 1:30 for the State Treasurer.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I think that the answer given the gentleman from Erie, Mr. Schaaf, was not exactly explanatory of the true situation with respect to Senate resolution 103. It is marked wrong on the calendar. It says "congratulations of the Senate," but, if the gentleman from Erie, Mr. Schaaf, will take a look at the resolution, he will see that in the body of it it says, "Resolved (if the House concurs) that the General Assembly of Pennsylvania extend its congratulations to the owners," etc. So it is really the General Assembly and not the Senate.

The SPEAKER pro tempore. If the gentleman will turn to page 74 of the Senate History on concurrent resolutions, he will find a statement as the gentleman from Philadelphia has just stated, "Resolved (if the House concurs) that the General Assembly of Pennsylvania extend its congratulations to the owners, management, coach and players of the Philadelphia Eagles for their outstanding achievement in winning the 1960 World Football Championship."

I thank the gentleman from Philadelphia.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. A. W. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I still do not believe we are correct on this. This saluation of the resolution says "congratulations of the Senate. The opening introductory salutation says, "congratulations of the Senate." We really ought to recall that resolution and have it amended and say, "Congratulations of the General Assembly."

The SPEAKER pro tempore. For information of the gentleman from McKean, the salutation, "Congratulations of the Senate Extend to the Philadelphia Eagles Football Team", is not part of the resolution. I think the Clerk, as a matter of fact, has inserted that.

I thank the gentleman from McKean for his remarks.

REPORTS FROM COMMITTEE

Mrs. REIBMAN from the Committee on Judiciary, reported as amended, House Bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

Mrs. ANDERSON from the Committee on Education, reported as committed, Senate Bill No. 136, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the debt of school districts of the first class.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 19.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 27.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 136, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the debt limit of school districts of the first class.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. KAMYK. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KAMYK. Mr. Speaker, ladies and gentlemen of the House, it is my pleasure today to announce that my colleague from Allegheny County, Mr. Arthur Guesman, is celebrating his birthday. We would like to surprise him with the usual happy birthday song, if Mr. Dengler would lead us. If he is not available I would suggest Mr. Jules Filo from Allegheny County.

(Members joined in singing "Happy Birthday", led by Mr. Filo).

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Guesman.

Mr. GUESMAN. Mr. Speaker, I thank the House for its congratulations and for the wonderful song led by Mr. Filo.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Ewing.

Mr. EWING. Mr. Speaker, we kind of missed up from Allegheny. Mr. Simmons' birthday was yesterday, although he was not here yesterday. Let us sing happy birthday to him.

The SPEAKER pro tempore. Mr. Filo will lead us in song again for a happy birthday for Mr. James Simmons. (Members joined in singing "Happy Birthday," led by Mr. Filo.)

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Simmons.

Mr. SIMMONS. Mr. Speaker, I would like to thank Mr. Filo and all the members of the House for the honorary song. I quit counting them six or seven years ago. You will not have to go through this again. Thank you.

ANNOUNCEMENT

The CHIEF CLERK. Mr. Speaker, I would like to remind the members that the bus leaving for Philadelphia for the viewing of the late Representative Muldowney will leave at 2:30 from the front of the Capital.

All those who do not have transportation may meet there and the bus will return sometime between 8:00 and 8:30 for those who want to come back to Harrisburg. We will wait for all members who have indicated a desire to go to Philadelphia at 2:30, probably ten or fifteen minutes after that for them, but make sure that you get there.

Mr. McCANN. Mr. Speaker, we wish to announce that in the Rules Committee we have discussed and we have changed plans for Monday.

This coming Monday we will go right into controversial legislation. Senate bill 28 will be in front of this House for amendments, for a roll call on Monday, February 20.

On Tuesday, February 21, this House will convene at 10:00 for the purpose of a joint session dealing with the 100th Anniversary of Abraham Lincoln's appearance here at the State Capital. Following the joint session, which is estimated to last no longer than one hour, approximately 45 minutes, we will proceed with the session that day, taking up all the controversial matters, debate them and vote them. So I ask the membership of this House on Monday not to be absent thinking because nothing is on the calendar that is controversial. The most controversial legislation, in some people's minds, will be voted on on Monday and Tuesday of this coming week.

Mr. AGNEW. Mr. Speaker, I might point out for the benefit of the House that we have agreed to a final vote on Monday on Senate bill 28. We have not agreed to any further change in the operations of the House. On Monday, on Senate bill 28, first we will have a Republican House caucus called off the floor to discuss that bill before we vote on it. Also, as a matter of right, under the new House Rules, a motion to recommit could be entertained or any motion to amend can be entertained. We have merely agreed to a final vote if there are no amendments to the bill passed, on Monday, for the purpose of having an important roll call vote on Monday. There was much complaint on both sides of the House that there was very little to do yesterday. I do want to point out that we will have a Republican caucus called off the floor to discuss this bill before we vote on it and that any amendments or any motion that could ordinarily be made on it will be made as a matter of right, and not necessarily with unanimous consent, on Monday, before the final vote.

INTERROGATION

Mr. O'DELL asked and obtained unanimous consent to interrogate Mr. McCann.

Mr. O'DELL. Mr. Speaker, the gentleman mentioned Monday and Tuesday, but are we going to be in session Wednesday?

Mr. McCann. We are not going to be in session on Wednesday, February 22.

Mr. O'DELL. Thank you, sir.

Mr. AGNEW. Mr. Speaker, I would like to comment that there is one additional reason for the agreement to vote finally on Senate bill 28 on Monday. We only have a two-day session next week, as the Majority Leader just indicated, and rather than have an extremely lengthy session on Tuesday, we thought this would be one bill that we could, with some harmony, agree to debate finally and vote on Monday. That was the additional reason for the agreement to vote on Senate bill 28 this coming Monday.

ADJOURNMENT

Mr. EILBERG. Mr. Speaker, I move that as a further mark of respect to the memory of the Honorable Francis X. Muldowney, our deceased member, the House do now adjourn until Monday, February 20, 1961 at 3:30 p.m., EST.

The motion was agreed to, and (at 1:54 p.m., EST), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, FEBRUARY 20, 1961.

The Senate met at 3:00 p.m., Eastern Standard Time.

The PRESIDING OFFICER (Paul W. Mahady) in the Chair.

PRAYER

The Chaplain, Rev. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palymra, offered the following prayer:

"They that wait upon the Lord, shall renew their strength."

We praise Thee, our Heavenly Father, that in Thee we have such a refuge. With such a strong confidence, we come to Thee on behalf of our beloved Country and State. In these days, freighted with peril and challenge, make us unafraid and courageous as we go forth to do Thy will. To this end, give direction to our President, Governor and Members and leaders of our legislative bodies.

In Thy Name, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. MALLERY, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, due to illness.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 29.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. O'Toole, Tionesta, Forest County, for appointment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Mrs. Harriet S. Hearst, Clarion, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Josephine Hoffman, Clintonville, Venango County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Grace Kunkle Palmer, 169 Grand Street, East Stroudsburg, Monroe County, vice Clyde Willits Shaffer, East Stroudsburg, whose term expired.

John Farley, 1737 Laurel Street, Stroudsburg, Monroe County, vice Rev. John B. Bergstresser, Stroudsburg, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Fleckenstine, R. D. 2, Orangeville, Columbia County,

for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF

PHILADELPHIA STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret C. Gordon, 9988 Woodfern Road, Philadelphia 15, Philadelphia State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified, vice Mrs. Mary I. Devlin, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF

INDIANA STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick F. McCarthy, 702 Third Avenue, Punxsutawney, Jefferson County, for reappointment as a member of the Board of Trustees of Indiana State College until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF

DANVILLE STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Danville State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Silas McHenry, Stillwater, Columbia County.

J. Claire Patterson, 315 West Street, Bloomsburg, Columbia County.

William T. Deeter, Riverside, Northumberland County.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney G. Willar, 239 East High Street (Rear), Bellefonte, Centre County, for appointment as Justice of the Peace in and for the North Ward of the Borough of Bellefonte, Centre County, to serve until the first Monday of January 1962, vice Raymond N. Brooks, deceased.

DAVID L. LAWRENCE.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, **SERIAL No. 101**

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Joint Committee to study Abolition of Capital Punishment.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION, **SERIAL No. 103**

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

CONGRATULATIONS OF THE SENATE EXTENDED TO THE PHILADELPHIA EAGLES FOOTBALL TEAM.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 45**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 128**, which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 194**, which was referred to the Committee on Local Government.

He also presented for concurrence **HB 208**, which was referred to the Committee on Law and Order.

He also presented for concurrence **HB 240**, which was referred to the Committee on Rules.

He also presented for concurrence **HB 251** and **305**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 312**, which was referred to the Committee on Public Health and Welfare.

ANNOUNCEMENT OF MEETINGS OF THE COMMITTEE ON EDUCATION

Mr HAYS. Mr. President and Members of the Senate, I would like to make an announcement concerning two committee meetings.

Tomorrow morning, at 9:30, there will be a meeting of the Senate Committee on Education. The following Tuesday, at 9:00 o'clock in the morning, there will be a Joint Committee Meeting of the House and Senate Education Committees.

In explanation, I want to say that it is the present intention of the Chairman of this Committee not to consider legislative matters in the field of education, at this time, unless they are outside of the field which is being covered by the Governor's Committee on Education. Therefore, the matters to be considered tomorrow morning will be limited.

Next Tuesday, Mr. President, we hope to hold a Joint Meeting with the Superintendent of Public Instruction and some of his staff, in order that he may acquaint us with the issues in public education, as he and his staff see them, and that we may be better acquainted with the Superintendent and his staff and may know how he is organized in order to give us information and help with the problems.

As you know, most of these matters are being held in abeyance because we are waiting for the Report of the Governor's Committee on Education, of which our Presiding Officer is the Chairman. When this report comes in

March,—we hope somewhere, perhaps, around the ides of March—then we will be able to proceed, it seems to me, after we have had this meeting with Superintendent Boehm and have gotten rid of some of the measures which have been introduced that do not impinge on the Report of the Governor's Committee on Education.

I would hope that between now and the March Meeting, this Senate can act upon many of the matters on the current Calendar and other controversial matters, so that when this important area of education arrives, we may save for it some of the finest hours that this Senate will have during this Session.

The PRESIDENT. May I have the time of that meeting, sir?

Mr. HAYS. The meeting of the Senate Education Committee will be held at 9:30 tomorrow morning, in Room 302. The combined meeting of the Senate and House Committees on Education will be held at 9:00 a.m., the following Tuesday morning, in the Senate Caucus Room.

ANNOUNCEMENT OF MEETING OF THE COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, the Committee on Local Government usually meets at 11:00 o'clock, every Tuesday morning. However, I have been informed there will be a morning Session tomorrow and there is a possibility that the Session might run past that hour. Therefore, the committee will meet immediately after the Session adjourns tomorrow, regardless of the hour.

BILLS INTRODUCED AND REFERRED

Mr. FLEMING presented to the Chair **SB 227**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing boards of school directors to appropriate moneys for payment of the cost of athletic equipment and uniforms used by members of school bands or athletes in extra curricular, intramural or interscholastic activities, events or competitive games.

Which was committed to the Committee on Education.

Messrs. BELL, WARE, CONFAIR and HAWBAKER presented to the Chair **SB 228**, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employes' Retirement Board, and making an appropriation," making the receipt of benefits permanent and including disability annuitants.

Which was committed to the Committee on Education.

Messrs. SEYLER and WEINER presented to the Chair **SB 229**, entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," authorizing assistance in voting to be given absentee electors.

Which was committed to the Committee on Elections.

Messrs. MILLER and CONFAIR presented to the Chair **SB 230**, entitled:

An Act authorizing the Department of Highways with the approval of the Governor, to erect and maintain a bridge over the Ohio River in Beaver County, and to provide the necessary approaches and connections with State highways and empowering countries to pay certain damages.

Which was committed to the Committee on Highways.

Messrs. HAYS, KALMAN, SESLER, SEYLER, WAGNER and STAISEY presented to the Chair **SB 231**, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employes' Retirement Board, and making an appropriation," extending the time for receipt of benefits and including disability annuitants.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 232**, entitled:

An Act amending the act of November 21, 1959 (P. L. 1590), entitled "An Act to provide temporary supplemental retirement benefits for certain annuitants of the State Employes' Retirement System, . . .," extending the time for receipts of benefits and including disability annuitants.

Which was committed to the Committee on State Government.

Messrs. McCREESH, WEINER and CAMIEL presented to the Chair **SB 233**, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Which was committed to the Committee on Elections.

Messrs. McCREESH, DONOLOW and SARRAF presented to the Chair **SB 234**, entitled:

A Joint Resolution proposing an amendment to article two, section three of the Constitution of the Commonwealth of Pennsylvania, by providing for six-year terms for senators and four-year terms for representatives.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. SILVERT presented to the Chair **SB 235**, entitled:

An Act making an appropriation to the Department of Public Welfare, for the operation and maintenance of the Germantown Dispensary and Hospital Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HAWBAKER presented to the Chair **SB 236**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further regulating the manner in which a convention of school directors may increase salaries of county superintendents, assistant superintendents and supervisors of special education.

Which was committed to the Committee on Education.

Messrs. STROUP, KELLER and SHAFER presented to the Chair **SB 237**, entitled:

An Act amending the act of November 19, 1959 (P. L. 1548), entitled "An Act to provide temporary supplemental retirement benefits for certain annuitants of the

Public School Employes' Retirement System, . . .," extending the time for receipt of benefits and including disability annuitants.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 238,** entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employes' Retirement Code of 1959," granting credit for prior school service upon certain additional payments into the fund.

Which was committed to the Committee on Education.

Messrs. MAHADY and MURRAY presented to the Chair **SB 239,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing the closing of court houses and other county offices on Saturdays in counties of the third class.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President and Members of the Senate, I have in my hand a package of four bills which are, perhaps, to be known as the Chester Marine Terminal Bills.

Last week, the Senate, by its action resulting from the emergency arising from the closing of the Ford Motor Plant, was most kind to the people of Delaware County and their neighbors. I would like to say that on the following Wednesday, the Governor of this Commonwealth, David L. Lawrence, was wonderful in the assistance offered by him to our people.

These four bills would endeavor to set up a Chester Marine Terminal. In the past, State moneys have been spent for the ports of Philadelphia and the ports of Erie to help them with their deep water transportation problems. We feel that maybe it is only fair, now when Delaware County is hurt, that the Commonwealth should assist us. In the past, we have been most willing to give assistance to other ports.

These bills were conceived by the members of the International Longshoremen's Association back in 1955. There were bills like this introduced during the 1955 Session and the 1959 Session. It could be that now, with the aroused civic interest in the plight of Delaware County, due to the Ford Motor Company, we may receive results.

Delaware County has twelve miles of deep water frontage on the Delaware River. From the time before William Penn, Delaware County, its city of Chester and its nearby communities have served as ports for ships of all nations. Down in the county, we feel that our economic welfare is tied in with this great natural blessing, the Delaware River. Perhaps, like the old story of "Acres of Diamonds," we have been turning our back too much on this natural blessing.

For this reason, these bills are being introduced at this time.

BILLS INTRODUCED AND REFERRED

Mr. BELL presented t othe Chair **SB 240,** entitled:

An Act to promote the welfare of the people of this Commonwealth creating The Port of Chester Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvement and development of the port district and to collect tolls, fares, fees, rentals and charges for the use thereof, defining its powers and duties, authorizing the issuance of bonds for said authority, defining the port district and granting the right of eminent domain within the port district.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 241,** entitled:

An Act making an appropriation to the Delaware River Port Authority for the establishing of marine terminal facilities on the Delaware River in the City of Chester.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 242,** entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct marine terminals and to improve harbors upon navigable waters.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 243,** entitled:

An Act making an apropriation to the General State Authority for the establishing of marine terminal facilities on the Delaware River in the City of Chester.

Which was committed to the Committee on State Government.

Messrs. STROUP, SHAFER and MAHADY presented to the Chair **SB 244,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," making registration plates and manufacturer's serial numbers of all vehicles and tractors prima facie evidence as to ownership of such vehicles or tractors, and removing provisions relating to burden of proof.

Which was committed to the Committee on Highways.

Messrs. WARE, BELL, CONFAIR and KELLER presented to the Chair **SB 245,** entitled:

An Act amending the act of November 19, (P. L. 1548), entitled "An act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Empoyes' Retirement Board, and making an appropriation," removing time limitations on the receipt of benefits and making an appropriation.

Which was committed to the Committee on Education.

They also presented to the Chair **SB 246,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," authorizing certain wives and dependents of persons in the military service of the United States to cast absentee ballots without being registered and enrolled as electors.

Which was committed to the Committee on Elections.

Messrs. ROONEY and STIEFEL presented to the Chair **SB 247,** entitled:

An Act authorizing the Pensylvania Historical and

Museum Commission to acquire by gift, on behalf of the Commonwealth, certain land located in the Borough of Cornwall, Lebanon County.

Which was committed to the Committee on Historical Preservation.

Messrs. RIPP, WEINER and DEVLIN peresented to the Chair **SB 248,** entitled:

An Act amending the act of April 29, 1937 (P. L. 487), entitled, as amended, "The Permanent Registration Act for Cities of the Second Class, Townships," requiring registrars to visit the residence of certain ill and disabled persons.

Which was committed to the Committee on Elections.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN. asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, during the 1959 Session, I introduced two bills,—I believe they were Senate Bill No. 912 and Senate Bill No. 913—which were the result of an investigation of the Department of Welfare. Because of the lateness of the Session and some controversy that came up, I decided not to press the matter further. I said to myself, and my colleagues, that I would study further the problem of the Mental Health Department as an autonomous department.

Since that time, I have given it a great deal of thought, a lot of study, and have talked to many physicians and talked to many doctors. I am, again, on behalf of myself, Senator Berger, Senator Sarraf, Senator Stiefel, Senator McCreesh and Senator Kalman, introducing and presenting to the Chair these two bills.

Mr. President, I am also presenting to the Chair a bill I have sponsored alone.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN, SARRAF, STIEFEL, BERGER, KALMAN and McCREESH presented to the Chair **SB 249,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating a Department of Mental Health; defining its powers and duties; transferring State mental institutions and their boards of trustees into the department; transferring powers and duties of Department of Pubilc Welfare and the Secretary of Pubilc Welfare relating to mental health, mental defects, epilepsy and inebriety and the care and treatment of patients to the Department of Mental Health or the Commissioner of Mental Health, and making appropriations.

Which was committed to the Committee on State Government.

They also presented to the Chair **SB 250,** entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, . . . ," fixing the salary and compensation of the Commissioner of Mental Health.

Which was committed to the Committee on State Government.

Mr. PECHAN presented to the Chair **SB 251,** entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," providing additional penalties for violation of ordinances.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, one of the foremost problems that confronts this Commonwealth at present and far into the future is the care, the treatment and the cure of its mentally ill.

With the quickening in the pace of modern day living, it is estimated that one out of every ten persons will be stricken with this dreadful disease. Pennsylvania, during the past ten years, has been in the forefront in leading this growing challenge, and has appropriated millions of dollars toward new buildings, increased personnel, wages and treatment techniques. Great strides have been made in this field by the Commonwealth, Mr. President, but more can be done.

It is, indeed, a pleasure to be one of the sponsors of the bills, introduced earlier today, which will create a Department of Mental Health, for it will mean healthful and normal community living for thousands of Pennsylvania citizens in the future if these bills are enacted into law.

Mr. President, just in case there were any legal technicalities on the bills creating a Department of Mental Health in the Commonwealth on which my name was included as a sponsor, I would like to introduce two bills which would clarify the situation.

BILLS INTRODUCED AND REFERRED

Mr. McCREESH persented to the Chair **SB 252,** entitled:

An Act amendig the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," creating a Department of Mental Health; defining its powers and duties; transferring State mental institutions and their boards of trustees into the department; transferring powers and duties of the Department of Public Welfare and the Secretary of Public Welfare relating to mental health, mental disease, mental defects, epilepsy and inebriety and the care and treatment of patients to the Department of Mental Health or the Commissioner of Mental Health, and making appropriations.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 253,** entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, . . . ," fixing the salary and compensation of the commissioner of Mental Health.

Which was committed to the Committee on State Government.

POINT OF INFORMATION

Mr. STIEFEL. Mr. President, I rise to a point of information prior to introducing two bills.

The PRESIDENT. The gentleman from Philadelphia, Mr. Stiefel, will state his point of information.

Mr. STIEFEL. Mr. President, a few minutes ago a group of Senators introduced a bill dealing with the creation

of a new department, the Department of Mental Health.

Mr. President, I know that you use extreme caution, circumspection and wisdom in assigning bills to the committees. However, I respectfully submit, Mr. President, that a bill of this nature would lie more properly in the Committee on Public Health and Welfare than in the Committee on State Government.

If it is at all possible, Mr. President, I would appeal to you to reconsider the channel which you provided when you directed this bill to committee.

The PRESIDENT. This is a bill which corrects the entire structure of the State overnment, sir. I would think that it would have to go to the Committee on State Government for that reason.

Mr. STIEFEL. I abide by your wisdom, Mr. President.

The PRESIDENT. In the final analysis, it is possible that the Committee on State Government would want the Committee on Public Health and Welfare to consider the bill. However, I think that would be a matter to be taken up by the two Committee Chairmen.

Mr. STIEFEL. Thank you, sir.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and SILVERT presented to the Chair **SB 254,** entitled:

An Act relating to the recovery of damages for loss or diminution of the right of consortium in personal injury cases.

Which was committed to the Committee on Judicary General.

Mr. STIEFEL presented to the Chair **SB 255,** entitled:

An Act making an approriation to the Moore Institute of Art, Science and Industry, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. MURRAY and MULLIN presented to the Chair **SB 256,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," changing the structure of the salary board by removing the controller.

Which was committed to the Committee on Local Government.

Messrs. MULLIN and MAHADY presented to the Chair **SB 257,** entitled:

An Act amending the act of December 5, 1936 (1937 P. L. 2897), entitled "Unemployment Compensation Law," making the act applicable to employes of a state or an instrumentality thereof.

Which was committed to the Committee on Labor and Industry.

Messrs. MULLIN and SILVERT presented to the Chair **SB 258,** entitled:

An Act requiring the State Treasurer and other State offical to deduct the tax imposed by any first class city upon salaries, wages and other compensation paid to officers and employes of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the Revenue Commissioner of such city.

Which was committed to the Committee on State Government.

Messrs. MULLIN, WEINER, DONOLOW and SILVERT presented to the Chair **SB 259,** entitled:

An Act amending the act of March 30, 1937 (P. L. 115), entitled "The First Class City Permanent Registration Act," authorizing registration and change of party enrollment by persons who are sick or physically disabled.

Which was committed to the Committee on Elections.

Messrs. WADE, FLEMING and HAWBAKER presented to the Chair **SB 260,** entitled:

An Act amending the act of May 11, 1921 (P. L. 522), entitled, as amended, "Dog Law of 1921," providing for the appointment, bonding and compensation of additional agents by the Department of Revenue to facilitate the issuance of dog licenses and kennel certificates, and defining their powers and duties.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, the legislation I am about to present to the Senate pertains to the Permanent Assessment Act of 1951, which provided that all counties from the fourth to the eighth class should inaugurate and set up a permanent assessment program within those particular counties.

In addition, it required that each county should classify all types of structures and land, and place upon them a permanent assessment.

The primary purpose of this legislation was to bring about a status quo as far as assessments are concerned. It also provided that we would streamline the assessment programs in Pensylvania. This legislation was not passed for the purpose of gouging those persons who own real estate. The purpose was to even up and clarify the assessment programs in these particular counties.

In addition to this legislation, Mr. President, we also passed several safeguards. One provided that after the first year of the setup of this program,—the inauguration of this program within the counties—no political subdivision could increase their budget for real estate purposes in excess of five per cent of the budget of the prior year. It also provided that school districts could not increase their budgets in excess of ten per cent of the prior year's budget. Therefore, it would be mandatory upon the political subdivisions to reduce the millage.

Mr. President, this has worked quite well. However, after the first year of the inauguration of this program, I have learned that quite a number of political sub divisions have decided to make a pork barrel of this type of legislation. This was not the intent of the House and the Senate. Men worked on this program for years before we ever presented it to the Senate.

The legislation I am about to present to you will provide that political subdivision and no school district, if you please, will have the right to increase their budgets after the inauguration of the permanent assessment system in their counties in excess of ten per cent over their prior and original year's budget when the inauguration

of this program took place. That way, it will be a protection to the taxpayers. If we continue along these lines, we are going to penalize the property owners.

We did a good job the first year this program was begun. We put these safeguards in. However, that does not appear to be the case today.

Therefore, Mr. President, the political subdivisions and the school districts will have another relief under the provisions of this bill, should it pass. That would be that they can appeal to the courts. If they show justification for an increase in their budget, it will be the responsibility of the courts to direct them to make this increase.

Some people will say that we are administrating under the provisions of the courts. However, there is already such a provision in this Act. Prior to the presentation of this legislation, the school district could, if they could justify their position, go into the court and ask for an increase over the ten per cent, which we permitted in the provisions of the Act of 1951.

I am, therefore, Mr. President, introducing this bill.

BILLS INTRODUCED AND REFERRED

Messrs. LANE and HALUSKA presented to the Chair **SB 261,** entitled:

An Act amending the act of May 21, 1943 (P. L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," imposing permanent restrictions on the taxing authorities of political subdivisions affected by the provisions of the act.

Which was committed to the Committee on Local Government.

Messrs. KELLER and KROMER presented to the Chair **SB 262,** entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended. "Selective Sales and Use Tax Act," further providing for the collection of tax on motor vehicles.

Which was committed to the Committee on Finance.

COMMITTEE APPOINTED PURSUANT TO SENATE CONCURRENT RESOLUTION, SERIAL NO. 101

The PRESIDENT. The Chair announces, on behalf of the President pro tempore, the appointment of the following committee pursuant to Senate Concurrent Resolution, Serial No. 101, authorizing a Joint Committee to Study the Abolition of Capital Punishment: the gentleman from Philadelphia, Mr. Donolow; the gentleman from York, Mr. Seyler; and the gentleman from Carbon, Mr. Scott.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, when you enter the Law School of the University of Pennsylvania, you see, in bold letters, an expression which is a quotation of the learned Justice Lord Cook, and it states as follows: "The certainty of the law is the safety of all."

Now from the recesses of a bureau in the Department of Welfare, an overzealous administrator has caused a lot of confusion concerning the matter of fighting fires.

While the august Department of Labor and Industry has made a very capable analysis, we have a famous Fire Commissioner in Philadelphia, Frank McNamee, who is an expert on fire detection systems.

This administrator has made demands all over Pennsylvania to install a sprinkler system which is damaging and not effective. We have two sets of criteria and two sets of matters and that creates confusion, and we cannot tolerate confusion in our State Government.

For this reason, I am about to introduce a resolution, requesting the Joint State Government Commission to once and for all determine whether Secretary Batt or Elias Stone has the right idea. One of them must be right.

SENATE CONCURRENT RESOLUTIONS

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF FIRE PREVENTION LAWS AND FIRE DETECTION DEVICES

Messrs. STIEFEL, KALMAN and MURRAY offered the following resolution **(Serial No. 109),** which was read and referred to the Committee on Public Health and Welfare:

In the Senate, February 20, 1961.

Whereas, There appears to be considerable confusion in the enforcement of fire prevention laws due to a duplication of orders and confusion in some of the standards set up by the various enforcement officers who administer these laws. This is especially true in the standards set up by various enforcement officers as to sprinkler systems and fire detection devices; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission proceed immediately to make a study of fire prevention laws and fire detection devices and make recommendations as to the desirability of uniformity of standards throughout the Commonwealth and uniformity in enforcement throughout the State.

JOINT SESSION TO COMMEMORATE AND RE-ENACT THE VISIT OF ABRAHAM LINCOLN TO HARRISBURG

Mr. SESLER offered the following resolution, which was read, considered and adopted:

In the Senate, February 20, 1961.

Resolved (the House concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 21, 1961, at ten-thirty o'clock to commemorate and re-enact the visit of Abraham Lincoln to Harrisburg on his way to Washington to be inaugurated as President of the United States.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

WEEKLY ADJOURNMENT

Mr. HALUSKA offered the following resolution, which was read, considered and adopted:

In the Senate, February 20, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 27, 1961 at THREE o'clock P. M., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, February 27, 1961 at THREE-THIRTY o'clock P. M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, last week, we were honored to have in the hall of the Senate one of the Governor's very fine Cabinet Members, and we greeted him. I noted there are three of us in the Senate who have served on the Aeronautics Commission with General Biddle.

Therefore, on behalf of myself and the other two gentlemen, Senator Bell and Senator McMenamin, plus Senator Silvert and Senator Sarraf, I am about to offer this congratulatory resolution.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO MAJOR GENERAL ANTHONY J. DREXEL BIDDLE UPON HIS APPOINTMENT AS UNITED STATES AMBASSADOR TO SPAIN

Messrs. PECHAN, BELL, McMENAMIN, SILVERT and SARRAF, offered the following resolution **(Serial No. 15)**, which was read, considered and adopted:

In the Senate, February 20, 1961.

The appointment of Major General Anthony J. Drexel Biddle, Adjutant General of the Commonwealth of Pennsylvania, as United States Ambassador to Spain, has recently been announced by President Kennedy. Although we deeply regret the loss of General Biddle as our Adjutant General, no better man could have been selected to fill this important post.

Throughout his long and distinguished career as a soldier, statesman and diplomat, General Biddle has brought high honor to himself, to our Commonwealth, and to our Nation. His numerous decorations, honors and awards from the United States and many other countries evidence his standing throughout the world as an outstanding American.

Our embassy in a foreign land serves as a show-window to the United States. No finer person could have been chosen to create and sustain a more favorable impression of our Nation than Anthony J. Drexel Biddle. It is with the deepest pride that we in Pennsylvania claim General Biddle as a native son, and hold him forth as an example of what an American should be, and as an advocate of the principles for which we stand; therefore, be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby extends its congratulations to Major General Anthony J. Drexel Biddle upon his appointment as United States Ambassador to Spain; and expresses its faith and confidence that he will conduct this important role with the dignity and ability by which he has so distinguished himself in the past; and, be it further

RESOLVED, That a copy of this resolution be transmitted to General Biddle.

REPORTS FROM COMMITTEE

Mr. MAHADY, by unanimous consent, from the Committee on Constitutional Changes and Federal Relations, reported, as committed, **HB 3, 4 and 5.**

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER TEMPORARILY

HB 88—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

HB 89 CALLED UP OUT OF ORDER

HB 89—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 89—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. EHRGOOD. Mr. President, what I have to say regarding House Bill No. 89 will equally apply to House Bill No. 88 and House Bill No. 100.

I am going to cast my vote in favor of the acceleration of the corporate net income and gross receipts tax because of the fiscal situation and the fiscal necessity, as the Governor pointed out in his Budget Message. However, I do have some criticism of these bills. My great criticism is not about what they do, but about what they leave undone.

I have heard no corporations complain as to this acceleration. However, I am not a mind reader and I cannot definitely ascertain the reasons why they would not complain. I do have an idea that probably some of them are quite pleased with it so that they get nothing further.

To be sure, some of my colleagues are concerned as to the effect of this on the business climate, or on the tax climate as it affects business. I have heard a great deal said, including a statement by the Governor, that we have and must have in this Commonwealth a tax climate which is helpful to business. I would like to point out to the Members of this Senate that there is a danger that we will become so interested in tax climate that we will become enamored with the idea and will fail to pierce the real situation, as it exists. In other words, I think it is time we warn the people of Pennsylvania to look behind the scene and question what the true tax climate is in this Commonwealth.

In 1952, a chart was prepared by the Department of Commerce, the Bureau of Census, showing that corporations in Pennsylvania were bearing fifty-two per cent of the tax load. It can be truthfully stated that if an individual did not smoke, drink or drive an automobile, he was not paying anything toward his tax share to the Commonwealth for the services which he received from the State. It is also true, of course, that the corporations pay more in Pennsylvania than in any other State.

For example, Mr. President, the chart which I referred to shows that in Pennsylvania, in 1952, corporations were paying fifty-two per cent of the burden. Incidentally, New York corporations were paying twenty-six per cent of the total tax burden. I think Massachusetts was second, with thirty-seven per cent. This is important when we realize the relative position of these corporation taxes and the burden which they impose.

As of the year of 1960, the situation has radically changed. Not only have business taxes been reduced in the Commonwealth of Pennsylvania by reason of 1957 legislation—which restored, for the benefit of the corporations, the manufacturing exemption and the capital stock tax, along with the repeal of the corporate loan tax and the excise tax on domestic and foreign corporations—but it can also be further stated that in the imposition of the sales tax, machinery, equipment and supplies directly used, but not consumed in manufacturing, are exempt.

This is somewhat of interest to me. The estimated annual yield, for instance, if the exemption as to manufacturing, plus agriculture, were not in effect, would be $33,000,000. That is a pretty sizeable piece of change. It is interesting to note that the 1957 legislation, which was

effective January 1, 1958, restored the manufacturing exemption, which means at least—and this is a conservative estimate—a savings of $30,000,000 by the corporations.

Therefore, Mr. President, I believe it can be safely stated that business in Pennsylvania has received some breaks. It has received a pretty good tax climate in Pennsylvania. This is more directly seen when one realizes that opposed to this has been the imposition of consumer taxes on the people of Pennsylvania.

Just a couple of weeks ago, we saw a two-cent gasoline tax which the Democratic Majority—at least, 106 or 107 in the House and twenty-five in the Senate of Pennsylvania—voted to impose on the people of the Commonwealth. This is a two-cent additional gasoline tax, which is a consumer tax. We have the four per cent sales tax, also. Thus, we have more and more consumer taxes being placed upon the people and less and less business taxes. I am somewhat worried because it seems to me that things are becoming topsy-turvy. What has occurred with the Democratic Party, for instance, which supposedly is the friend of the little guy? Is this true when we see who has been in command of the government of Pennsylvania since 1955 and what has been occurring in this tax picture? The relative position of who is paying what in Pennsylvania has radically changed.

The January 1958 study by the Joint State Government Commission, on page 13, graphically portrays this situation and reveals that the commodity taxes, other than liquid fuels, bring in approximately forty per cent of the State tax revenue, as opposed to the general corporation and business taxes bringing in approximately twenty-four per cent. This, gentlemen, is a pretty big change. Since the Joint State Government Commission study of 1958, which revealed the figures as of May 31, 1957 or, in other words, the end of the biennium, the changes have been even greater than those I have been talking about. This is due, as I said before, of course, to the imposition of the sales tax at the rate of four per cent and due to the exemption of machinery, equipment and so forth, as well as the full effect of the restoration of the manufacturers' exemption, which only became effective January 1, 1958.

Thus, Mr. President, I think we can safely conclude that individual consumers are paying more and more of the relative share of the tax burden whereas corporations are paying less and less. I point this out so that some attention will be given to the burden which the long suffering, silent taxpayer is now bearing in this Commonwealth. Let us also think of the individuals' tax climate in Pennsylvania and not only the tax climate of the corporations.

Mr. President, that is why I will vote for the corporation taxes and the acceleration of those taxes.

Mr. SILVERT. Mr. President, I hereby extend to Senator Ehrgood a very welcome invitation to sit on our side of the aisle.

Mr. EHRGOOD. Mr. President, I could not very well accept that invitation because somehow or other, the Democrats seem to be going over on the other side. That I cannot understand. I would not want to go over with the Democratic Party in this situation where they are soaking the individual taxpayer time and time and again as the figures prove.

The PRESIDENT. Besides, sir, I look over on this side and find the seats all filled.

Mr. LANE. Mr. President, I want to be brief and to the point. I must, to a great extent, concur with some of the statements made by Senator Ehrgood. However, down through the years, —in fact, since 1942—the statement has been made by the United States Chamber of Commerce, the Pennsylvania State Chamber of Commerce, the Pennsylvania Economy League and big business as a whole, that the Democratic Party in Pennsylvania was the enemy of business.

When we relieved the corporations of a part of their obligations, our objective, Senator Ehrgood, was to create in Pennsylvania a tax climate which would bring industry into this State and provide employment for our people. We are at a disadvantage as far as manufacturing is concerned. The State of Ohio and the surrounding States seem to have an advantage when it comes to the construction of plants, because in the extreme western part of our State we have a lot of hilly country and mountains. To build a manufacturing plant over there would cost a lot of money. Therefore, these manufacturing organizations are going into Ohio and the other States. Some of the manufacturing corporations were afraid of Pennsylvania, and so they moved out.

As a matter of fact, during the period when there were high taxes on corporations, the responsibility actually was with the Republican Party because it was you people who placed these heavy taxes on the corporations and, if any of them moved, it was the fault of the Republican Party and not the Democratic Party. However, we received the blame because we sponsored liberal legislation and we were the so-called enemies of business. That is not the case. The reason we made these concessions was to keep business in our State. We wanted to make Pennsylvania the powerful, prosperous State that she was years ago. Down through the years, had we not taken that action, —and I imagine you will agree with me—we would have a greater recession than we have right now.

Therefore, I think the workingmen and women of Pennsylvania feel that if they have jobs, they are willing to pay the taxes. I have talked to many of our coal miners who say: "Give us jobs and we will pay our taxes." They want business here and they want employment. We are doing this to try to keep business here and keep employment going.

Mr. EHRGOOD. Mr. President, the statements of the gentleman from Washington County sound very good. The only difficulty is that his alternative to taking care of the business climate is, in effect, soak the consumer.

This situation in the Senator's District, of course, deals with a coal mining area. The coal mines are certainly the cancer spot in Pennsylvania. They are in a distressed situation. However, I do not think that any business taxes have forced the coal operators to cease operations. I think there are many reasons, of which you are well aware. Therefore, I do not believe you can point to the fact that the large business taxes of previous Republican Administrations were the reason for anything failing, and I do not think there was a movement at that time. The movement has come since that period, and it was not due to any business taxes that we had.

I am not saying categorically that business taxes are too low and consumer taxes are too high. I do think the people of Pennsylvania should be aware of and at least question whether or not a fair share is being taken by

each—both by business and by the consumer.

Mr. PECHAN. Mr. President, I expect to vote for this bill. However, my reasons are perhaps a little divergent from Senator Ehrgood's views.

I want to say that I live in a semi-industrial, agricultural area. We have a great deal of industry in my two counties. I am sorry to say that in my very immediate vicinity of Kittanning and Ford City, we have a seventeen per cent unemployment situation. Not one of the manufacturers in my two counties have asked me to vote against this bill. I would not vote for it, whether they asked me to or not, if I were not convinced that the revenues in this biennium fell short of what was anticipated.

When you stop to consider that seventeen per cent of my people back in my area are without work, I do not know how you can expect them to pay two cents more on a gallon of gasoline and four per cent on the purchases they make.

As I said, I am going to vote for this bill because no industry has objected to it. They want to pay their fair share. However, I am just wondering whether anybody over on the other side ever considers cutting down some of the expenditures with which we presently are faced. I am reminded that two years ago we passed a bill whereby we increased the operator's license fee from one dollar to two dollars and instead of sending them out every year, we send them out every two years. We were told that it costs ninety-three cents to process every license. Consequently, there was not much to go back into the Highway Fund. Now they only send them out once every two years.

When you read the budget, you find that the Revenue Department wants to put on additional workers. Instead of cutting down and sending some of them home, they want additional revenue. Now how in the world does this look to the people in Pennsylvania who are not working? We have a half-million people who are unemployed. If this is going to keep up, we are going to do just exactly as Joe Stalin wants us to do—spend ourselves into bankruptcy.

Mr. FLEMING. Mr. President, I am as much opposed to this bill as I was opposed to the one last week. It was House Bill No. 88 last week, and this one, House Bill No. 89, is a comparable bill. I have heard some of the speakers, both today and on the other occasion, say that they have had no letters of objection to this particular tax measure. Possibly I come from a peculiar section of the State. I have had numerous letters of opposition from small corporations, all of whom have informed me that it is going to be necessary that they go to the bank and borrow money in order to prepay their taxes.

At the risk of being repetitious, Mr. President, I cannot see how passing this type of legislation can be conducive to creating a situation in Pennsylvania that will attract new, diversified industries into our State, which we must have if we are going to, in any way, solve the number one problem in this Commonwealth of unemployment.

I agree with one of the previous speakers that this Administration should take a long look at government at the State level, and should attempt to effect some economies in its operation. I certainly cannot see how this Administration and the previous Administration, according to the figures that were given by the State Treasurer—and I cannot vouch for their accuracy, but they must be accurate—which indicate that in the last six years our State payroll has risen from 53,000 to 76,000, can refute that there must not have been a number of people put on the State payroll in various departments who certainly did not need to be put on. I think it is incumbent upon the executive branch of the Government of this State to take a long, hard look at all of the departments and to effect every possible economy, rather than to accelerate tax collections on business, which can only do one thing and that is to postpone the inevitable day of reckoning. Someday, someplace, somehow this must be paid.

Mr. WEINER. Mr. President, I would like to point out to the gentleman from Armstrong that the money which he spoke about—the additional money requested—is money that comes out of the Motor Fund and has nothing to do with the General Fund, which is where the income from this measure, if enacted, will go.

I would also like to point out that the taxes which we are inaugurating here are the taxes which we have inaugurated in every Session of the Legislature, during the last few years. We are merely substituting the borrowing power of the individual corporations instead of using the State's borrowing power, which is the tax anticipation notes. The reason for doing so is because of the cost to the Commonwealth.

As the last speaker said, if the Treasurer of Pennsylvania felt there were people who do not belong on the State payroll, I think the Treasurer has a very simple method whereby he could solve that problem. He could just refuse to pay them. If these people were brought to our attention, I am sure we would take the appropriate action.

I feel the hour is growing late and I have no intention of making a long speech. I think we have been all through this bill and the companion bill. However, I would be very happy to answer any questions that anyone might have in regard to this measure. I think all of us who have been here for awhile know the political history of how these taxes came about, how they came into being, and why they are with us now.

I do not think anybody agrees that this is a panacea to solve all the ills of the Commonwealth. However, we do not have any other substitute. I have not heard of any in the Senate or in the House. This is all that we have before us. I think we must live with it and work with it. No one will gainsay that we do not need the funds and that we can cut off the State's services. This is what we must do. This is our duty.

Mr. BERGER. Mr. President, I did not intend to engage in this debate because the things which have been said previously have been very well said. However, I cannot let go by, unchallenged, the statement just made by the Majority Leader; that is, if the State Treasurer did not want so many people on the payroll, all he had to do was not pay them. That is a manifest absurdity, Mr. President, for the reason that the employees are hired and the State Treasurer's function in making out those payroll checks is strictly administrative. He has no discretion in that matter.

Mr. LANE. Mr. President, the hour is growing late and I do not want to prolong this debate. However, I am going to be very kind and say that the distinguished Assistant Minority Floor Leader is slightly confused with reference to the sales tax. If he recalls correctly, when the sales tax

came up, I was one of the persons who opposed it.

I am saying this in jest. I think Senator Pechan recalls that I made the statement that Pechan carries the flag, Berger beats the drum, and Senator Taylor calls the shots.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Camiel,	Keller,	Murray,	Silvert,
Devlin,	Lane,	Pechan,	Staisey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Stroup,
Ehrgood,	McGinnis,	Sarraf,	Van Sant,
Haluska,	McMenamin,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,	Shafer,	

NAYS—18

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Propert,	Wade,
Chapman,	Kessler,	Scott,	Wagner,
Confair,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 88 CALLED UP

HB 88—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE

HB 88—On the question, Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Camiel,	Keller,	Murray,	Silvert,
Devlin,	Lane,	Pechan,	Staisey,
DiSilvestro,	Mahady,	Ripp,	Stiefel,
Donolow,	McCreesh,	Rooney,	Stroup,
Ehrgood,	McGinnis,	Sarraf,	Van Sant,
Haluska,	McMenamin,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,	Shafer,	

NAYS—18

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Propert,	Wade,
Chapman,	Kessler,	Scott,	Wagner,
Confair,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,		

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 98 CALLED UP OUT OF ORDER

HB 98—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

HB 98—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. HALUSKA. Mr. President, having voted under a misapprehension, I wish to change my vote from "aye" to "no".

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, having voted properly, but not having enough votes to pass this bill, I wish to change my vote from "aye" to "no".

The PRESIDENT. The gentleman will be so recorded.

Mr. LANE. Mr. President, due to the circumstances, I wish to change my vote from "aye" to "no".

The PRESIDENT. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Mahady,	Murray,	Seyler,
Devlin,	McCreesh,	Ripp,	Silvert,
DiSilvestro,	McGinnis,	Rooney,	Staisey,
Donolow,	McMenamin,	Sarraf,	Stiefel,
Hays,	Miller,	Sesler,	Yatron,
Kalman,	Mullin,		

NAYS—27

Bell,	Haluska,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Lane,	Stevenson,	Weiner,
Fleming,	Madigan,	Stroup,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

HB 100 CALLED UP OUT OF ORDER

HB 100—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 100—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Camiel,	Kalman,	Mullin,	Shafer,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady	Ripp,	Staisey,
Donolow,	McCreesh,	Rooney,	Stiefel,
Ehrgood,	McGinnis,	Sarraf,	Van Sant,
Haluska,	McMenamin,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,

NAYS—21

Bell,	Hawbaker,	Mallery,	Stroup,
Berger,	Keller,	Pechan,	Taylor,
Chapman,	Kessler,	Propert,	Wade,
Confair,	Kromer,	Scott,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 101 CALLED UP OUT OF ORDER

HB 101—Without objection, the bill was called up out of order, from page 3 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

HB 101—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Camiel,	Lane,	Murray,	Silvert,
Devlin,	Mahady,	Ripp,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Van Sant,
Haluska,	McMenamin,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,		

NAYS—23

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Shafer,	Ware, III,
Flack,	Madigan,	Stevenson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 99 CALLED UP OUT OF ORDER

HB 99—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

HB 99—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection?

Mr. LANE. Mr. President, I am going to have to object to the amendments at this time.

The PRESIDENT. There has been an objection to the—

Mr. BERGER. Mr. President, before the Chair announces that an objection has been made to these amendments, I would like to state it is my understanding, and I believe it is firm, that on the bills they moved up to Third Reading, amendments could then be offered upon Third Reading without objection.

It has been a long established procedure in this Senate that if we permitted the bills to go up to Third Reading, then there would be no objection made to the offering of amendments upon Third Reading, when such amendments have been avaible and would have been offered on Second Reading. However, to expidite the procedures of the Senate, we have refrained from offering them and have done it with the whole package. Certainly, the Senator is within his rights to object, There is no question about that, but I question very much the wisdom of making an objection at this time, when the bill is on the Third Reading Calendar.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDENT. The Senate will be at ease.

The Senate was at ease.

Mr. LANE. Mr. President, due to the circumstances, I now withdraw my objection. I will, indeed, be glad to have Senator Wade offer his amendments. I hope, however, that he does not make a long speech.

Mr. WADE, by unanimous consent, offered the following amendments:

Amend Section1, page 2, line 7, by striking out the words "and every life".

Amend Section 1, page 2, line 8, by striking out all of such line.

Amend Section 1, page 2, line 9, by striking out the words "organized by or under any law of this Commonwealth".

On the question,

Will the Senate agree to the amendments?

Mr. WADE. Mr. President, with thanks to Senator Lane, very briefly, I will describe the amendments which I have offered. I appreciate Senator Lane withdrawing his objection.

House Bill No. 99 includes two elements. One is the acceleration of the present tax on foreign life insurance companies. The second one is a new tax on Pennsylvania or domestic companies. My amendments would eliminate the enactment of the tax on the Pennsylvania companies.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was greed to.

On the question,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose this bill and also I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Mr. President, does this tax apply to all insurance written by life insurance companies?

Mr. WEINER. Mr. President, I will answer that question when the gentleman tells me what he means by "all" life insurance. Does he mean in the State, out of the State, or just what does the gentleman have in mind?

Mr. BELL. I will be more specfic.

In the House debate on this bill, there was a statement put into the record. This statement said, in effect, that life insurance companies issue casualty insurance of a certain type. It is found on page 222 of the Legislative Journal. Mr. President, to save time, I will read this statement into the record and then ask my question.

The statement appears in the Legislative Journal, dated January 26, 1961, page 222, as follows:

> "If H. 99 were enacted, certain types of Pennsylvania Insurance companies will be subject to the premium tax while other types are not"—

Mr. WEINER. Excuse me, Mr. President.

Just as point of information, who is stating this Mr. President?

Mr. BELL. It is found on page 222 of the Legislative Journal, in the lower left corner.

Mr. WEINER. Yes, sir. However, who is stating it? Whose remarks are you reading?

Mr. BELL. These remarks were introduced by Mr. Donaldson. I do not know whether he made them or wrote them, but he introduced them.

Mr. WEINER. Thank you.

Mr. BELL. I will read it again, Mr. President, as follows:

> "If H. 99 were enacted, certain types of Pennsylvania Insurance companies will be subject to the premium tax while other types are not (an inequitable result in any event) but the result will also be an actual competitive advantage given to one type of insurance over another where their fields of operation overlap. Life insurance companies and casualty insurance companies are in active competition in the accident and health insurance field. While only life insurance companies may write life insurance, both life and casualty companies are authorized to write accident and health or accident and sickness insurance and both do so. This bill would tax premiums paid to life insurance companies for this form of insurance but not if paid to a casualty insurance company . . . ."

Mr. President, would the gentleman please tell me whether that is a true statement of fact?

Mr. WEINER. Mr. President, I believe what the gentleman said is partially true and partially, I think somewhat misleading. If I do not answer the question, I hope that the gentleman will pursue me and I will try to do so.

Mr. BELL. I will be glad to pursue you.

Mr. WEINER. They will be taxed on all the life insurance which they write. It is true that there are some life insurance companies, a very small number, which do write some accident insurance. In that event, they probably would be taxed on some of those premiums, as well. Primarily, though, this bill is built, as far as possible, to take in the foreign life insurance companies doing business within the Commonwealth of Pennsylvania, in order for them to have the same competitive position as all the companies have in the surrounding States which employ or use this tax.

Mr. BELL. Am I not correct that this bill also takes in domestic life insurance companies?

Mr. WEINER. Yes.

Mr. BELL. Is it not correct that domestic life insurance companies, which are my concern here today, write accident and health insurance?

Mr. WEINER. There are some that do write health and accident insurance.

Mr. BELL. In other words, the answer is "yes.'

Mr. WEINER. That is correct.

Mr. BELL. Are there casualty insurance companies which write this same type of insurance?

Mr. WEINER. There are some casualty companies which do write health and accident insurance. I would not say it was their principal line. It is sometimes written as part of their multiple line of insurance.

Mr. BELL. Then your answer is "yes."

Are the casualty insurance companies taxed for this type of business, as you purpose under House Bill No. 99 to impose the tax on the life isurance companies?

Mr. WEINER. They pay it under another bill which we passed here before. However, primarily, it is aimed at the life insurance companies. The word "aimed" is not a good word. I should say that the bill is built to take care of that situation.

Mr. BELL. Do they pay a two per cent tax on gross premiums, the same as this bill purposes?

Mr. WEINER. I would assume that they would.

Mr. BELL. Are you sure?

Mr. WEINER. I am not sure. I will have to look into that situation. However, I would assume that all the things you said are true. If they are true, then my answer would be "yes."

Mr. BELL. Thank you sir.

Mr. President, I am going to assume that this statement in the House Journal is correct. It was apparently prepared by the Insurance Federation of Pennsylvania, and I have no reason to disbelieve their statement.

I also noticed in the Journal that of the three local mutual insurance companies, two of them insure teachers; The Educators Mutual Company of Lancaster and The Teachers Protective Mutual Life Insurance Company of Lancaster. I also note that one of the companies to be taxed is the Presbyterian Minister's Fund of Philadelphia.

I believe this tax which the Majority Party seeks to impose on the people of Pennsylvania is a sales tax on all insurance of life, and I will tell you why I feel that way. Right now, insurance is a highly competitive market. I believe it is reasonable to assume that in a competitive market, the rates of the mutuals and the rates of the stock companies, whether foreign or domestic, are the same, and if they were not the same the foreign mutuals and the stock companies would not sell as much as the domestic mutuals. With that assumption,—which I believe is sound logic—if we put a two per cent tax on the gross premiums of our domestic mutual life insurance companies, they will be forced to raise their rates to the people who buy the insurance. Since it is a competitive market, the others will follow up with their rates.

I know the Majority can say that is not true; that the domestic mutuals will lower their rates. You cannot do it in a mutual, because a mutual belongs to the policyholders.

Gentlemen, I condemn a theory of taxation which places a sales tax of two per cent on the gross premiums of these domestic mutual life insurance companies.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bell.

The PRESIDENT. Will the gentleman from Delaware, Mr. Bell, permit himself to be interrogated?

Mr. BELL. I will, Mr. President.

Mr. WEINER. Mr. President, does the gentleman know that the casualty companies are now taxed two per cent at the present time?

Mr. BELL. No, Mr. President. That is why I asked the Majority Leader if he knew.

Mr. WEINER. Mr. President, does the gentleman know

that the fire companies are now taxed two per cent at the present time?

Mr. BELL. I have no knowledge about fire companies, Mr. President.

Mr. WEINER. Mr. President, would the gentleman call it a sales tax if I were to advise him, and give it to him as a fact, that the two per cent taken from the casualty companies is used for the Police Retirement Fund, and the two per cent taken from the fire companies is used for the Firemen's Retirement Fund? Would that come under the category of a sales tax?

Mr. BELL. Mr. President, I think the gentleman's question is not germane because I am not an insurance expert. It is my understanding that tax is on foreign casualty and fire insurance companies.

Mr. WEINER. Mr. President, I want to thank the gentleman. I am sorry that his answer was not responsive to my question. However, I can hardly see that a tax placed on premiums—or gross business done, regardless of what you call it—is a sales tax, as such. I think this is part of the fare that you pay for doing business in a State. At a time when we are trying to find money to operate, I think this is a painless way of doing it. It might not be painless to the industry because they might be upset. Every industry is upset when they are taxed and the individual is upset when he is taxed.

I think, Senator, if you will throughly investigate this problem, you will see that we are doing nothing to harm the industry. You will find that we are not laying a heavier hand on them than on anyone else. You will find that we are keeping them in the same competitive position they will find in other States which have enacted this taxation. They will probably be in a better position than in some other areas where they have been a little heavy-handed or heavier-handed than we have.

I do not think this falls in the same category as you characterize it, in the sense that it is a sales tax.

Mr. BELL. Mr. President, in brief reply to the Majority Leader, I am really very, very sorry I did not give you the answers you wanted.

I also think these people, who are being helped so much by this tax, must be very much misinformed because in my District they are very upset about it and they do not see it as a direct benefit to the people who are paying this insurance.

Mr. WEINER. Mr. President, I think we have covered the area. I think we ought to call the roll on this measure.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro visions of the Constitution, and were as follws, viz:

YEAS—26

Camiel,	Lane,	Murray,	Shafer,
Devlin,	Mahady,	Ripp,	Silvert,
DiSilvestro,	McCreesh,	Rooney,	Stalsey,
Donolow,	McGinnis,	Sarraf,	Stiefel,
Haluska,	McMenamin,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,		

NAYS—23

Bell,	Fleming,	Mallery,	Taylor,
Berger,	Hawbaker,	Pechan,	Van Sant,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Scott,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 96 CALLED UP OUT OF ORDER

HB 96—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

HB 96—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Sec. 2 (Sec. 304), page 3, line 17, by striking out the bracket after "four".

Amend Sec. 2 (Sec. 304), page 3, line 17, by striking out "one and one-half".

Amend Sec. 2 (Sec. 304), page3, line 17, by striking out the bracket before "4%".

Amend Sec. 2 (Sec. 304), page 4, line 1, by striking out "1½%" and inserting: "two and eight-tenths per centum (2.8%)".

On the question,

Will the Senate agree to the amendments?

Mr. BERGER. Mr. President, in connection with these amendments, I will also have something to say about the bill itself for the reason that they key into the bill.

In areas in rural Pennsylvania, and particularly bordering the State of New York, reduction in the commissions or the payments made to persons who are licensed to affix the stamps on cigarette cartons is a very integral part of their competitive position. Sometime ago, the State of New York reduced the commissions paid to the cigarette merchants to two per cent. It was found, after some experience, that many of the dealers were suffering because of this reduction. Within the past several months, the State of New York increased the compensation paid to those dealers to 2.8 per cent.

To reduce the Pennsylvania commission paid to the people who have to do business in both States from four per cent to one and one-half per cent would practically eliminate a number of those small wholesale dealers who deal in candy, cigarettes and tobacco, both within and without the Commonwealth of Pennsylvania, to the point where they would, in many cases, have to go out of business.

One of dealer-wholesalers with whom I have been in contact stated that the impact of the two cent gasoline tax which he would have to pay to run his trucks to make distribution of the products that he distributes, coupled with this reduction of commissions paid from four per cent to one and one-half per cent, would make it practically impossible for him to continue in business and he would have to discharge the thirty employees he has if he were required to go out of business. That is true not only of that wholesaler, but of many of the small wholesaler dealers engaged in this business.

The amendments I offer would place the amount of the commission at 2.8 per cent, which would then be com-

petitive with the State of New York. but they would not, Mr. President, answer the problem of the wholesale dealer in Pensylvania.

Therefore, Mr. President, I hope the Senate will see fit to adopt these amendments which will, at least, place these people who have to do business in both States in a competitive position and retain the employment which they offer to a few people, in each instance, in each company, who are engaged in affixing these stamps both in Pennsylvania and New York.

Howevr, Mr. President, the adoption of these amendments does not mean that I can support the bill for the reason that the reduction in Pennsylvania will still be a very grave burden and may result—and they have stated it would result—in placing them in a noncompetitive position and compel them to go out of business.

And the question recurring,

Will the Senate agree to the amendments?

A voice vote having been taken, the question was determined in the negative, and the amendments were defeated.

And the question rucurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Camiel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady,	Ripp,	Staisey,
Donolow,	McCreesh,	Rooney,	Stiefel,
Flack,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,		

NAYS—23

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF HB 98

Mr. WEINER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 98, Printer's No. 98, failed of final passage today.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

Mr. LANE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LANE. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that House Bill No. 98 appear on tomorrow's Final Passage Calendar.

The PRESIDENT. The bill will appear on tomorrow's Final Passage Calendar.

HB 95 CALLED UP OUT OF ORDER

HB 95—Without objection, the bill was called up out of order, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 31 CALLED UP OUT OF ORDER

SB 31—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 31—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. DEVLIN and MALLERY, by unanimous consent, offered the following amendments:

Amend Page 12, Line 3 by striking after the words Section 26 the following: [This act shall take effect in ninety days.] And insert in lieu thereof the following: "No part of this act shall apply to weighing devices used by railroad carriers subject to part I of the interstate commerce act or the public utility law or weight determination of goods for or in transportation or held in accordance with their tarrifs."

Amend Page 12 by adding the following: "Section 27 This act shall take effect in ninety days."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing.

SB 85 CALLED UP OUT OF ORDER

SB 85—Without objection, the bill was called up out of order, from page 1 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 85—Read at length the third time and agreed to,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Yatron,
Hawbaker,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 20—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 25—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON SECOND READING

SB 74, 75 and **77**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 84, 86, 88 and **91**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 93—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. McMENAMIN offered the following amendment:

Amend Sec. 1 (Sec. 211), page 3, by inserting between lines 4 and 5: "Provided however that should the population of any county show in a second consecutive decennial United States census a decrease in population so as to recede in classification then the certification of decrease in population shall be made by the Governor whether or not the Board of County Commissioners shall have petitioned the Governor to make such classification."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. McMENAMIN.

BILLS OVER IN ORDER

SB 94, 99 and **100**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING

SB 101, 102, 178 and **180**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 3, 4** and **5.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolutions from the Senate, entitled:

Joint Session to Commemorate and Re-enact the Visit of Abraham Lincoln to Harrisburg.

Weekly Adjournment.

SENATE BILL RETURNED WITH AMENDMENTS

He also returned to the Senate, **SB 28,** with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will be placed on the Calendar.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, FEBRUARY 21, 1961

Time	Committee	Room
9:00 A. M.	HIGHWAYS	542
9:30 A. M.	EDUCATION	302
	LOCAL GOVERNMENT	301
	(Immediately after adjournment of Senate)	

NOTICE

There will be a Joint Committee Meeting of the House and Senate Education Committee, Tuesday, February 28th, in the Senate Caucus Room at 9:00 a. m., to discuss with the Superintendent of Public Instruction important educational matters.

There will be a public hearing on Senate Bill 23, February 23, 1961, in the Penthouse of the Philadelphia State Office Building at 2:00 p. m., and March 2, 1961 at 2:00 p. m., in the Pittsburgh State Office Building.

ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Tuesday, February 21, 1961, at 10:00 a. m.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:29 p. m.

HOUSE OF REPRESENTATIVES

MONDAY, February 20, 1961

The House met at 3:30 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting Father, as humble servants of Thine, we come before Thee in this session with deep gratitude and sincere dependence. We ask that Thy continued presence and guidance may ever be with each one of these Legislators. Grant to each one the uplifted inspiration and the pricked conscience that the principles of good government, inculcated within the framework of this body, may become the dedicated effort of each member. Through Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 6, Tuesday, February 7, Wednesday, February 8, Monday, February 13 and Tuesday, February 14, 1961? If not, and without objection, the Journals are approved.

PRESENTATION OF ELECTION RETURNS

The SPEAKER. The oath of office will be administered to our new member. The Clerk will read the returns of a special election held on Tuesday, February 7, 1961, to fill the vacancy in the House from the first district of the County of Berks. The oath of office required by Article VII of the Constitution to be taken by members of the General Assembly will now be administered by the Honorable William H. Neeley, Judge of the Court of Common Pleas of Dauphin County, Pennsylvania.

The Clerk will read the returns.

IN THE NAME AND BY AUTHORITY OF THE COMMONWEALTH OF PENNSYLVANIA

To All to Whom These Presents Shall Come, Greeting:

To His Excellency the Speaker and to the Members of The House of Representatives of the General Asembly Of the Commonwealth of Pennsylvania, Greetings:

I have the honor to present the return of the Special Election of a Member of the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania in the First Legislative District in Berks County, as the same has been certified to and filed with the Secretary of the Commonwealth of Pennsylvania by the Berks County Board of Elections:

GERALD S. ZEMBER,
First Legislative District, Berks County, Pa.

In Testimony Whereof, I have hereunto set my hand, at the City of Harrisburg, this twentieth day of February in the year of our Lord one thousand nine hundred and sixty-one and of the Commonwealth the one hundred and eighty-fifth.

(Seal of the Commonwealth)

JOHN S. RICE,
Secretary of the Commonwealth.

SPECIAL ELECTION
OFFICE OF THE COUNTY BOARD OF ELECTIONS

COMMONWEALTH OF PENNSYLVANIA
County of BERKS

ss; Reading, Pa., February 17, 1961

TO THE SECRETARY OF THE COMMONWEALTH:

We Hereby Certify, That the following is a true and correct statement of the returns of the votes cast at the SPECIAL Election held on Tuesday, February 7, 1961, for each and every candidate in the County of BERKS as the same remain on file in this office, for the office of Representative in the General Assembly—1st District.

REPUBLICAN

Gerald S. Zember had Six Thousand One Hundred One votes, 6,101.

DEMOCRATIC

Helen F. Luigard had Five Thousand One Hundred Eighty-three votes, 5,183.

OTHER PARTIES

Jerry Kobrin had Three votes, 3.
Paul Brogley had One vote, 1.
Charles Seifarth had One vote, 1.
Gladys Bucks had One vote, 1.

In Testimony Whereof, We have hereunto set our hands and seal of office, this 17th day of February, 1961.

SEAL

Paul E. Reeser
Wm. R. Eberley
Peter Zanavick
County Board of Elections.

Attest: H. C. Rehrig, Chief Clerk.

COMMITTEE TO ESCORT MEMBER-ELECT

The SPEAKER. The Chair appoints all the members from the County of Berks, Mr. LeRoy Weidner, Mr. William G. Piper, Mr. Richard L. Adams and Mr. Daniel F. McDevitt to escort the member-elect to the bar of the House to take the oath of office.

The Chair recognizes Judge Neeley.

OATH OF OFFICE ADMINISTERED

The oath of office was administered to member-elect Gerald S. Zember, as follows:

Do you solemnly swear that you will support, obey and defend the Constitution of the United States, and the Constitution of this Commonwealth, and that you will discharge the duties of your office with fidelity; that you have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure your nomination or election, except for necessary and proper expenses expressly authorized by law; that you have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in your behalf; that you will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or non-performance of any act or duty pertaining to your office, other than the compensation allowed by law. Do you so swear?

Mr. ZEMBER. I do.

The SPEAKER. The Chair welcomes the new member and thanks Judge Neeley.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to notify the members of the House that we will ask the various men to start to move their items following today's session for the proper seating of this member who was just sworn into office.

There is a three-way move that must take place in the House for the seat he is going to receive. I will ask Mr. Riley to move the items in his desk to the seat next to Mr. McDevitt following today's session. Mr. Agnew has indicated that he has some announcements on two people who will move after Mr. Riley has moved his items. Mr. Agnew, if you will notify your members so it will go in turn, they can move the items in their desks to the proper seats then.

The SPEAKER. The Chair recognizes the minority leader.

Mr. AGNEW. Mr. Speaker, do I understand that the seat being made available to us is 147?

The SPEAKER. Yes, that is right.

Mr. AGNEW. Then the arrangements that have been made are to move Williams, A. D., of Bucks County to 147, leaving vacant 181 in which Mr. Zember, the new member from Berks, will be seated.

BILLS INTRODUCED AND REFERRED

By Messrs. McDEVITT, J. A. SULLIVAN, TAYLOR and SCARCELLI. HOUSE BILL No. 477.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) authorizing licensed establishments to sell until three o'clock antemeridian.

Referred to the Committee on Liquor Control.

By Messrs. FOERSTER, WILT, CLARKE and R. P. JOHNSON. HOUSE BILL No. 478.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring truck tractors to be so constructed or equipped as to prevent water or other road surface materials from passing in a certain way from the rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. OGILVIE, AUKER, NEEDHAM and WALSH. HOUSE BILL No. 479.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) further regulating membership of the State Veterans' Commission.

Referred to the Committee on Military Affairs.

By Messrs. SAKULSKY, HAMILTON, CROSSIN and HEAVEY. HOUSE BILL No. 480.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), by continuing the provisions of section 211.1 in effect for a further period.

Referred to the Committee on Insurance.

By Messrs. ROVANSEK, NEEDHAM, MEHOLCHICK and MURPHY. HOUSE BILL No. 481.

An Act amending the "Bituminous Coal Mining Law," approved June 9, 1911 (P. L. 756) providing that certain machines may not be operated without an assistant.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. SCHAAF, BRETH, POLASKI and TOMPKINS. HOUSE BILL No. 482.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the power of the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals beneath Lake Erie.

Referred to the Committee on State Government.

By Messrs. FOERSTER, LUTTY, CAULEY, WILT and M. H. GOLDSTEIN. HOUSE BILL No. 483.

An Act amending the "Policemen's Relief and Pension Fund Law", approved May 22, 1935 (P. L. 233) further providing for medical examinations of pensioners and providing for return to active duty upon discontinuance of pension.

Referred to the Committee on Cities—Counties Second Class A.

By Messrs. GAILEY, FINEMAN, KRAMER and Mrs. S. A. ANDERSON. HOUSE BILL No. 484.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department, independent administrative board, or commission, to the jurisdiction and control of another administrative department, independent administrative board, or independent commission.

Referred to the Committee on State Government.

By Messrs. BRETH, FINEMAN, TOMASCIK and TOMPKINS. HOUSE BILL No. 485.

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

Referred to the Committee on State Government.

By Mr. WORLEY. HOUSE BILL No. 486.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), further exempting certain food and beverages from the tax.

Referred to the Committee on Ways and Means.

By Mr. DOWN. HOUSE BILL No. 487.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), increasing commissions for collection and remittance of the tax.

Referred to the Committee on Ways and Means.

By Mr. DOWN. HOUSE BILL No. 488.

An Act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a bridge over the Shenango River, in Sharon, Mercer County.

Referred to the Committee on Rules.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 489.

An Act amending the act of May 3, 1923 (P. L. 134),

entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; ***," correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 490.

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors, and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control, at the expense of the county," correcting the name of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 491.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 492.

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; ***," changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 493.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. BUCHANAN, ROVANSEK, STANK and DENNISON. HOUSE BILL No. 494.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) adding certain house trailers as subjects of taxation.

Referred to the Committee on Counties.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 495.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), correcting the name of the Italian American Veterans of the United States Incorporated, to conform with name in its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 496.

An Act amending the act of April 19, 1929 (P. L. 609), entitled "An act providing for the location, care and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; ***" changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 497.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 498.

An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended, "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day," correcting the name of the Italian American World War Veterans of the United States, Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 499.

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; *** providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 500.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), correcting the names of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 501.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), correcting the name of the Italian American War Veterans of the United States, Incorporated to conform with name in charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 502.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," by correcting the name of the Italian American War Veterans of the United States, Incorporated, to conform with name in charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 503.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the name of The Italian-American World War Veterans of the United States Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and FRY. HOUSE BILL No. 504.

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge," correcting the name of the Italian-American War Veterans of the United States, Incorporated, to conform with name in its charter.

Referred to the Committee on Military Affairs.

By Messrs. CAPANO, FLYNN, Mrs. PASHLEY and Mr. McNALLY. HOUSE BILL No. 505.

An Act proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania, providing for grants to mentally and physically handicapped persons incapable of self-support.

Referred to the Committee on Judiciary.

By Messrs. LAMB, M. H. GOLDSTEIN and McLAUGHLIN. HOUSE BILL No. 506.

An Act providing for the establishment of a trust fund by contractors; making certain acts in relation thereto illegal, and imposing penalties.

Referred to the Committee on Judiciary.

By Messrs. KAMYK, LAMB, WILT and M. H. GOLDSTEIN. HOUSE BILL No. 507.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. VERONA, FINEMAN, CAULEY and PERRY. HOUSE BILL No. 508.

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

Referred to the Committee on State Government.

By Messrs. FARABAUGH, PRENDERGAST and KORNS. HOUSE BILL No. 509.

An Act amending the act of June 8, 1911 (P. L. 712), entitled "An act relating to milk; providing for the protection of the public health, ***," further providing for the sale of fluid derivatives of milk.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FLYNN, RENWICK and KNECHT. HOUSE BILL No. 510.

An Act amending the act of December 22, 1959 (P. L. 1978), entitled "An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; *** increasing the amount of taxes to be paid by permit holders.

Referred to the Committee on Rules.

By Mr. WORLEY. HOUSE BILL No. 511.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the appointment of special county police.

Referred to the Committee on Counties.

By Messrs. STIMMEL and STANK. HOUSE BILL No. 512.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the ordering and sale of miniature bottles to certain licensees.

Referred to the Committee on Liquor Control.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and LAWSON. HOUSE BILL No. 513.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) changing provisions relating to offers in compromise in lieu of suspension.

Referred to the Committee on Liquor Control.

By Messrs. SCHAAF, PRENDERGAST, T. F. SULLIVAN and WILLARD. HOUSE BILL No. 514.

An Act amending the act of August 20, 1953 (P. L. 1212) entitled "An act providing for the study of the problems of alcoholism; ***" changing liability as to certain costs.

Referred to the Committee on State Government.

By Messrs, FOX, DOWN, WILLARD, and CIOFFI. HOUSE BILL No. 515.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145) granting income tax deductions to residents of Pennsylvania for income taxes paid in other states.

Referred to the Committee on Rules.

By Mr. DOWN. HOUSE BILL No. 516.

An Act amending "The Milk Control Law," approved April 28, 1937 (P. L. 417), changing the name of the Milk Control Commission to the Milk Dealers' Protective Commission.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 517.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting certain acts relating to counterfeit or facsimile registration plates, numbers or markers.

Referred to the Committee on Rules.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 518.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for no passing zones.

Referred to the Committee on Rules.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 519.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the use of chemical tests to determine intoxication of persons operating motor vehicles, authorizing the suspension of operators' licenses or permits of persons refusing to submit to a chemical test and making the results of the chemical tests admissible in evidence.

Referred to the Committee on Rules.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 520.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) granting a credit for certain suspensions toward revocation penalties, including motorcycles within the provisions relating to reflectors and reflective materials, providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident, ***.

Referred to the Committee on Rules.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 521.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), imposing powers on the secretary relative to the examination of titles; making it illegal for an agent of a dealer to issue certain temporary plates; prohibiting certain uses of physical examination forms; ***; providing for limitations of actions and providing penalties.

Referred to the Committee on Rules.

By Messrs. FINEMAN, GUESMAN, T. F. SULLIVAN and J. A. O'DONNELL. HOUSE BILL No. 522.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing the time for reporting certain events; making it illegal to have in your possession certain documents; further providing for the statute of limitations in certain cases; making exceptions for vehicles with a bumper less than twelve inches from the ground; ***.

Referred to the Committee on Rules.

By Mr. COMER. HOUSE BILL No. 523.

An Act establishing and taking over as State highways certain county highways or sections thereof, *** in counties and certain streets in cities of the first class and certain streets in cities of the second class, second class A and third class and certain township roads and certain streets in boroughs and incorporated towns; ***.

Referred to the Committee on Rules.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. WORLEY and TOMASCIK.

(Concurrent) RESOLUTION No. 28.

In the House of Representatives, February 14, 1961.

Legislation is now pending in both Houses of the General Assembly which, if adopted, will abolish capital punishment in this Commonwealth. It is imperative that the committees to which these measures have been referred have ample time for thorough study. It is also foreseeable that additional studies and public hearings will be necessary before action can be taken on such proposals.

While these studies are being conducted, men are scheduled for and awaiting execution. These executions should not be carried out until such time as the studies have been completed and the General Assembly has accepted or rejected the abolition of capital punishment; therefore be it

Resolved (the Senate concurring) That the Governor of this Commonwealth, the Honorable David L. Lawrence, is hereby urged to declare a moratorium on all executions pending final action by the General Assembly on legislation to abolish capital punishment; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable David L. Lawrence.

Referred to the Committee on Rules.

By Messrs. HAMILTON, CROSSIN, STIMMEL and WILLAREDT. (Concurrent) RESOLUTION No. 29.

In the House of Representatives, February 14, 1961.

The last codifications of the insurance laws of this Commonwealth were enacted in 1921. Many laws on the subject of insurance have been enacted since that time. It is of great importance that the insurance laws be recodified and modernized; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study, investigate and recodify the insurance laws of this Commonwealth; and be it further

Resolved, That the Joint State Government Commission report to the 1963 session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 20, 1961.

Resolved, (the House concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 21, 1961, at ten-thirty o'clock a.m., to commemorate and re-enact the visit of Abraham Lincoln to Harrisburg on his way to Washington to be inaugurated as President of the United States.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 20, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, February 27, 1961, at three o'clock P.M., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, February 27, 1961, at three-thirty o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Speaker appoints the gentleman from Philadelphia, Mr. Dougherty, as a member of the Committee on Rules to replace the late Francis X. Muldowney of Philadelphia County.

SPEAKER APPOINTS COMMITTEE

The SPEAKER. In accordance with the provisions of Senate Concurrent Resolution Serial No. 101, adopted by the Senate on Wednesday, February 8, 1961, and concurred in by the House on Tuesday, February 14, 1961, the chair appoints as a select committee on the part of the House to examine the entire issue of the abolition of capital punishment in the Commonwealth of Pennsylvania, the gentleman from Philadelphia, Mr. Cianfrani; the gentleman from Luzerne, Mr. Musto; the gentleman from Chester, Mr. Ashton.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberq for Mr. McCORMACK because of illness.

Mr. Eilberg for Mr. NEEDHAM because of illness.

Mr. Tompkins for Mrs. HENZEL for today.

Mr. Tompkins for Mr. UJOBAI for today.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 29, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 63, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act abolishing the penalty of death for any offense for which it presently is a penalty and providing life imprisonment as the sole penalty for any offense for which death is presently a penalty.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 302, entitled:

An Act amending the "Pennsylvania Fertilizer Law of 1956" approved May 29, 1956 (P. L. 1795) providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 306, entitled:

An Act amending the act of July 22, 1913 (P. L. 928) entitled "An act relating to domestic animals * * * providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof * * * and providing penalties for the violation of this act" prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 309, entitled:

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) defining certain terms.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 136, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the debt limit of school districts of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON SECOND READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 120, Printer's No. 120, on page 3 of today's calendar, bills on second reading postponed.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON COMMITTEES

Mr. McCANN. Mr. Speaker, I present the supplemental report of the Committee on Committees.

The report was read by the Clerk as follows:

In the House of Representatives, February 20, 1961.

Resolved, that in compliance with the provisions of Rule 22 of the House, it is recommended that the members named herein be and are hereby elected members of th Standing Committees of the House of Representatives as designated:

CITIES-COUNTIES, FIRST CLASS—Dougherty, James J., Chairman (VICE); Muldowney, Francis X., Chairman.
COUNTIES—Rovansek, Louis (VICE); Vacancy.
ELECTIONS—Zember, Gerald S. (VICE); Vacancy.
LABOR RELATIONS—Edwards, William (VICE); Down, Ralph J.
WORKMEN'S COMPENSATION—Zember, Gerald S. (VICE); Vacancy.

Respectfully submitted by the Committee on Committees: Joshua Eilberg (chairman), David M. Boies, Harris G. Breth, Robert K. Hamilton, Walter T. Kamyk, Martin J. Taylor, Joseph G. Wargo, Baker Royer, Raymond E. Wilt, Joseph W. Issacs, Hiram G. Andrews (Speaker of the House, Ex-officio).

CAUCUS

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, I believe it is at this point that the Republican members of this House desire to request a short caucus.

The SPEAKER. The Chair recognizes the minority leader.

Mr. AGNEW. Mr. Speaker, do I understand that we are to have our caucus at this time?

The SPEAKER. The Chair knows nothing about the intentions of the minority leader. We understood that he was going to have a caucus sometime today.

Mr. AGNEW. If it is agreeable with the Chair and with the majority leader, we will ask for a recess now for 15 or 20 minutes for the purpose of holding a Republican caucus to discuss one bill.

The SPEAKER. The Chair has no doubt that the majority leader agrees with the minority leader and, if he desires a caucus of 15 minutes, permission is granted.

Mr. McCANN. On Senate bill No. 28, is that right, sir?

Mr. AGNEW. That is correct.

The SPEAKER. The Chair declares a recess of how long, Mr. Agnew?

Mr. AGNEW. I hope that we will be back before a half hour, but we will ask for a half hour.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess of one-half hour.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 5 of today's calendar, bills on third reading, Senate bill No. 28.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 28, entitled:

An Act amending the act of April 12 1951 (P L 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend the bill, page 5, by inserting after line 6: "Section 2. This act shall take effect immediately".

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. I ask at this time for time for two committee chairmen to hold their meetings, and, also, so the newspapers and others will receive the announcement concerning the position from which the new member will vote today only.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. DOUGHERTY asked and obtained permission for the Committee on Cities—Counties First Class to meet during the session of the House.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. For today's voting only, the new member, Mr. Zember, will vote from seat 89, and the vote light will appear in the vacant space between the name of Mr. Branca and the name of Mr. Breth. He will vote from seat 89. With the approval of the House, the chief clerk is authorized to add Mr. Zember's name in the vacant place on the printed roll.

The Chair hears no objection and it is so ordered.

Mr. McCANN. Mr. Speaker, even though he started to move, Mr. Riley will vote from his regular position today. The electric roll call will be corrected for tomorrow.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I have read the very interesting news item in the Patriot newspaper of February 10, 1961, which reported the cross-examination of the Governor by the press wherein the Governor made clear his present stand on the Governor's new mansion matter.

The Governor now says that he wants to spend $250,000 to expand the Governor's mansion at Indiantown Gap. He is now satisfied to forget the plan to build another Governor's mansion at Harrisburg. Although the Governor apparently resents this cross-examination by the press, I must congratulate the Governor for making his position clear in that he is presently for moving from the $2 million price down to $250,000. That is a back down of $1,750,000. Of course, this change all came after my remarks of January 30, 1961, on this floor wherein I attacked any plans to build a new Governor's mansion. And I further stated in my remarks of January 30, 1961, that one home at Indiantown Gap was enough for a Governor at State taxpayers' expense.

Now, Governor, you are doing very nicely on this matter but, Governor, you should go just one step further and do not spend that remaining quarter of a million dollars for more rooms at the Indiantown Gap mansion. You have a nice home there with a swimming pool, large lawn, and everything a Governor could hope for. So be satisfied with the nice home that the taxpayers have provided for you, and let us get down to work on the real business of this Commonwealth.

Let us do something for the distressed areas of the State, let us provide jobs for those who need employment, let us do more for those who are unable to work through no fault of their own, let us abolish the death penalty in Pennsylvania, let us pass the Fair Housing bill and the Human Relations act and stop discrimination against any race or color of skin, let us take the statutory law out of our State Constitution and write Pennsylvania a short and concise constitution containing only fundamentals of law which will live on like our Federal Constitution, let us take the farmer out of the back road mud by giving him better back roads in rural areas, let us put an end to political favorites and cronies being subsidized by the State insurance racket, and let us make Pennsylvania's public educational system second to none in the Nation.

Yes, Governor, let us just forget those rooms at the Gap and let us be for the long-suffering taxpayers and all the people of Pennsylvania.

The SPEAKER. The Chair wonders whether, since there is an interval, this would not be a good time for the Chair to make a statement he has a mind to make.

Mr. McCANN. Mr. Speaker, it would be a very appropriate time.

STATEMENT BY SPEAKER

THE SPEAKER. The Chair desires at this time to talk about space—space needed for the adequate functioning of this House. We'll cite a bit of history. We want to show how, over the years, the executive branch of our State government and the various departments that serve under the State government moved in—have confiscated space rights that were in times past the property of this House.

We were not always fenced in as we are now, believe it or not.

We were talking about space the other day with the Parliamentarian—we were discussing academically why so many committees are still called standing committees. As a result of our discussion, we reached the conclusion that members of this House, members of standing committees, are members of those committees because there is no place for them to sit down.

As you know, there are now 35 standing committees. Our point is, as already indicated, that over the years the executive branch of the government has continually encroached upon the proper rights and prerogatives of the legislative branch of the government by confiscating space which, in the original blueprints of this building, was assigned specifically to the General Assembly.

Space raiding in a big way began with a Governor residing in the executive office long ago. He moved into the office then occupied by the Speaker of this House. He sealed up a doorway which led right in from the Speaker's office to the hall of this House.

The present Governor and the various members of his staff now occupy confiscated space.

It would seem that back in the days when the Governor moved into the Speaker's office, Speakers were considered persons whose duties were of small consequence.

Why should the Speaker of the House, it was argued, have a permanent office, since the legislature only met every two years? And so it came about that the Department of Public Grounds and Buildings moved the Speaker into the office then occupied by the chief capitol plumber.

When the regular session of the General Assembly ended, the Speaker was movd out of the plumber's office and the plumber moved back in.

An Attorney General was the next mastermind who moved into the space picture. Observing the ease with which the Governor ousted the Speaker, the Attorney General tried a little evicting of his own.

He kicked the Chief Clerk of the House out of the quarters he occupied and moved in. The Chief Clerk's office, at the time the Attorney General served the eviction notice, was located off the floor of the House and was reached by double doors which are still in place, although sealed, and which lie directly behind the present press gallery.

The Chief Clerk's original office is now used by the Attorney General as space for a stenographic pool and for a powder room.

Incidentally, the "E" floor in the south wing of our main capitol building, was originally designed for, and was used once upon a time, for committee rooms. However, a portion of the Governor's staff, the Attorney General's law library, and offices for members of the Attorney General's staff now occupy that space.

The "E" floor of the north wing of our main capitol building was originally designed for use for Senate committee rooms.

Then came the day when the Bureau of Weights and Measures of the Department of Internal Affairs was permitted to take over. There wasn't any sound reason why the Bureau of Weights and Measures, of all bureaus, should have been permitted to displace legislative committees.

Little by little, other departmental offices occupied the balance of the space in the north wing of the Capitol Building. A few years ago, however, the Senate experi-

enced a brief spasm of dignity and reclaimed some of the north wing's space for Senate committee rooms and space for Senate leaders.

The most notable eviction on record as far as the House of Representatives was concerned was made by a former State Treasurer. He persuaded the Governor that the Commonwealth's bonds and securities were not in safe keeping, that they needed fire and burglar-proof protection, all of which was undoubtedly true. Such protection was provided. Believe it or not, an eviction order was issued over the Governor's signature. The House was ousted from the space, which is now the new House caucus room.

It now all seems almost incredible that the House would have surrendered rights and its opportunities for service without even filing a mild protest.

We wonder what would happen today if the Governor should issue a decree that the House should forthwith evacuate its one and only caucus room on the first floor of the main Capitol Building.

All of the Members of the House are more or less familiar with the third floor caucus room. For many years it was the one and only caucus room in being. And how did the House go about getting the third floor caucus room? It did so by removing committee room walls. In short, it made a caucus room out of what had been committee rooms—once again reducing the number of rooms available for committee use.

The day did come when the House regained possession of the first floor caucus room. It did so by appropriating the money needed to construct a finance building for the State Treasurer. With the whole building at his disposal, the State Treasurer graciously consented to move out of the main Capitol Building.

Apparently the legislature at that time didn't have the power to move the State Treasurer out to any building except to a building of his choice.

What about quarters for the minority party? It was not so many years ago that no one ever gave even a passing thought to the caucus room needs of the minority. There wasn't any caucus room for the minority, or any space for the minority party leadership. When I first became minority leader in this House the minority party leader was allotted one room during the session—just one room. And now look at it. The minority now has finer quarters, in my opinion, than the majority has. Personally, I would trade offices for the minority's tomorrow if I could.

At the time we were talking about, if the minority wanted to hold a caucus they had to hire a hotel room, pay for it themselves. And if they had any stenographic help they had to pay for it.

Another thing, it is a wonder that the older members of this House have not all developed heart trouble as a result of their repeated visits to the Legislative Reference Bureau. We all know the rigors of the trip. Out in the cold weather and up those winding stairs every time we want to consult the Legislative Reference Bureau. That bureau should never have been placed where it is. It should be over in the main Capitol Building on the first floor.

I could give you many, many more examples showing how the General Assembly has been victimized by the Capitol Hill space scrappers. True, the various departments that serve under the Governor have grown, and grown and grown. The General Assembly hasn't grown as it should have grown. We have permitted ourselves to be fenced in. We are still permitting ourselves to be fenced in. There isn't any sound reason, for example, why the Bureau of Weights and Measures should be located in the main Capitol Building. That bureau could serve just as efficiently as it is now serving if it were located in an office building in the city.

As the record shows, the executive department of our State government many months ago authorized and financed a Capitol Hill space study. Months ago there were intimations that the study group would file its report with the Governor and the Department of Property and Supplies last October.

No such report has been filed. Legislative leaders have had no intimation as to what the planners contemplate as far as the space needs of the General Assembly are concerned. We should know what the space planners are thinking and, if they are not thinking of the space needs of the General Assembly, it would seem to be high time that they were doing so.

If there is to be no provision for the space needs of the General Assembly in the reasonably near future, then legislative space needs should be met by moving some of the bureaus now occupied in the main Capitol Building into city office building space.

Lacking the facilities with which to function efficiently, Pennsylvania's General Assembly will continue in many instances to function inefficiently.

Mr. AUKER. Mr. Speaker, I listened with a great deal of interest to your remarks. I just want to say apropos of your remarks that I am suggesting your remarks could be as well applied to legislation considered by this House.

The SPEAKER. You know, gentlemen, it is pretty tough to swim against the tide. I have been trying to get these things for this House for the last 20 years. Lots of times the members do not seem to be interested, they do not seem to want to be legislators, a coordinate branch of this government that should be able to talk on equal terms to the executive department. If we can conceive of ourselves as legislators having a function coordinate with that of any department, coordinate with the governor, we will proceed to arm ourselves for effective action, but we operate through committees. These committees should be staffed; they should be year-around committees. They should now be studying some of the things we will have to consider next year when we meet in fiscal session. We must plan ahead. I hope the minority and majority leadership will get together and get a tangible plan and will insist that we get the space we need.

REPORTS FROM COMMITTEE

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 205, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), re-defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 313, entitled:

An Act amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547), creating the State Soil and Water Conservation Commission and districts; im-

posing powers and duties thereon; *** and making editorial corrections.

Mr. KRAMER from the Committee on State Government, reported as committed, House bill No. 432, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), adding definitions; bringing dual coverage group within the act and changing certain allowances with respect thereto; eliminating the offset on joint coverage accounts; *** and bringing extended sick leave under the provisions of the act.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, Senate bill No. 137, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 205, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), re-defining superannuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House bill No. 313, entitled:

An Act amending the "Soil Conservation Law," approved May 15, 1945 (P. L. 547), creating the State Soil and Water Conservation Commission and districts; imposing powers and duties thereon; * * * and making editorial corrections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 432, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), adding definitions; bringing dual coverage group within the act and changing certain allowances with respect thereto; eliminating the offset on joint coverage accounts; * * * and bringing extended sick leave under the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of Senate bill No. 137, entitled:

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objections, House bill No. 20 Printer's No. 516; House bill No. 184 Printer's No. 518; and House bill No. 224 Printer's No. 519 were passed over at the request of Mr. McCANN.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 51, entitled:

An Act repealing Section 528 of "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) eliminating the requirement that cotton fabrics used in State institutions be flameprofed.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House bill No. 332, printer's No. 361;
House bill No. 343, printer's No. 372;
House bill No. 355, printer's No. 477;
House bill No. 356, printer's No. 478;
House bill No. 387, printer's No. 424;
House bill No. 400, printer's No. 437 and
Senate bill No. 53, printer's No. 143

were passed over at the request of the SPEAKER.

SENATE BILL NO. 28 MADE A SPECIAL ORDER

Mr. McCANN. Mr. Speaker, I move that Senate bill No. 28, printer's No. 235, entitled:

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

bill on final passage, be made a special order of business immediately.

The motion was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Foerster.

The SPEAKER. The gentleman from Tioga, Mr. McInroy, yields to the gentleman from Allegheny, Mr. Foerster.

Mr. FOERSTER. Mr. Speaker, I ask the unanimous consent of the House to offer the following amendments.

The SPEAKER. The gentleman would be required to reconsider the vote by which the bill arrived at final passage. It is not now subject to amendment. It is on final passage.

RECONSIDERATION OF VOTE

Mr. FOERSTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McINROY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. How does the majority and minority leaders desire the motion to be voted upon?

Mr. McCANN. Mr. Speaker, I will ask for a voice vote.

The SPEAKER. Is that agreeable to the minority leader?

Mr. AGNEW. It is, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Goldstein, rise?

Mr. M. H. GOLDSTEIN. I rise to ask that this be considered by a roll call vote for the reason that according to statements in the public press the amendment as has been presented by Mr. Foerster, the gentleman from Allegheny, would have been considered in due course. I believe he was held up by transportation and I believe the amendments are of such importance that they should have a roll call.

I would also like to congratulate the printer of the State of Pennsylvania for efficiency and for having the ability to read the minds of the legislature and determine before we vote that a bill will be amended. I congratulate them.

The SPEAKER. Two gentlemen have asked for a roll call.

Mr. McCANN. Mr. Speaker, we will accept the roll call at their request. At the proper time I would like to speak for one moment against the amendments, after they are properly presented.

The SPEAKER. The question before the House is not the amendments, but the reconsideration of the vote.

Mr. McCANN. Mr. Speaker, I am going to ask our membership on our side of the House to go along with the reconsideration so that he may properly offer his amendments at this point, since he was not here to offer them when we voted on the amended bill. Therefore, I ask our membership to vote aye in support of the reconsideration so he may offer the amendments.

Mr. AGNEW. Mr. Speaker, that was my understanding and that is why I agreed with the majority leader on a voice vote in the interest of saving time. There is no general objection to the gentleman's motion.

The SPEAKER. The gentleman from Allegheny withdraws his request for a roll call.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FOERSTER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 2, last line of Title, by inserting after "referendum" "and prohibiting sales on Sunday in cities of the second class".

Amend Sec. 1, page 2, line 1, by inserting after "Subsections" "(a)".

Amend Sec. 1 (Sec. 406), page 2, line 4, by striking out "* * *" and inserting: "(a) Every hotel, restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass, open bottle or other container, and in any mixture, for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons, and in the case of hotels, to guests, and in the case of clubs, to members, in their private rooms in the hotel or club. No club licensee nor its officers, servants, agents or employes, other than one holding a catering license, shall sell any liquor or malt or brewed beverages to any person except a member of the club. No club holding a catering license nor its officers, servants, agents or employes shall sell on Sunday to nonmembers any liquor or malt or brewed beverages. In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act, liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guests rooms in the hotel.

"Hotel liquor licensees and restaurant liquor licensees located in hotels in cities of the first [and second] class may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day until two o'clock antemeridian of the following day, except Sunday, and may sell liquor and malt or brewed beverages on Sunday between the hours of one o'clock postmeridian and ten o'clock postmeridian. Such Sunday sales shall be made subject to the restrictions imposed by the act on sales by hotels and restaurants in hotels for sales on week days as well as this section.

"Hotel and resaurant liquor licensees, other than those located in hotels in cities of the first [and second] class and public service liquor licensees, their servants, agents or employes may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following day, and shall not sell on Sunday. No hotel, restaurant and public service liquor licensee shall sell liquor and malt or brewed beverages after two o'clock antemeridian on any day on which a general, municipal, special or primary election is being held until one hour after the time fixed by law for closing the polls. No club licensee or its servants, agents or employes may sell liquor or malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day.

"Any hotel, restaurant, club or public service liquor licensee may, by given notice to the board, advance by one hour the hours herein prescribed as those during which liquor and malt or brewed beverages may be sold during such part of the year when daylight saving time is being observed generally in the municipality in which the place of business of such licensee is located. Any licensee who elects to operate his place of business in accordance with daylight saving time shall post a conspicuous notice in his place of business that he is operating in accordance with daylight saving time."

Amend Sec. 1 (Sec. 406), page 2, line 7, by inserting brackets before and after "or second".

Amend Sec. 1 (Sec. 406), page 2, line 8, by striking out "wth" and inserting: "with".

Amend Sec. 1 (Sec. 406), page 4, line 5, by inserting brackets before and after "or second".

Amend Sec. 1 (Sec. 406), page 4, line 10, by inserting brackets before and after "or second".

Amend Sec. 1 (Sec. 406), page 4, line 13, by inserting brackets before and after "or second".

Amend Sec. 1 (Sec. 406), page 5, line 1, by inserting brackets before and after "or second".

The SPEAKER. If there are no objections, the order of the day, which will be adjournment, will be dispensed with.

The Chair hears no objection.

Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Foerster.

Mr. FOERSTER. Mr. Speaker, for the information of the House these amendments merely take out of the bill cities of the second class.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I will ask that the membership vote no on these amendments which would take

out of Senate bill 28 the city of the second class, the city of Pittsburgh, so that we may vote on the bill dealing with cities of the first class and cities of the second class.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Kamyk.

Mr. KAMYK. Mr. Speaker, ladies and gentlemen of the House, my good colleague from Pittsburgh, my friend and colleague, decided to put amendments in to take Pittsburgh out of this bill. Pittsburgh being quite a large city is as much a ghost town on Sunday as any other city with curtailments such as this.

We are interested in conventions in Pittsburgh just as well as any other large city, because conventions do bring business into the cities and spreads out even throughout the counties.

Ladies and gentlemen, Pittsburgh hotels need it. The city of Pittsburgh needs this legislation. The city of Pittsburgh pleads for it. The only one in disagreement from the city of Pittsburgh is Mr. Foerster, and I plead that you leave the bill as it is for the good of the economy of Pittsburgh, the business for the hotels and transportation in Pitsburgh, and so forth. Please defeat these amendments.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Foerster.

Mr. FOERSTER. Mr. Speaker, I did not intend to debate the amendments. However, my good and long standing personal friend from Allegheny, Mr. Kamyk, said that I was the only one from Pittsburgh for these amendments. I may be the only legislator from Pittsburgh for these amendments, but I am not certainly the only resident from Pittsburgh for these amendments.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, although the printer can determine what the net result of an amendment will be, the leader of the Allegheny County delegation cannot read my mind.

I am for the amendments for the reason that I want to make a bad bill better. I had intended not to speak on the bill whatsoever, but I can call attention to the records of the Hotel Association, the accounting records, which will show that bringing booze into a city on Sunday does not increase the convention business.

If you believe that this particular item to be a commercial advantage to the city of Pittsburgh, I am not familiar with the city of Philadelphia, be disallusioned. Because if you believe the bible of the hotel industry trade, the accounting of Horvath and Horvath, you will find that every hotel throughout the United States in the big cities suffers a weekend let down.

Therefore, I say to my dear friend, the leader of the Democratic delegation from Allegheny County, he is so sincere in trying to lead Pittsburgh as at this time he is not leading the leader of the Pittsburgh delegation from Allegheny County. And that I concur with my friend, Mr. Foerster, from Pittsburgh because I do not believe that the enactment of this bill will aid commerce and industry in this community of Pittsburgh and I ask all my friends on both sides of the aisle to vote in favor of the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. AGNEW. and McCANN and were as follows:

YEAS—69

Adams,	Fox,	Keiser,	Royer,
Anderson, J. H.,	Fulmer,	Kessler,	Rutherford,
Ashton,	George,	King,	Seltzer,
Bossert,	Gibb,	Kistler,	Simmons,
Bower,	Goldstein, J. H.,	Knecht,	Snare,
Bowman,	Goldstein, M. H.,	Korns,	Strausser,
Buchanan,	Goodrich,	Lee, K. B.,	Thompson,
Bush,	Gramlich,	Magee,	Tompkins,
Davis,	Gross,	Manbeck,	Trusio,
Dennison,	Guthrie,	May,	Wall,
Edwards,	Haudenshield,	McCandless,	Walsh,
Elvey,	Heffner,	McInroy,	Weidner,
Eshleman,	Helm,	Merry,	Whittaker,
Ewing,	Hocker,	Murphy,	Willaredt,
Filo,	Holman,	Ogilvie,	Wilt,
Foerster,	Horst,	Price,	Wood,
Foor,	Johnson, A. W.,	Pursley,	Worley,
			Zimmerman,

NAYS—129

Agnew,	Fry,	Long, Wm. Jos.,	Reidenbach,
Anderson, S. A.,	Gailey,	Lutty,	Renwick,
Arlene,	Gallagher,	Markley,	Riley,
Auker,	Gelfand,	Marsh,	Rovansek,
Bachman,	Gibbons,	Maxwell,	Rubin,
Backenstoe,	Gremminger,	McCann,	Rudisill,
Blair,	Guesman,	McDevitt,	Sakulsky,
Bonner,	Hamilton,	McDonald,	Scarcelli,
Branca,	Hankins,	McKeever,	Schaaf,
Breth,	Hartley,	McLaughlin,	Schuster,
Capano,	Heavey,	McNally,	Shelton,
Capitolo,	Holliday,	Meholchick,	Sherman,
Cauley,	Irvis,	Mihm,	Shupnik,
Cianfrani,	Isaacs,	Miller,	Slack,
Cioffi,	Jenkins,	Mills,	Stank,
Clarke,	Jim,	Monroe,	Steckel,
Comer,	Johnson, R. P.,	Morley,	Stimmel,
Cooley,	Jones,	Mullen,	Stiteler,
Crossin,	Kamyk,	Munley,	Stone,
Curwood,	Kelly,	Murray,	Sullivan, J. A.,
Dengler,	Kernaghan,	Musto,	Sullivan, T. F.,
Donaldson,	Klein,	O'Dell,	Taylor,
Dougherty,	Kooker,	O'Donnell, J. A.,	Tomascik,
Doughten,	Kornick,	O'Donnell, J. P.,	Varner,
Down,	Kramer,	Parlante,	Verona,
Eilberg,	Lamb,	Pashley,	Wargo,
Eshback,	Lawson,	Perry,	Welsh,
Farabaugh,	Lee, A. M.,	Petrosky,	Williams, A. D.,
Fetterolf,	Leonard,	Piper,	Williams, E. S.,
Fineman,	Limper,	Polaski,	Wynd,
Flynn,	Lippincott,	Polen,	Zember,
Frascella,	Long, Wm. Jas.,	Prendergast,	Andrews,
		Reibman,	Speaker

NOT VOTING—10

Boles,	McCormack,	Ujobai,	Yetter,
Gray,	Needham,	Wescott,	
Henzel,	Odorisio,	Willard,	

So the question was determined in the negative and the amendments were not agreed to.

On the question, recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker and members of the House, when this bill passed the House some of you remember that I was one of those who spoke against the bill at that time because I thought it was a bad bill, as it was in the beginning, and I think it is still a bad bill. The number of voters on that bill was to be 25 percent. The number of petitioners, I mean, to get the bill on the ballot was to be 25 percent. By the way, this is the per-

centage of the electorate that any church group or any other group has to get to get on the ballot. This again proves, or should prove, not only to us, but to the people of Pennsylvania and to the people of this Country, that you cannot trust the liquor crowd. They got their bill, but they made no effort, as far as we have been able to find out, to get 25 percent of the electorate on petitions. They have had all this time. Now they come back to the House and there is introduced a bill in the Senate to have 5,000 names on the petition. Quite a drop, from 25 percent down to 5,000. Then it was amended in the House, or in the Senate, to bring it up to 25,000. But, ladies and gentlemen of the House, this is far below the 25 percent that other groups of the State have to get to put anything on the ballot. I ask you, why should we prefer this group or any other group and give them the privilege of putting a question on the ballot by a number of petitioners far below the State average? By what stretch of the imagination is this fair play?

The excuse for this bill is the same excuse that was given to us when the bill was originally passed, that it would help the economic welfare of this State of ours, particularly the cities of Pittsburgh and Philadelphia. That it would bring more conventions into Pittsburgh and Philadelphia, which would mean more money to those cities and to those hotels in particular. Also, we have quoted the occupancy rate of Philadelphia and Pittsburgh as being lower than the states surrounding us.

I would like to call your attention to what Mr. Goldstein said and go just one step further. Compare the average of occupancy in the city of Cleveland, which is close to Pittsburgh and the occupancy in the city of Cleveland is below the occupancy of Pittsburgh. In spite of the fact that there is plenty of liquor, or as my good colleague Mr. Goldstein chose to call it, there is plenty of booze in Cleveland on Sunday, and it did not affect the hotel occupancy rates in Cleveland.

I have before me an advertisement of New York City, how they have tried to raise their occupancy rate by getting people to come in by excursions, getting the railroads to give a cheaper rate, and so on. It all simmers down to one thing, a question of dollars and cents,—or perhaps I ought not to say one thing, if that would be the argument of those who favor this amendment—economic reasons. There are other reasons, too, which I hope to mention briefly. Are we to consider only economic reasons, if it were true? Are we to consider that when we think of the fact of them opening the door in the State to Sunday drinking? And to my mind that is the whole question, do you want Sunday drinking on a State-wide scale, because it has been proven over and over and over that if any of the group gets one thing then they are after something else.

I live next to the State of New York. In New York State they have Sunday drinking on Sunday afternoons and I want to tell you, ladies and gentlemen of this House, and I want to tell all of the people of Pennsylvania, that that is one thing a good many people abhor in the State of New York. When they go into that State on Sunday afternoon, they meet drunken drivers, they meet youths, eighteen years or over, who have been drinking because New York State has the eighteen-year-old group also. And that will be the next step, I might say, if they are going to do this on a state-wide basis, and I want to tell you it is not pleasant. I was a principal of a high school for sixteen years in the northern tier of Pennsylvania. I coached athletics for ten other years and I had to fight that drink question all the time, not only in athletics, but in my high school, and I have listened to pleas in New Jersey and Ohio and nearby states to New York State to change the rules. But they will not do it because they say the same things that some are going to say here today and I have been saying—for economic reasons.

Yes, some of us would sell our souls for a mess of pottage. I repeat, some of us would sell our souls for a mess of pottage, and the question right here today is, shall we let them put their foot in the door in Philadelphia without a struggle? And you are certainly giving up the struggle if you let them do it on 25,000 petitioners. You can go down to Philadelphia and, in a few minutes, you can send out people in Philadelphia and get 25,000 names on a petition, don't kid yourself. I know Philadelphia; I went to college there. I will not say anything particular against Philadelphia, but I say it will not help Philadelphia any, and I hope that every churchman and every interested person in Philadelphia will watch who votes here today for this bill. And I know that they excuse themselves by saying that it is a referendum. Yes, it is a referendum; of course it is. But should we give a referendum, in other words give up our power and all other things? Are you going to give up by allowing a referendum in the question of murder? Are you going to let each community decide whether it is going to enforce the law on murder or not? Or are you going to give up by allowing a referendum on all other things? Are we to be elected officials of this great Commonwealth and stand on our own two feet and vote "yes" or "no" and not hide behind the skirts of the referendum? I am going to sit down and you will see my vote over there, "no." I am proud of it, and I know of some others who are going to do the same and they are going to be proud that they voted "no" today. You can publish it in all the newspapers in this land, and we will not lose a whole lot of votes on it either.

We have a minister who wrote to some of you, everyone of you, I believe, from Philadelphia. With his permission, I would like to read what Mr. Norman Wood, whom I say is one of the most respected men, not only in this House but in this whole Commonwealth, wrote back to this gentleman. Listen closely, if you please. These are not my words and I hope the newspapers carry them all over this Commonwealth.

Commonwealth of Pennsylvania
House of Representatives
Harrisburg
February 20, 1961
The Rev. Vaughn Ischie Jr.
Christ Episcopal Church

My blood starts to boil already.

Sixth and Venango Streets
Philadelphia, Pennsylvania

Dear Reverend Ischie:

Now listen to what Norman Wood said.

This is an answer to your letter of February 14, regarding Senate Bill No. 28.

During my 39 years as a member of the House of Representatives, I have received lots of letters

from all kind of people, but this one is the most insulting and derogatory one that I have ever received and to make matters worse, it comes from one who wears the cloth of the Christian Church.

I cannot understand how you can ever face your congregation after writing such a letter. You think more of material gain than you do of spiritual growth and, if that is the kind of sermons that you preach, I pity the people who have to listen to them.

Your attack on such fine Christian gentlemen, as Dr. Forney, Dr. Ewing and others is resented by all good Christian people, including myself. If we had more people like them, the world would not be such a mess as it is today.

May the Lord have mercy on your soul.

Sincerely yours,
Norman Wood.

Now, Mr. Speaker and members of the House, I would like to agree with Mr. Norman Wood and I would like to say that it takes courage to say something like that. It takes courage to give me permission this afternoon to read that letter. But I want to tell you that Norman Wood has been elected and re-elected for thirty-nine years and I think he has more seniority than anybody in this Hous. If I am wrong, will somebody please raise their hands. Is there anyone who has more seniority? No. And I will say this also, I do not know of a more respected man in this whole House than Mr. Norman Wood, and I say that sincerely.

Now, just one or two other things and then I am going to stop. I know that I am not going to change many votes. I am not kidding myself. Most of you have determined already how you are going to vote, but at least we are going to put it on the record and we are going to let you know how we feel. Some say this is just a silly bill that does not amount to anything. It was just a little silly thing years ago, in 1619, when a ship came to the United States and brought a small group, I think it was nineteen, black men, as slaves. Now there are a lot of black people listening to me this afternoon. They thought it was a small thing, nineteen slaves. Look what has come out of it, what heartaches, what troubles. We had the Civil War. We are still fighting civil rights and we will for many years, and if I were in some southern states this afternoon I would have to be careful of what I say. I say the colored person does not have equal rights in spite of the fact that the Civil War was begun a a hundred years ago. Figure it, a whole century, and yet you say that it is a little thing. I know it sounds like a little thing to open the door in Philadelphia, but I would not vote "aye" for it if I were you folks. I am pleading with you, vote "no." Let us keep the percentage up; let us make them get 25 percent of the electorate on the ballot.

One more statement and I am finished. If I were to have one group in back of me for election, it would be the church people. They can elect any officer in this Commonwealth. They can elect the Governor; they can elect any other officer in the Commonwealth if they stick together. And I would like to see everyone of you this afternoon vote "aye." The whole State of Pennsylvania is watching us. Vote "no." I mean vote "no" on this bill. Now, just a minute, I have some cheers from the rabble over here. I want to repeat that. I want to see everyone here this afternoon who has real courage in his convictions, who wants to see a better State of Pennsylvania, and better economically, too, vote "no" on this bill. Let's put it back where it should be, to 25 percent of the electorate.

Mr. FINEMAN. Mr. Speaker, the gentleman from Tioga is wont to employ and does not hesitate to make abundant use of Biblical expressions in his dissertation, but it strikes me that neither his personal attack on the integrity of Reverend Ischie nor his references to the members of this House as rabble, or that we sold our souls for a mess of pottage is Biblical or timely in nature. The gentleman makes use of unfortunate language. It was not my intention to call it to the attention of the members of the House, but I know that I cannot sit idly by here and watch such attacks go by unchallenged.

Number 1, I know Reverend Ischie very well. A finer gentleman will not be found anywhere in the Commonwealth of Pennsylvania. Since when does a member of the cloth not have a right to express an opinion on a piece of legislation which is before this House? Is Mr. Ewing to be condemned because he sent to each member of this House a letter saying that this bill is unfair and we should not have it on our statute books? Is Reverend Ischie's crime any greater than Mr. Ewing's, if it is a crime?

Reverend Ischie is a devoted, dedicated member of the cloth who has done a tremendous job in the city of Philadelphia. He is presently engaged in a co-partnership with a colored member of the cloth in running an employment agency and has successfully placed hundreds and hundreds of young people, who otherwise might be running the streets as delinquents, in gainful employment. These are the activities to which Reverend Ischie directs his energies and attention. It hardly becomes any member of this House who does not know Reverend Ischie to make the kind of attack which has been made.

Be that as it may, and Reverend Ischie does not need defending by me, I want to get to the heart of this bill. My friend from Tioga says, along with his other quotes, that we are selling our souls, that the real issue is Sunday drinking. Never was there a greater misstatement of fact than that statement. The issue here is not Sunday drinking. That issue has already been decided not only by this House, but by the legislature in the 1959 session. We have decided that point.

What we have to decide today is whether or not we are going to put an effective bar in the paths of the people of Pittsburgh and Philadelphia to enable them to decide for themselves whether or not they want the right to vend alcoholic beverages on a Sunday between the hours of 1 p. m., and 10 p. m. This is the sole issue. We are not engaged in a contest as to how many votes or how many petitions or how many names on the petitions we should secure.

The sole question before us today is: do we want to give the people of these two communities an opportunity to decide for themselves. No one can attack the propriety of a referendum. No one can take issue with the right of the people to be heard and it should not be our job to stifle their voices. Putting it on the ballot is no guarantee that this is going to pass and become law. This is a matter that the people themselves will decide. At least

we should give them the opportunity to hear them out, to let them decide for themselves.

It strikes me that the requirement of 25 percent is unrealistic. It is more than fair; it is by no reason reasonable. Just look what happened this last year. In November of 1960, during the Presidential election, a total of 915,000 votes were cast in the city of Philadelphia for the office of the presidency. Under the provisions of the act as it is on our statute books today, if we have to get 25 percent of those who voted in that November election, we would have to get approximately 230,000 signatures. The first legal date to get those signatures is February 21. The last day for submitting these signatures is March 16. That is a total of 23 days in which we are supposed to get 230,000 signatures, or an average of 10,000 signatures per day. This by no stretch of the imagination can be called reasonable. It is too restrictive, too onerous, too much of a burden to effectively be able to place before the people of Philadelphia and Pittsburgh the right to decide for themselves whether or not they can sell liquor on Sundays.

So, I repeat, the issue is not shall we sell liquor on Sundays. This issue has been decided. The issue is shall we effectively deprive the people of these two communities from the right to express for themselves whether or not they want to be able to sell liquor.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I did not intend to debate this bill, but I do want to take issue with the remarks made by my good friend and colleague, the gentleman from Philadelphia, Mr. Fineman when he speaks about time to get signatures on a petition. There is no reason why the bill could not have been amended to make it at a general election and they would have had all year to get signatures on a petition. So I think that argument tends to fall a little flat. They could have drawn the bill and had all the time in the world to get all the signatures they wanted, or could have gotten, possibly, on such a referendum. You know there are always two elections in the State, the primary and the general, and we realized that in the mutuel betting bill.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. ISAACS. Mr. Speaker, assuming that this bill passes and becomes law, and assuming that the electors of the city of Pittsburgh or the county of Philadelphia approve a referendum, and four years hence if the "drys," we will say, would want to hold another referendum, what would be the procedure?

Mr. FINEMAN. Mr. Speaker, I see nothing in the bill that would prevent or restrict 25,000 registered electors of either of the two communities not oftener than once in four years, to petition for a referendum.

Mr. ISAACS. Under this same bill, if it becomes an act?

Mr. FINEMAN. Yes.

Mr. ISAACS. Will the bentleman say that is the intent of this bill and the intent of this House if this bill passes?

Mr. FINEMAN. That is the way I read the bill and that is the intent expressed therein.

Mr. ISAACS. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Agnew,	Gailey,	Long, Wm. Jos.,	Prendergast,
Anderson, S. A.,	Gallagher,	Lutty,	Reibman,
Arlene,	Gelfand,	Maxwell,	Reidenbach,
Ashton,	Gibbons,	McCann,	Renwick,
Bachman,	Gray,	McDevitt,	Riley,
Blair,	Gremminger,	McDonald,	Rovansek,
Bonner,	Guesman,	McKeever,	Rubin,
Branca,	Hamilton,	McLaughlin,	Rudisill,
Breth,	Hankins,	McNally,	Sakulsky,
Capano,	Hartley,	Meholchick,	Scarcelli,
Capitolo,	Heavey,	Mihm,	Schaaf,
Cauley,	Irvis,	Mills,	Schuster,
Cianfrani,	Isaacs,	Monroe,	Shelton,
Cioffi,	Jenkins,	Morley,	Sherman,
Clarke,	Jim,	Mullen,	Shupnik,
Comer,	Johnson, R. P.,	Munley,	Slack,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Donaldson,	Klein,	O'Dell,	Sullivan, T. F.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Taylor,
Doughten,	Kramer,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Lamb,	Parlante,	Trusio,
Eshback,	Lawson,	Pashley,	Verona,
Farabaugh,	Lee, A. M.,	Perry,	Wargo,
Fetterolf,	Leonard,	Petrosky,	Welsh,
Fineman,	Limper,	Piper,	Wynd,
Flynn,	Lippincott,	Polaski,	Andrews,
Fry,	Long, Wm. Jas.,	Polen,	Speaker

NAYS—83

Adams,	Fox,	King,	Simmons,
Anderson, J. H.,	Fulmer,	Kistler,	Snare,
Auker,	George,	Knecht,	Steckel,
Backenstoe,	Gibb,	Kooker,	Stimmel,
Bossert,	Goldstein, J. H.,	Korns,	Stiteler,
Bower,	Goldstein, M. H.,	Lee, K. B.,	Strausser,
Bowman,	Goodrich,	Magee,	Thompson,
Buchanan,	Gramlich,	Manbeck,	Tompkins,
Bush,	Gross,	Markley,	Varner,
Davis,	Guthrie,	Marsh,	Wall,
Dengler,	Haudenshield,	May,	Walsh,
Dennison,	Heffner,	McCandless,	Weidner,
Down,	Helm,	McInroy,	Whittaker,
Edwards,	Hocker,	Merry,	Willaredt,
Elvey,	Holliday,	Miller,	Williams, A. D.,
Eshleman,	Holman,	Ogilvie,	Williams, E. S.,
Ewing,	Horst,	Price,	Wilt,
Filo,	Johnson, A. W.,	Pursley,	Wood,
Foerster,	Keiser,	Royer,	Worley,
Foor,	Kernaghan,	Rutherford,	Zember,
	Kessler,	Seltzer,	Zimmerman,

NOT VOTING—10

Boles,	McCormack,	Ujobai,	Yetter,
Frascella,	Needham,	Wescott,	
Henzel,	Odorisio,	Willard,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, since we are at 6 o'clock, the minority leader and I have discussed not holding our caucuses tonight, but we will caucus immediately following the joint session tomorrow. Therefore, to our member-

ship I say, there will be no caucus tonight, but when we convene tomorrow at 10 a. m. for the joint session, and at 11:30 a.m. there will be a caucus to go over the calendar. We will vote on the bills on the calendar, all the controversial measures, tomorrow.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCHAAF asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

ALLEGHENY COUNTY DEMOCRATIC CAUCUS

Mr. KAMYK. Mr. Speaker, the Allegheny County Democratic delegation will hold a meeting immediately after the session in the new House caucus room.

INTERROGATION

Mr. AGNEW. Mr. Speaker, I desire to interrogate, very briefly, the majority leader.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

The SPEAKER. The minority leader will proceed.

Mr. AGNEW. Mr. Speaker, I desire to interrogate in full particulars the majority leader in respect to Senate bill No. 53. I assume that the gentleman intends to roll the bill tomorrow; is that correct?

Mr. McCANN. That is correct, sir.

Mr. AGNEW. It is our understanding that instructions have been issued by the executive that no amendments are to be given favorable consideration. Are we to understand that is the policy of the majority

Mr. McCANN. No such instructions have been given to me. If the gentleman has received them, I did not.

Mr. AGNEW. Of course, we have an absolute right to introduce any amendments and the members on your side of the aisle will be free to vote their own convictions.

Mr. McCANN. That is absolutely correct, and, if the gentleman has such amendments to be offered, under our House rule they may be offered tomorrow.

Mr. AGNEW. We heard that in the nature of a rumor, and I think it is always best to put these things on the floor of the House and have them discussed and answered openly, rather than have them become general scuttlebutt.

I have one more question: There is on the part of those who oppose Senate bill No. 53 an objection on economic grounds that passage of this bill in their opinion will adversely affect the economy of Pennsylvania. There are those who support the bill and who are somewhat disturbed by the fact that this may be a true allegation. Would the majority consider holding action on this bill until next week so that public hearings on this economic question only can be held to determine whether or not there may be an adverse economic effect if this bill should become law?

Mr. McCANN. Mr. Speaker, I was asked by this same group and the same people if I would consent to a public hearing on Senate bill 53, and my answer to the delegation was that I am not in a position to consent to a public hearing on Senate bill 53, but I certainly hope and I am sure that the membership of this House will present the testimony or arguments they wish to present in the debate on the bill tomorrow.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, I am not advancing the position of the Republican Party when I make such an interrogation, it just seems that if such an averment on the part of those who opposed the bill should be true, then it certainly ought to be considered at some length and not merely by debate on the floor of the House. It would be the position of the minority that such public hearings should be held to determine whether or not an adverse economic situation may develop. It is a realistic fact of legislative life that the majority calls the signals, and, if the majority insists on voting on the bill tomorrow, we shall be here and we shall vote our individual convictions.

In respect to the usual caucus, Mr. Speaker, I believe, as the majority leader indicated, after the Lincoln Day observance tomorrow each party will hold its regular weekly caucus; is that correct?

Mr. McCANN. That is correct.

Mr. AGNEW. That will be at approximately 11:30?

Mr. McCANN. Right.

Mr. Speaker, I wish to state to the membership of this House, tomorrow in the joint session the WGAL-TV cameras will be here and the program is being made into a film of this joint session, which will be distributed all over the State to television stations after it is edited. In addition there will be tremendous coverage tomorrow by other cameras for shots of this occasion commemorating President Abraham Lincoln's visit to this Capitol 100 years ago. I advise you that tomorrow the session convenes at 10 a.m., and the joint session will begin promptly at 10:30. It will be over by approximately 11:30 and then the two caucuses will be held. There are a few of us, including the Speaker, Mr. Agnew and myself, who will ask leave for a few minutes so we can change our clothes, and then we will proceed.

I know that many have a planned timetable for Tuesday. There will not be any break for lunch. We will proceed right through with a heavy calendar. Please bring your own sandwich, because the sooner we get done, the sooner you can get home. The following week we will have a three-day session.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131-A, Tuesday, February 21, at 9:15 a.m.

CITIES—THIRD CLASS, Mr. Walsh, Chairman, Room 131-A, Tuesday, February 21, at 9:30 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521 (E Floor), Tuesday, February 21, at 9:00 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149 (Chief Clerk's Office), Tuesday, February 21, at 9:30 a.m.

PUBLIC UTILITIES AND CORPORATIONS, Mr. Mills, Chairman, Room 131-F, Tuesday, February 21, at 11:30 a.m.

TOWNSHIPS, Mr. Flynn, Chairman, Room 131-A, Tuesday, February 21, at 9:30 a. m.

ADJOURNMENT

Mr. ZEMBER. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 21, 1961 at 10:00 a.m. e.s.t.

The motion was agreed to, and (at 6:17 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, FEBRUARY 21, 1961. No. 21.

SENATE

TUESDAY, FEBUARY 21, 1961.

The Senate met at 10:00 a.m., Eastern Standard Time. The PRESIDING OFFICER (Jo Hays) in the Chair.

PRAYER

The Chaplain, Rev. LESTER C. UPDEGROVE, Pastor of Bethany Evangelical United Brethren Church, Palmyra, offered the following prayer:

Dear Lord, we thank Thee Who art the source of all our blessings. Help us to show our gratitude to Thee by serving others. We beseech Thee that Thou mayest continue to be the spring of the noblest impulses of our Country.

Bless all institutions founded upon righteous learning, upon liberty and upon law. May the justice, the honor and the truth of the Galilean Teacher be ours, and bless us with the eternal love He has brought to the light of men here and everywhere.

In His Name, we pray. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. WEINER, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Boyer (Democrat), 904 Rose Street, Reading, Berks County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary S. Brucato (Democrat), 20 Main Street, Rouseville, Venango Vounty, for appointment as a member of the Venango County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Ross Atwell, Oil City, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry J. Strunk, 806 Market Street, Ashland, Schuylkill County, for appointment as Justice of the Peace in and for the Borough of Ashland, Schuylkill County, to serve until the first Monday of January 1962, vice Harry F. Paul, deceased.

DAVID L. LAWRENCE

REPORTS FROM COMMITTEE

Mr. DEVLIN, from the Committee on Highways, reported as committed, **SB 79, 104, 105, 153** and **192.**

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and McCREESH presented to the Chair **SB 263,** entitled:

A Joint Resolution proposing an amendment to article two, section sixteen of the Constitution of the Commonwealth of Pennsylvania, removing limitations on the number of Senators from the same city or county.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. McCREESH and DONOLOW presented to the Chair **SB 264,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," permitting Certain restaurant liquor licensees to sell liquor on Sunday.

Which was committed to the Committee on Law and Order.

Messrs. McCREESH, DONOLOW and SARRAF presented to the Chair **SB 265,** entitled:

A Joint Resolution proposing an amendment to article two, section four, of the Constitution of the Common-

wealth of Pennsylvania by fixing a time limit upon the duration of regular sessions.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. PECHAN, HAWBAKER, WARE and SHAFER presented to the Chair **SB 266,** entitled:

An Act amending the act of June 24, (P. L. 2051), entitled "Public Assistance Law" revising the act; further providing for aid to dependent children and the placing of such children in suitable homes; setting standards for suitable homes and establishing children's centers.

Which was committed to the Committee on Public Health and Welfare.

REPORT FROM COMMITTEE

Mr. RIPP, by unanimous consent, from the Committee on Education, reported, as committed, **SB 128.**

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION TO COMMEMORATE AND RE-ENACT THE VISIT OF ABRAHAM LINCOLN TO HARRISBURG

The PRESIDING OFFICER. The Chair recognizes the Sergeant-at-Arms.

The SERGEANT-AT ARMS. Mr. President, I have the honor to present a committee from the House.

The PRESIDING OFFICER. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable Joshua Eilberg.

The PRESIDING OFFICER. The Chair recognizes the Chairman of the Committee from the House.

Mr. EILBERG. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in a Joint Session and to escort the Senators to the Hall of the House.

The PRESIDING OFFICER. The Chair thanks the Committee from the House.

RECESS

The PRESIDING OFFICER. The Members of the Senate will please form a line in the center aisle, immediately behind the Sergeant-at-Arms and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

SENATE RETURNS FROM THE HOUSE

The Presiding Officer and Members of the Senate then returned to the Senate Chamber.

The PRESIDING OFFICER. The Chair will exercise a personal privilege. I think you would like for me to say, in an uncontroversial manner, that we are indebted to Senator Stiefel and the other gentlemen who furnished the leadership for the portrayal of Abraham Lincoln's visit to the General Assembly, which we just had the opportunity to observe. I think the Members of the Senate, and the Commonwealth of Pennsylvania, are indebted to this committee for the fine commemoration of this significant event.

However, I must add one other note. The Governor of the Commonwealth of Pennsylvania, at that time, was Centre County's most distinguished citizen in all the history of Centre County. He was a fine Republican Governor of Pennsylvania. However, some time between this date and 1881, he saw a great light and, in 1881, he served for three terms in the House of Representatives, from the Centre County District, as a Member of the Democratic Party.

BILLS INTRODUCED AND REFERRED

Mr. DONLOW (By request) presented to the Chair **SB 267,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," providing for the issuance of retail store malt and brewed beverage licenses.

Which was committed to the Committee on Law and Order.

Messrs. YATRON, SESLER, ROONEY, SEYLER, MULLIN, DEVLIN, MAHADY and STAISEY presented to the Chair **SB 268,** entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania; authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions.

Which was committed to the Committee on State Government.

Messers. MURRAY and FLACK presented to the chair **SB 269,** entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," adding a new route in Luzerne County.

Which was committed to the Committee on Highways.

Mr. STROUP presented to the Chair **SB 270,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," fixing the time for the annual report by the county auditors to the court of common pleas.

Which was committed to the Committee on Local Government.

He also presented to the Chair **SB 271,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," requiring audits of certain funds in the hands of county officers and employes from miscellaneous sources.

Which was committed to the Committee on Local Government.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 28.

Mr. RIPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, very briefly, I want to state my unalterable opposition to this legislation in any manner, shape or form. I realize that this amendment is about to be agreed upon by the Senate. However, I would like to caution the Members of the Senate and the Members of the General Assembly, generally, about the procedure which has been used in getting this bill ready for action. I certainly realize, Mr. President, that no Member of one house should criticize the actions of another. Yet, I feel impelled upon to call to the attention of the Membership the fact that this bill, as amended, was in print and three minutes after the bill was approved in the House, the printed copy of the bill was passed around to the Members. We all recognize this is an absolutely impossible task for the printer to perform.

The only thing I have to say to you, Mr. President, Members of the Senate and to the Members of the General Assembly, generally, is that we are embarking on a bad course of action when we permit procedure that tears down the orderly processes of the Legislature. This is the last protection of the people of Pensylvania against undesirable legislation, whether it be this or any other bill. I would, therefore, caution the Members on both sides of the Senate and House to go slowly on this type of procedure in the future.

Mr. WEINER. Mr. President, I think the only thing which we, as Members of this Body, have to be concerned about is our own conduct. I do not know whether what the gentleman said is absolutely true or not. I have no way of determining that. However, I would believe that what he told us is true. I think, however, the only thing about which we should be concerned is our own conduct and what we are doing here.

The only problem we have in this matter is whether the legislation before us is good or bad and not whether the bill has been printed, not printed, read or not read. Suppose the bill were read eighteen times and it was bad legislation. It still would remain bad legislation whether that was adhered to or not.

I am in favor of adhereing to the constitutional precepts. As indicated by our conduct here many times, we follow the rules and regulations laid down by our own Bodies. What others might choose to do is not for us to look into. We might be critical of thier actions, but I think there are competent men on both sides of the aisle to handle that particular problem.

I again move that the Senate do concur in Senate Bill No. 28, Printer's No. 235.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Camiel,	Lane,	Murray,	Silvert,
Devlin,	Mahady,	Pechan,	Staisey,
DiSilvestro,	McCreesh,	Ripp,	Stiefel,
Donolow,	McGinnis,	Rooney,	Van Sant,
Ehrgood,	McMenamin,	Sarraf,	Ware, III,
Haluska,	Miller,	Scott,	Weiner,
Kalman,	Mullin,	Sesler,	Yatron,

NAYS—19

Bell,	Hawbaker,	Propert,	Taylor,
Berger,	Kessler,	Seyler,	Wade,
Chapman,	Kromer,	Shafer,	Wagner,
Confair,	Madigan,	Stevenson,	Hays,
Fleming,	Mallery,	Stroup,	Presiding Officer

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 98—Without objection, the bill was passed over in its order at the request of Mr. LANE.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

SB 25—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 31—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Ripp,	Stroup,
Confair,	Lane,	Rooney,	Taylor,
Devlin,	Madigan,	Sarraf,	Van Sant,
DiSilvestro,	Mahady,	Scott,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Ehrgood,	McCreesh,	Seyler,	Weiner,
Flack,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Hays,
Hawbaker,	Miller,		Presiding Officer

NAYS—3

Fleming,	Propert,	Wade,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 74—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 75—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 77—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. LANE.

SB 101—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 102—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 178—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 180—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILLS OVER IN ORDER

HB 3, 4 and **5**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 20—Mr. LANE. Mr. President, I request that Senate Bill No. 20 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. FLEMING. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. FLEMING. Mr. President, I would like to ask the gentleman why this bill is being continually passed over. It is a very simple bill. All it does is provide one additional judge in the county of Bucks, and I see no reason why we do not bring it up for a vote.

Mr. LANE. Mr. President, in reply to the gentleman's interrogation, the Caucus action is to hold this bill at this particular time. As a matter of fact, I think we will probably pass it next week. However, as of now, our Caucus action is to hold the bill.

Mr. WEINER. Mr. President, to further elaborate on what the gentleman from Washington County has just said, there are a number of other counties that also need judges. Some of the Members on both sides of the aisle have spoken to me and other Senators here, and also have spoken to Members of the House. We would like to do this all at one time if we can,—sort of a judge omnibus bill, if we can possibly do that—so they can all travel the same highway.

We do need a few more judges down in Philadelphia. I know that some of the other counties have spoken to us about needing judges. I am sure that we will not delay this matter, but nothing can happen on this until we finally work on it.

I appreciate the gentleman bringing it to our attention. We promise to get some prompt action on it. That is why it was put on the Calendar.

Mr. FLEMING. Mr. President, I thank both of the gentlemen for their explanations. However, I would certainly have to make this comment to Senator Weiner. Unquestionably and undeniably, there is need for a new judge in Bucks County. I do not question the fact that there is need for other judges in other counties. I would like to draw to the gentleman's attention that if we make an omnibus bill from this one bill which clearly can stand on its own feet, we may jeopardize its passage, or, if it does pass, we may jeopardize its signing at the last.

Mr, McMENAMIN. Mr. President, in answer to Mr. Fleming, I think he is correct. This bill is different from other judge bills in that Bucks County, as I understand it, has just become a third class county and is entitled to an Orphan's Court Judge. This bill will certainly have to be passed as promptly as possible so that if there is to be an election this year, they can get pettitions and the names on the ballot because today is the first day for circulating petitions.

Mr. LANE. Mr. President, I do not believe anyone should be unduly alarmed about this. Eventually, they are going to receive the judge. There is no question about it. It is just a matter of timing, and in all probability we will be ready next week.

Mr. FLEMING. Mr. President, I could not help but make this comment. The speech that impressed me most was Senator McMenamin's, and I can only ask that he try to influence his Caucus along that line.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

SB 73—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

BILL ON SECOND READING AMENDED

SB 84—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 1), page 3, line 12, by inserting after "class" where it appears the third time: "and in any political subdivision within a county where no market value of real estate have been determined by the board for the assessment and revision of taxes or any similar board".

Amend Sec. 1 (Sec. 1), page 3, line 16, by inserting after "district": "or other political subdivision".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 86—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 88—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL RECOMMITTED

SB 91—Upon motion of Mr. LANE, seconded by Mr. STEVENSON, and agreed to, the bill was recommitted to the Committee on Local Government, for the purpose of amendment.

BILLS OVER IN ORDER

SB 93, 94, 99, and **100**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 79, 104, 105, 128, 153 and 192.**

SENATE RESOLUTION

EXTENDING SINCERE APPRECIATION OF THE SENATE TO DOCTOR SYLVESTER K. STEVENS FOR HIS INVALUABLE AID IN ASSURING THE SUCCESS OF THE COMMEMORATION OF LINCOLN'S VISIT TO THE GENERAL ASSEMBLY

Messrs. KESSLER and STIEFEL, by unanimous consent, offered the following resolution **(Serial No. 16)**, which was read, considered and adopted:

In the Senate, February 21, 1961.

WHEREAS, The commemoration of the one hundredth anniversary of Abraham Lincoln's reception by the General Assembly of Pennsylvania has itself been a memorable occasion and one long to be remembered in the legislative annals of this Commonwealth; and

WHEREAS, This commemoration by re-enactment of the actual proceedings a hundred years ago owes its inception to a suggestion by Dr. Sylvester K. Stevens, Executive Director of the Pennsylvania Historical and Museum Commission, and its success is in no small part due to his vision, his meticulous preperation, and his enthusiastic co-operation in planning and arranging for the re-enactment: therefore be it

RESOLVED, That the Senate of the Commonwealth hereby extends its sincere appreciation and thanks to Dr. Sylvester K. Stevens for his invaluable aid in assuring the success of the commemoration of Lincoln's visit to the General Assembly.

ANNOUNCEMENT OF MEETING OF THE COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, I wish to announce once again that after this Session is over, there will be an important meeting of the Committee on Local Government in Room 301.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **HB 88, 89, 96, 99, 100** and **101.**

The PRESIDING OFFICER (Jo Hays) in the Chair.

RECESS

Mr WEINER. Mr. President, on behalf of Senator McMenamin, I request a five minute recess of the Senate for the purpose of holding a meeting of the committee on Judiciary General, to be held in the office of the President pro tempore.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

RESOLUTION REPORTED FROM COMMITTEE

Mr. KALMAN, by unanimous consent, from the Committee on Judiciary General, reported without amendment, Senate Concurrent Resolution **Serial No. 108**, entitled:

Directing the Joint State Government Commission to study the relocation of eastern and western correctional institutions:

The PRESIDING OFFICER. The resolution will be placed on the Calendar.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

REPUBLICAN CAUCUS	1:00 P. M.
DEMOCRATIC CAUCUS	1:30 P. M.

NOTICE

There will be a Joint Committee Meeting of the House and Senate Education Committee, Tueseday, February 28th, in the Senate Caucus Room at 9:00 a. m., to discuss with the Supertindent of Public Instruction, important educational matters.

There will be a public hearing on Senate Bill 23, February 23, 1961, in the Penthouse of the Philadelphia State Office Building at 2:00 p. m. and March 2, 1961 at 2:00 p. m., in the Pittsburgh State Office Building.

RECESS

Mr. WEINER. Mr. President, I request a recess of the Senate until 1:30 p. m.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a recess of the Senate until 1:30 p. m.

AFTER RECESS

The PRESIDING OFFICER (George J. Sarraf) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILL SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bill: **SB 28.**

The PRESIDING OFFICER (George J. Sarraf) in the Chair.

BILL INTRODUCED AND REFERRED

Messrs. HAYS, STROUP, MURRAY and SEYLER, by unanimous consent, presented to the Chair **SB 272**, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employes' Retirement Code of 1959," providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, the measure I am about to introduce has to do with the economic welfare and health of our Commonwealth, about which all of us are concerned.

Therefore, on behalf of my colleagues, Senator Lane and Senator McGinnis, I am about to present to the Chair such a measure.

BILL INTRODUCED AND REFERRED

Messrs. WEINER, LANE and McGINNIS, by unanimous consent, presented to the Chair **SB 273**, entitled:

An Act to further the economic development of the Commonwealth; providing for an economic message by the Governor; creating a Governor's Council for Economic Development and an Interdepartmental Economic Advisory Committee and a Citizen's Committee on jobs and business climate and defining the powers and duties of these agencies.

Which was committed to the Committee on State Government

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, February 27, 1961, at 3:00 p.m.

Mr. HAYS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:40 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 21, 1961.

The House met at 10:00 a. m., EST.

Mr. HELM IN THE CHAIR.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, in the light of the rich heritage which is ours, and the challenging opportunities and responsibilities which come to us, we look to Thee in the awareness of the heavy weight of obligation which we face. This Commonwealth not only served as the Keystone in the original colonies, furnished leaders in the early days of the Revolution, but also has continued to make her strength known in the ongoing success of these United States of America. Heavenly Father, so inspire these servants of Thine that their efforts may be coupled with those of other loyal Americans to the resolve that this nation may long endure. In Thy dear name, we pray. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. If there is no objection, the approval of the Journal for Monday, February 20, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. FINEMAN and TOMPKINS.

HOUSE BILL No. 524.

An Act providing that the taking and use of notes by jurors during any trial shall not per se constitute proper grounds for the granting of a motion for new trial.

Referred to the Committee on Judiciary.

By Messrs. WEIDNER and McDEVITT.

HOUSE BILL No. 525.

An Act declaring and adopting the song "At the End of the Rainbow is Pennsylvania," by Grace Winings as the State song of the Commonwealth.

Referred to the Committee on Rules.

By Mr. BRETH. HOUSE BILL No. 526.

An Act regulating the expenditure of moneys acquired by the Commonwealth of Pennsylvania for ground rentals and gas royalties from State forest lands.

Referred to the Committee on State Government.

By Messrs. RENWICK, REIDENBACH and O'DELL. HOUSE BILL No. 527.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), providing for the exchange of existing retail dispenser's licenses for liquor licenses despite the limitations of the quota provisions of this act and establishing procedure therefor.

Referred to the Committee on Liquor Control.

By Messrs. MEHOLCHICK, MUSTO, BACHMAN and CURWOOD. HOUSE BILL No. 528.

An Act amending the act of June 2, 1891 (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," providing that certain machines be operated with assistants.

Referred to the Committee on Mines and Mineral Industries.

By Mrs. ANDERSON, Messrs. RUBIN, CAULEY, and COOLEY. HOUSE BILL No. 529.

An Act amending the act of March 15, 1899 (P. L. 8), entitled "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," further providing for reversion of unexpended balances of sums appropriated for specific purposes.

Referred to the Committee on Appropriations.

By Messrs. LUTTY, LEONARD and WILT.

HOUSE BILL No. 530.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), authorizing the adoption of rules and regulations concerning inflammable or combustible substances, certain fire hazards, fire preventive equipment, reports of fires and explosions, authorizing permits to be required, and fixing penalties.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mr. JIM. HOUSE BILL No. 531.

An Act declaring and adopting the song, "The Rolling Hills of Pennsylvania," as the State song of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. FLYNN, PURSLEY and GOODRICH.

HOUSE BILL No. 532.

An Act amending the "Selective Sales and Use Tax Act, approved March 6, 1956 (P. L. 1228), exempting contract carriers from the tax.

Referred to the Committee on Ways and Means.

By Messrs. GROSS, BOSSERT and J. H. ANDERSON. HOUSE BILL No. 533.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further providing for an open season for antlerless deer.

Referred to the Committee on Game and Conservation.

By Messrs. POLEN and BOWMAN.

HOUSE BILL No. 534.

An Act amending the "Public School Code of 1949" approved March 10, 1949, clarifying certain provisions relating to expenses.

Referred to the Committee on Education.

By Messrs. POLEN and BOWMAN.

HOUSE BILL No. 535.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), eliminating residence requirements for board secretaries.

Referred to the Committee on Education.

By Messrs. McDEVITT and BOWMAN.

HOUSE BILL No. 536.

An Act authorizing deductions from the wages or salary of any Commonwealth employe for the payment of

contributions to a United Fund, Community Chest, or other similar united community organizations.

Referred to the Committee on State Government.

By Messrs. HAUDENSHIELD and MILLS.
HOUSE BILL No. 537.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to appropriate moneys for payment of the cost of athletic equipment and uniforms used by members of school bands or athletes in extra curricular, intramural or interscholastic activities, events or competitive games.

Referred to the Committee on Education.

By Messrs. FINEMAN, STANK, SCHUSTER and STECKEL. HOUSE BILL No. 538.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further defining the powers of courts on appeals.

Referred to the Committee on Judiciary.

By Messrs. FINEMAN, STANK, SCHUSTER and STECKEL. HOUSE BILL No. 539.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further defining the powers of courts on appeals.

Referred to the Committee on Judiciary.

By Messrs. PETROSKY, MILLS, DONALDSON and STITELER. HOUSE BILL No. 540.

An Act amending the act of May 23, 1945 (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; * * *," further regulating appeals.

Referred to the Committee on Public Health and Sanitation.

By Messrs. MAXWELL, MILLS and SAKULSKY. HOUSE BILL No. 541.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), defining professional employe so as to include dietitians.

Referred to the Committee on Education.

By Mr. A. D. WILLIAMS, Mrs. KOOKER and Messrs. CIOFFI and GALLAGHER. HOUSE BILL No. 542.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

Referred to the Committee on Counties.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. EILBERG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, February 21, 1961.

Resolved, That the Speaker appoint a committee of two members of the House to escort the members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER pro tempore. The Speaker has appointed as a committee to escort the Senate to the hall of the House, the gentleman from Philadelphia, Mr. Eilberg, and the gentleman from Cameron, Mr. Tompkins. The Committee will proceed in the performance of its duties.

BILLS INTRODUCED AND REFERRED

By Messrs. RUDISILL, LIPPINCOTT, GEORGE and McCANN. HOUSE BILL No. 543.

An Act making an appropriation to the Dickinson School of Law, Carlisle, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. TAYLOR, J. A. SULLIVAN and DOUGHTEN. HOUSE BILL No. 544.

An Act making an appropriation to the Delaware River Port Authority for the construction of a marina.

Referred to the Committee on Appropriations.

By Messrs. STRAUSSER and KESSLER.
HOUSE BILL No. 545.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), requiring the Commonwealth of Pennsylvania and political subdivision to collect and pay over taxes imposed under authority of the act to the political subdivision imposing the act.

Referred to the Committee on State Government.

By Messrs. STRAUSSER and KESSLER.
HOUSE BILL No. 546.

An Act amending "The Borough Code," approved May 24, 1927 (P. L. 519), requiring sale of water-works or system and property upon payment into court by the borough of the amount of the valuation finally fixed.

Referred to the Committee on Boroughs.

By Messrs. STRAUSSER and KESSLER.
HOUSE BILL No. 547.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing local authorities to erect traffic signals without approval of the Secretary of Highways.

Referred to the Committee on Highways.

By Messrs. STRAUSSER and KESSLER.
HOUSE BILL No. 548.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the disposition of fines, penalties and forfeitures.

Referred to the Committee on State Government.

By Messrs. STRAUSSER and KESSLER.
HOUSE BILL No. 549.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the improvement, reconstruction and maintenance of State highways in boroughs and incorporated towns from curb to curb.

Referred to the Committee on Highways.

By Mr. GROSS. HOUSE BILL No. 550.

An Act amending the "Public School Code of 1949," approved May 10, 1949 (P. L. 30), fixing the standard of time for daily sessions during the month of October.

Referred to the Committee on Education.

By Messrs. McCANDLESS, MAGEE, KING and FOOR. HOUSE BILL No. 551.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), increasing issuing agents' fees.

Referred to the Committee on Game and Conservation.

By Messrs. McCANDLESS, KING, MAGEE and FOOR. HOUSE BILL No. 552.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), increasing issuing agents' fees.

Referred to the Committee on Fisheries.

By Messrs. McCANDLESS, KING, MAGEE and FOOR HOUSE BILL No. 553.

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) increasing the additional fee.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. CROSSIN, MEHOLCHICK, ESHBACK and DENNISON. HOUSE BILL No. 554.

An Act repealing subsection (b) of section 461 of the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting an increase in the number of ilcenses in any municipality located in a resort area.

Referred to the Committee on Liquor Control.

By Messrs. KAMYK, FILO, WILT and HAUDENSHIELD. HOUSE BILL No. 555.

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

Referred to the Committee on Public Health and Sanitation.

By Messrs. EILBERG and A. M. LEE HOUSE BILL No. 556.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the temporary investment of funds by school districts of the first class.

Referred to the Committee on Cities—Counties First Class.

By Mr. GROSS. HOUSE BILL No. 557.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing that the Department of Public Instruction employ architects to prepare plans and variations for the use of school districts and making an appropriation.

Referred to the Committe on Education.

By Messrs. YETTER, SCHAAF, POLASKI, JIM, A. E. LEE, SELTZER, A. W. JOHNSON and GOODRICH. HOUSE BILL No. 558.

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania; authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions.

Referred to the Committee on State Government.

By Messrs. ISAACS, and GIBBONS, Mrs. KERNAGHAN and Mr. LIPPINCOTT. HOUSE BILL No. 559.

An Act making an appropriation to the General State Authority for the establishing of marine terminal facilities on the Delaware River in the City of Chester.

Referred to the Committee on Appropriations.

By Messrs. McCANN, EILBERG, YETTER, KAMYK, A. D. WILLIAMS, FRY, DONALDSON, GREMMINGER and DAVIS, Mrs. KOOKER and Messrs. ZEMBER and A. M. LEE. HOUSE BILL No. 560.

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways; providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways; and providing penalties for violations.

Referred to the Committee on Highways.

By Messrs. ISAACS and GIBBONS, Mrs. KERNAGHAN and Mr. LIPPINCOTT. HOUSE BILL No. 561.

An Act to promote the welfare of the people of this Commonwealth creating The Port of Chester Authority as a body corporate and politic with power to acquire, construct, maintain and operate projects for the improvements and to collect tolls, fares, fees, rentals and charges for the use thereof, defining its powers and duties, authorizing the issuance of bonds for said authority, defining the port district and granting the right of eminent domain within the port district.

Referred to the Committee on State Government.

By Messrs. HAMILTON, STONE, KLEIN and CIOFFI. HOUSE BILL No. 562.

An Act providing for the establishment of pension funds or pension annuities for fireman in certain boroughs towns and townships and the regulation and maintenance thereof, providing for an actuary continuance of existing funds or transfer thereof to funds herein established; * * *.

Referred to the Committee on State Government.

By Messrs. FILO, MURRAY, HELM, WILT, DONALDSON and JENKINS. HOUSE BILL No. 563.

An Act establishing as State highways certain county highways or sections thereof, tunnels, bridges, viaducts and approaches thereto in counties of the second class, and requiring their construction, repair and maintenance by the Commonwealth.

Referred to the Committee on Highways.

By Messrs. WALSH, DONALDSON, WILT and MIHM. HOUSE BILL No. 564.

An Act amending the act of June 1, 1959, (P. L. 392), entitled "An act relating to the retirement of State em-

ployes, amending, revising, consolidating and changing the laws relating thereto" providing for the crediting of service in the case of the second class.

Referred to the Committee on Appropriations.

By Messrs. WALSH, WILT, DONALDSON and MIHM.
HOUSE BILL No. 565.

An Act amending the act of July 28, 1953 (P. L. 623) entitled "An act relating to counties of the second class; amending, revising, consolidating and changing the laws relating thereto," requiring the county commissioners to make appropriations and payments to the State Employes' Retirement Fund to establish reserves on account of certain former county employes.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Mrs. REIBMAN, Mrs. ANDERSON, Mrs. MARKLEY and Mrs. KOOKER. HOUSE BILL No. 566.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), defining and providing for special education of exceptional children.

Referred to the Committee on Education.

By Messrs. KORNICK, HAMILTON, WILT and POLASKI. HOUSE BILL No. 567.

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), authorizing transfers from and to the Municipal Employes' Retirement System and the State Employes' Retirement System.

Referred to the Committee on State Government.

By Mrs. REIBMAN, Messrs. CAPANO, IRVIS and FINEMAN. HOUSE BILL No. 568.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing for the payment of expenses related to investments from interest earnings of the fund; providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth; and providing for annual crediting of certain funds to the contingent reserve account.

Referred to the Committee on Appropriations.

By Mrs. REIBMAN, Messrs. CAPANO, IRVIS and FINEMAN. HOUSE BILL No. 569.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing certain duties on the Governor, the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

Referred to the Committee on Appropriations.

By Mrs. REIBMAN, Messrs. CAPANO, IRVIS and FINEMAN. HOUSE BILL No. 570.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), requiring the Board of Finance and Revenue to make and certify certain annual reports to the Governor.

Referred to the Committee on Appropriations.

By Mrs. REIBMAN, Messrs. CAPANO, IRVIS and FINEMAN. HOUSE BILL No. 571.

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund; * * *," authorizing the transfer of funds during each fiscal year and requiring the retransfer of the funds during the fiscal year.

Referred to the Committee on State Government.

The SPEAKER pro tempore. The Chair recognizes the sergeant at arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, a committee on the part of the House escorting the Senate.

REPORT OF THE COMMITTEE TO ESCORT SENATE

The SPEAKER pro tempore. The Chair recognizes the chairman of the committee escorting the Senate.

The CHAIRMAN. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER pro tempore. The Chair thanks the committee and the committee is discharged with the thanks of the House.

The SPEAKER pro tempore. The Lieutenant-Governor, the Honorable John Morgan Davis, is invited to preside over the joint session of the General Assembly.

The President Pro Tempore of the Senate, the Honorable Anthony J. DiSilvestro, is invited to be seated on the rostrum.

The Chair welcomes the Lieutenant-Governor.

JOINT SESSION OF THE GENERAL ASSEMBLY

LIEUTENANT-GOVERNOR JOHN MORGAN DAVIS PRESIDING

The LIEUTENANT-GOVERNOR. The General Assembly will be at ease while it awaits the arrival of His Excellency, the Governor, and the committee escorting the President-elect of the United States, Abraham Lincoln.

The Chair recognizes the chairman of the committee to escort the Senator from Philadelphia, Senator Stiefel. Will you come forward, Senator.

SENATOR STIEFEL. It is my privilege and honor to introduce to you His Excellency, Governor Curtin, the Speaker of the Senate, Mr. Palmer, the Speaker of the House, Mr. Davis.

Your Excellency, President-elect Lincoln, Your Excellency, Governor Curtin, Speaker Palmer, Speaker Davis, Members of the Cabinet, and distinguished guests.

Today is a momentous occasion in the history of our Commonwealth. President-elect Lincoln has accepted the invitation extended to him by the Senate and the House of the General Assembly of Pennsylvania to visit us today. Governor Curtin and the General Assembly already have made their position known on the issue of union as opposed to secession. Mr. Lincoln, Pennsylvania is and always will be the supporter of the Union which was born on our soil with the Declaration of Independence at Philadelphia in 1776, and the Constitutional Convention in the same city in 1787.

Mr. Lincoln, I present to you the members of the General Assembly, members of the Cabinet of Governor Curtin, and the distinguished guests present here today. Speaker Palmer will extend to you the special greetings

of the Senate of Pennsylvania, and Speaker Davis, those of the House.

HONORABLE JOHN MORGAN DAVIS (SPEAKER PALMER).

In behalf of the Senate of Pennsylvania, Honored Sir, I welcome you to the Capitol of our State.

"We deem it a peculiar privilege and a happy omen, that while on your way to assume the duties of the high office to which you have been called, at this momentous period in our national history, we are honored indeed, Sir, by your presence at our seat of government, on this anniversary of the birthday of the Father of our Country.

"The people of Pennsylvania, upon whom rests so large a share of the responsibility for your nomination and election to the Presidency, appreciate the magnitude of the task before you, and are fully prepared to sustain your administration of the government, according to the Constitution and the laws.

"Whatever differences of opinion existed previous to the election, as to the political questions involved in the canvass, our citizens are a law-abiding, Constitution and Union-loving people, and there is no difference among them as to your right to claim, and their duty to render, such support.

"Accordingly, here today are assembled men of all parties and of every shade of political opinion, to welcome and to honor you as the constitutionally chosen President of the United States.

"Nor have we observed with indifference the recent public expression of your views on a subject closely affecting the material interests of Pennsylvania.

"It is universally admitted by our people that it is not only the right, but the duty of the General Government, while providing revenue for its support, by means of a tariff, to so regulate the duties on imports as to afford adequate protection to all the industrial interests of the country. It has, therefore, afforded them profound satisfaction, that you have been known recently, to declare that this is also your view of the true policy of the government.

"Deeply impressed with the honor of your visit at this interesting time—proud of the presence among us of him whom the people have so recently elevated to the chair of Washington, and to whom they have so largely confided their highest interest—hopeful of the beneficient results of wise and just measures, which we trust and believe will signalize your administration, and soon restore harmony and prosperity to our country, I again, in the name and in behalf of the Senate, bid you a cordial welcome to our Capitol."

It is now my pleasure to turn the gavel over to the Speaker of the House of Representatives, Hiram G. Andrews, who will offer the lines stated so well February 22, 1861, by the then Speaker of the House, Elisha W. Davis.

HONORABLE HIRAM G. ANDREWS (SPEAKER ELISHA W. DAVIS).

"Respected Sir:

"It becomes my duty—and certainly it is a pleasant one—to welcome you in behalf of the members of the House of Representatives of Pennsylvania, and to express to you their pleasure in meeting you in this hall.

"We are proud and gratified to meet you, and bid you welcome in the name of Pennsylvania, as the President-elect of the United States.

"This is not the time nor the occasion for making a formal address to you. The people are here to see, and, if possible, hear you speak, in whose ability and integrity they have placed their hopes, and who is soon to preside over the destinies of our great Nation.

"Pennsylvania contributed as much to your election, to your present exalted though arduous position, as any other State in the Union, and although her voice has always been for peace, and 'her flood waters fields unbought with blood,' yet I believe I speak the sentiments of her entire people, when I say she is willing to pledge her resources—men and money—to maintain the Constitution, sustain the government, and enforce the laws.

"Permit me again to bid you welcome in the name of the representatives of the people of Pennsylvania.

"Amidst the gloom that now hangs over our beloved country—when designing men are endeavoring to disturb the only sure safeguard of our liberties, the Union, we meet you, sir, with an abiding faith in the wisdom and justice of Providence, and a firm reliance on your patriotism, prudence and ability to save the Nation from the present impending danger.

"We deeply feel the responsibilities of the present hour, and the importance of moderation and firmness.

"There is no disguising the fact, that the ship of state is drifting in a dangerous and unknown sea.

"But we have every confidence in the steady hand and true heart of the pilot of our choice.

"We have full confidence in the rectitude of your intentions, and the purity of your purposes; and our ardent prayer is now, and will be, for the success of your Administration, and the maintenance of the Constitution and the Union.

"It is now my privilege and great honor to present to you the man who will, in the succeeding troubled years, guide, and we trust, sustain and maintain our Union. I present the President-elect of the United States."

Mr. OTIS B. MORSE, IV (PRESIDENT-ELECT LINCOLN).

"Mr. Speaker of the Senate and also Mr. Speaker of the House of Representatives, and gentlemen of the General Assembly of the State of Pennsylvania:—I appear before you only for a very few brief remarks in response to what has been said to me.

"I thank you most sincerely for this reception, and the generous words in which support has been promised me upon this occasion. I thank your great Commonwealth for the overwhelming support it recently gave—not me personally—but the cause which I think a just one, in the late election.

"Allusion has been made to the fact—the interesting fact perhaps we should say—that I for the first time appear at the Capitol of the great Commonwealth of Pennsylvania, upon the birthday of the father of his Country. In connection with that beloved anniversary connected with the history of this Country, I have already gone through one exceedingly interesting scene this morning in the ceremonies at Philadelphia. Under the kind conduct of gentlemen there, I was for the first time allowed the privilege of standing in old Independence Hall, to

have a few words addressed to me there, and opening up to me an opportunity of expressing, with much regret, that I had not more time to express something of my own feelings excited by the occasion—somewhat to harmonize and give shape to the feelings that had been really the feelings of my whole life.

"Besides this, our friends there had provided a magnificent flag of the Country. They had arranged it so that I was given the honor of raising it to the head of its staff, and when it went up, I was pleased to know that it went to its place by the strength of my own feeble arm. When, according to the arrangement, the cord was pulled and it flaunted gloriously to the wind without an accident, in the light glowing sunshine of the morning, I could not help hoping that there was in the entire success of that beautiful ceremony, at least something of an omen of what is to come. Nor could I help, feeling then as I often have felt, that in the whole of that proceeding I was a very humble instrument. I had not provided the flag; I had not made the arrangement for elevating it to its place; I had applied but a very small portion of even my feeble strength in raising it. In the whole transaction, I was in the hands of the people who had arranged it, and if I can have the same generous co-operation of the people of this Nation, I think the flag of our Country may yet be kept flaunting gloriously.

"I recur for a moment but to repeat some words uttered at the hotel, in regard to what has been said about the military support which the general government may expect from the Commonwealth of Pennsylvania, in a proper emergency. To guard against any possible mistake do I recur to this. It is not with any pleasure that I contemplate the possibility that a necessity may arise in this Country for the use of the military arm.

"While I am exceedingly gratified to see the manifestation upon your streets of your military forces here, and exceedingly gratified at your promise here to use that force upon a proper emergency, while I make these acknowledgments, I desire to repeat in order to preclude any possible misconstruction, that I do most sincerely hope that we shall have no use for them—that it will never become their duty to shed blood, and most especially never to shed fraternal blood. I promise that, (in so far as I may have wisdom to direct), if so painful a result shall in any wise be brought about, it shall be through no fault of mine.

"Allusion has also been made, by one of your honored speakers, to some remarks recently made by myself at Pittsburgh, in regard to what is supposed to be the especial interest of this great Commonwealth of Pennsylvania. I now wish only to say, in regard to that matter, that the few remarks which I uttered on that occasion were rather carefully worded. I took pains that they should be so. I have seen no occasion since to add to them or subtract from them. I leave them precisely as they stand; adding only now that I am pleased to have an expression from you, Gentlemen of Pennsylvania, significant that they are satisfactory to you.

"And now, Gentlemen of the General Assembly of the Commonwealth of Pennsylvania, allow me again to return to you my most sincere thanks."

HONORABLE JOHN MORGAN DAVIS (SPEAKER PALMER).

"Mr. Lincoln, I can only repeat to you the assurances you have received here today and earlier. The Commonwealth of Pennsylvania pledges its full faith and power to the support of the Federal Union. It deplores the effort to break down that Union through the secession of any state or any group of states. We are delighted that you have found these assurances gratifying. We wish you God speed as you proceed to Washington to assume the office and the burdens which await you. We trust that the evidence of support which we have pledged to you and to the cause of Federal Union will hearten and strengthen you in the days ahead.

The LIEUTENANT-GOVERNOR, The Chair now has the pleasure of reading a resolution presented by Senator Stiefel, Senator Mahady, Senator Kessler, Representative McCann, Representative Taylor and Representative Agnew.

It reads:

In the General Assembly in Joint Session
February 21, 1961

This is indeed no newly established anniversary that we celebrate here today, but the revival of one that has become the pride and joy of the American people. In the renewal of this anniversary we can renew our faith in the American way of life, renew our faith in our government, our institutions, our social and religious freedoms.

It was in this State that liberty was born for these United States of America; here the Independence Bell rang out the glad tidings to the entire world; here was signed the Declaration of Independence; here our Federal Coustitution was drafted, and George Washington was part and parcel of it all. George Washington has become very much a part of this great Commonwealth.

And here today assembled under the flag of our country we do honor to this great American who was first in war, first in peace and first in the hearts of his countrymen; therefore be it

Resolved (by the General Assembly in Joint Session), That the General Assembly this day commemorate the memory of George Washington; that we commend the study of his life to every man, woman and child under our flag and give thanks for the many blessings we enjoy today due to this great man.

The LIEUTENANT-GOVERNOR. Gentlemen, you have all heard the reading of the resolution.

All those in favor of the resolution will please say "aye."

I am almost inclined to say that I do not have to ask for noes. Are there any opposed?

The resolution is unanimously adopted.

The committee on the part of the Senate and the House will now escort His Excellency, the Governor, and the President-elect to the Governor's chambers.

The color guard will proceed first.

Mr. HELM IN THE CHAIR

The SPEAKER pro tempore. The business for which the joint session has been assembled having been transacted, this session is now adjourned.

The Senate will return to the Senate chambers. The members of the House of Representatives will remain in their seats.

SENATE MESSAGE

COMMITTEE APPOINTED

The Clerk of the Senate being introduced informed the

House that the President Pro Tempore of the Senate, Honorable Anthony J. DiSilvestro, has appointed Senators Donolow, Seyler and Scott a Committee on the part of the Senate to study the abolition of capital punishment, pursuant to Senate Concurrent Resolution Serial No. 101.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 85.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 88.

An Act amending the "Corporation Income Tax Law," approved August 24, 1951 (P. L. 1417), increasing the rate of the tentative and the annual tax.

HOUSE BILL No. 89.

An Act amending the act of May 16 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" increasing the rate of the tentative and the annual tax.

HOUSE BILL No. 96.

An Act amending the Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594), making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

HOUSE BILL No. 99.

An Act imposing a State tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights powers and duties of the Department of Revenue the taxpayers and officers thereof and providing penalties.

HOUSE BILL No. 100.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine," continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

HOUSE BILL No. 101.

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and federal and state savings and loan associations changing the date for the determination of the base of the tax and making certain repeals.

With the information that the Senate has passed the same without amendment.

PROCEEDINGS OF JOINT SESSION TO BE PRINTED IN JOURNAL

Mr. POLEN. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House re-enacting and commemorating President-elect Lincoln's visit to Harrisburg, Pennsylvania, in 1861, be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

It was agreed to.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. MIHM because of illness.

REPORTS FROM COMMITTEE

Mr. RENWICK from the Committee on Townships, reported as committed, House Bill No. 195, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing appropriations for mosquito control programs.

Mr. MORLEY from the Committee on Townships, reported as committed, House Bill No. 276, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further providing for the accepting of bids and the awarding of contracts.

Mr. HORST from the Committee on Townships, reported as committed, House Bill No. 279, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

Mr. POLASKI from the Committee on Cities—Third Class, reported as committed, House Bill No. 326, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the annual vacation of police officers.

Mr. GELFAND from the Committee on Judiciary, reported as committed, House Bill No. 346, entitled:

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

Mr. GAILEY from the Committee on Cities—Third Class, reported as committed, House Bill No. 416, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," changing the basis for pensions.

Mr. OGILVIE from the Committee on Cities—Third Class, reported as committed, House Bill No. 417, entitled:

An Act amending "The Vehicle Code," approved April 29 1959 (P. L. 58), providing for traffic courts in cities of the third class.

Mr. FILO from the Committee on Highways, reported as amended, House Bill No. 392, entiled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

Mr. MILLER from the Committee on Cities—Third Class, reported as amended, House Bill No. 418, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931, (P. L. 932) changing the basis for pensions.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 195, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing appropriations for mosquito control programs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreebly to Order,
The House proceeded to the first reading and consideration of House bill No. 276, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), further providing for the accepting of bids and the awarding of contracts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 279, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 326, entitled:

An Act amending 'The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the annual vacation of police officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 346, entitled:

An Act amending the "Intangible Personal Property Tax Law," approved June 17, 1831 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 416, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities," changing the basis for pensions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 417, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for traffic courts in cities of the third class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mr. FRY from the Committee on Highways, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 428, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing; providing for the designation of inspection stations for trucks and truck tractors; permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren; prohibiting parking in certain additional places; extending the time during which the secretary shall suspend certain opeartors' privileges and prescribing penalties.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Motor Vehicles.

Mr. McCANN. Mr. Speaker, we are ready to move the second reading calendar before we go to caucuses.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair will take up today's calendar.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 205, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392) re-defining super-annuation retirement age for retirement of enforcement personnel of the Pennsylvania Liquor Control Board

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 313, entitled:

An Act amending the "Soil Conservation Law" approved

May 15, 1945 (P. L. 547), creating the State Soil and Water Conservation Commission and districts imposing powers and duties thereon***and making editorial corrections.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 432, entitled:

An Act amending the "State Employes' Retirement Code of 1959 approved June 1, 1959 (P. L. 392), adding definitions bringing dual coverage group within the act and changing certain allowances with respect thereto eliminating the offset on joint coverage accounts***and bringing extended sick leave under the provisions of the act.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 137, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 3 of today's calendar, bills on third reading, House bill No. 29.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 29, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 6, page 4, line 7, by inserting after "evidence": "(d) the refusal of a defendant to submit to such test may not be used in evidence against said defendant."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, I call up on page 4 of today's calendar, House bill No. 306.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 306, entitled:

An Act amending the act of July 22, 1913 (P. L. 928), entitled "An act relating to domestic animals***providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof*** and providing penalties for the violation of this act" prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. FARABAUGH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 7.1), page 2, line 13 by inserting after "to" where it appears the second time: "confine so as to allow testing without undue burden on the person testing or to."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I call up on page 3 of today's calendar, bills on final passage, House bill No. 224.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143), entitled "An act designating certain days of each year as Arbor Days and Bird Days, one of which days shall be the ninth day of April * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FETTEROLF asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, last line of Title, by inserting after "Day": "and Conservation Week."
Amend Sec. 1 (Title), page 3, line 1, by inserting after "as": "the Dr. J. T. Rothrock Memorial."
Amend Sec. 1 (Sec. 3), page 3, line 2, by inserting after "as": "the Dr. J. T. Rothrock Memorial."
Amend Sec. 1 (Sec. 3), page 4, line 2, by inserting brackets before and after "in Pennsylvania."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

CAUCUS

Mr. McCANN. Mr. Speaker, this covers the bills to this point.

We are going to ask for a recess of the House for the purposes of caucuses to clear the calendar. I would like to ask that in the caucuses they clear bills Nos. 63, 302 on page 3; on page 4, 309, 332, 343, 355; on page 5, 356, 387, 400; Senate bill 53, a special order of business with a possibility of securing a copy of all the amendments that may be proposed before we go to caucus; on page 6, Senate bill 136, and whatever resolutions.

At this time, Mr. Speaker, I wish to state that I would appreciate having a copy of any amendments to be offered and ask that they be given to Mr. Tompkins or Mr. Agnew so we may have same before we go to our caucuses on Senate bill 53 or any other bill.

Mr. Speaker, I am going to ask for a caucus for 45 minutes to 1 hour as soon as the minority floor leader is here to agree.

REPORT FROM COMMITTEE

Mr. FINEMAN from the Committee on Judiciary, reported as committed, House bill No. 321, entitled:

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases, and for the allowance of expenses and compensation in such cases," extending the benefits of the act.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 321, entitled:

An Act amending the act of March 22, 1907 (P. L. 31), entitled "An act to provide for the assignment of counsel in murder cases, and for the allowance of expenses and compensation in such cases," extending the benefits of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Mr. McCANN. Mr. Speaker, on page 2, House bill 20 on final passage; House bill 184 will not be called or debated today.

The SPEAKER pro tempore. The Chair will now return the gavel to the Speaker of the House who did such a very able job this morning in our special proceedings.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

The SPEAKER. The Chair has just returned from Appomattox. I understand that Lee has surrendered his entire army.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 88.

An Act amending the "Corporation Income Tax Law" approved August 24, 1951 (P. L. 1417) increasing the rate of the tentative and the annual tax.

HOUSE BILL No. 89.

An Act amending the act of May 16, 1935 (P. L. 208) entitled as amended "Corporate Net Income Tax Act" increasing the rate of the tentative and the annual tax.

HOUSE BILL No. 96.

An Act amending the "Pennsylvania Cigarette Tax Act" approved July 8, 1957 (P. L. 594) making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies.

HOUSE BILL No. 99.

An Act imposing a State tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies, associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof and providing penalties.

HOUSE BILL No. 100.

An Act amending the act of June 1, 1889 (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax.

HOUSE BILL No. 101

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation" increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and federal and state savings and loan associations changing the date for the determination of the base of the tax and making certain repeals.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LUTTY asked and obtained permission for the

Committee on Cities—Counties Second Class and Second Class A to meet during the session of the House.

Mr. AGNEW. Mr. Speaker, I was told I was going to be recognized—this is not entirely on my own initiative, —for the purpose of interrogating the majority leader in respect to the forthcoming caucus, the reasons for it, the fact that it will run over the lunch hour, and whether we will make arrangements for lunch or not. The members will want to take 15 minutes to half an hour to get something to eat between now and the time we come back.

May I suggest to the majority leader that we caucus now for an hour and a half, which would take us approximately to one o'clock, give the members a half hour to get something to eat at that time, and reconvene at one-thirty.

Mr. McCANN. Mr. Speaker, the minority leader's suggestion would be a caucus from approximately 11:30 to 12:30, lunch from 12:30 to 1, reconvening the House at 1 o'clock, is that right?

Mr. AGNEW. No, the caucus to run to 1 o'clock reconvening at 1:30. If you think we can do it in an hour, we will try, but we have not caucused at all on Senate bill 53.

Mr. McCANN. Well, Mr. Speaker, we will have to agree then on the time schedule. What time will the membership return to the House?

Mr. AGNEW. Promptly at 1:30.

Mr. McCANN. One-thirty. Mr. Speaker, I will ask the Democratic members to proceed at the recess to the caucus room to caucus first, and then, since you are going to get a bite of lunch, to return here so we can complete the business in the caucus, have a bite of lunch, and return to the floor of the House promptly at 1:30.

RECESS

The SPEAKER. At the suggestion of the respective floor leaders, the Chair declares a recess until 1:30.

AFTER RECESS

The time of recess having expired, the House was called to order.

MR. HELM IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Messrs. MEHOLCHICK, WARGO, NEEDHAM and MUSTO. HOUSE BILL No. 572.

An Act making an appropriation to the Department of Health for the purpose of extinguishing fires in refuse banks where same are creating health hazards.

Referred to the Committee on Public Health and Sanitation.

By Messrs. FOERSTER, IRVIS, CLARKE and WILT. HOUSE BILL No. 573.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), further regulating the time of making returns.

Referred to the Committee on Ways and Means.

By Messrs. KELLY and HANKINS. HOUSE BILL No. 574.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), adding and increasing certain penalties, and conforming a section to show a previous repeal.

Referred to the Committee on Game and Conservation.

By Messrs. CURWOOD, MEHOLCHICK, GUESMAN and SHUPNICK. HOUSE BILL No. 575.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating and increasing the fee for permits for field trials.

Referred to the Committee on Game and Conservation.

By Messrs. GUESMAN, COOLEY, and DOUGHTEN. HOUSE BILL No. 576.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking or wounding of any game, and providing penalties.

Referred to the Committee on Game and Conservation.

By Messrs. CURWOOD, MEHOLCHICK, HARTLEY and BACHMAN. HOUSE BILL No. 577.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of resident hunter's license fees.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, FRY and COOLEY. HOUSE BILL No. 578.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, CURWOOD, MEHOLCHICK and SHUPNICK. HOUSE BILL No. 579.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) regulating special waterfowl management and hunting areas.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, GUESMAN, COOLEY, FRY and HARTLEY. HOUSE BILL No. 580.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating the use of automatic and magazine shotguns; and providing a penalty.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, CURWOOD, MEHOLCHICK and GUESMAN. HOUSE BILL No. 581.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

Referred to the Committee on Game and Conservation.

By Messrs. RENWICK, CURWOOD, MEHOLCHICK and GUESMAN. HOUSE BILL No. 582.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying the provisions relating to dogs pursuing game in close season.

Referred to the Committee on Game and Conservation.

By Messrs. CURWOOD, MEHOLCHICK, GUESMAN and SHUPNICK. HOUSE BILL No. 583.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), providing that lands acquired for the use of the Pennsylvania Game Commission shall not be subject to warrant, survey, or patent.

Referred to the Committee on Judiciary.

By Messrs. KELLY and HANKINS. HOUSE BILL No. 584.

An Act amending "The Game Law, approved June 3, 1937 (P. L. 1225), creating permits for the importing, possessing, propagating, or selling of nutria, and providing for certain fees and penalties in connection therewith.

Referred to the Committee on Game and Conservation.

By Messrs. KELLY and HANKINS. HOUSE BILL No. 585.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying, changing and increasing certain fees.

Referred to the Committee on Game and Conservation.

By Messrs. DOUGHTEN, KELLY and HANKINS. HOUSE BILL No. 586.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225) eliminating the necessity of advertising in newspapers to change open seasons on special shooting areas established by the Game Commission.

Referred to the Committee on Game and Conservation.

By Messrs. KELLY and HANKINS. HOUSE BILL No. 587.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.

Referred to the Committee on Game and Conservation.

By Messrs. FRY, BACHMAN, COOLEY and RENWICK. HOUSE BILL No. 588.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provision relating to when license tags are required to be displayed.

Referred to the Committee on Game and Conservation.

By Messrs. KELLY and HANKINS. HOUSE BILL No. 589.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225) changing certain penalties.

Referred to the Committee on Game and Conservation.

By Messrs. GAILEY, RUDISILL and A. M. LEE. HOUSE BILL No. 590.

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624), eliminating certain provisions relating to corporate fiduciaries.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GAILEY, RUDISILL and A. M. LEE. HOUSE BILL No. 591.

An Act amending the "Fiduciaries Investment Act of 1949," approved May 26, 1949 (P. L. 1828), providing for authorized investments in interest-bearing deposits.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GAILEY, RUDISILL and A. M. LEE. HOUSE BILL No. 592.

An Act amending the "Principal and Income Act of 1947" approved July 3, 1947 (P. L. 1283), providing for the disposition of capital gains dividends and the increment in value of certain United States Treasury bills, clarifying certain stock dividends.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GAILEY, STIMMEL, WHITTAKER and IRVIS. HOUSE BILL No. 593.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), raising the minimum hourly wage of certain teachers.

Referred to the Committee on Education.

By Messrs. CIANFRANI, HARTLEY, CLARKE and KRAMER. HOUSE BILL No. 594.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the bringing of informations in cities of the first and second class.

Referred to the Committee on Cities—Counties First Class.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 595.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring the Auditor General to publish a monthly report of persons employed by the Commonwealth.

Referred to the Committee on Rules.

By Messrs. GELFAND, FINEMAN, GAILEY and A. M. LEE. HOUSE BILL No. 596.

An Act amending the act of May 8, 1909 (P. L. 475), entitled "An act to provide that admission now had or that may hereafter be had to practice as an attorney-at-law in the Supreme Court of this Commonwealth shall of itself, without more, operate as an admission of such attorney as an attorney-at-law in every other court of this Commonwealth; * * *" further defining the right of attorneys-at-law admitted to practice in the Supreme Court to practice in the courts of the several counties.

Referred to the Committee on Judiciary.

By Mr. MARSH. HOUSE BILL No. 597.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

Referred to the Committee on Appropriations.

By Messrs. GELFAND, SHERMAN and A. D. WILLIAMS. HOUSE BILL No. 598.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), making it illegal for an employer to issue worthless checks and drafts to employes and providing penalties.

Referred to the Committee on Judiciary.

By Messrs. GALLAGHER and GREMMINGER.

HOUSE BILL No. 599.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), permitting a change of enrollment of political party before an alderman, justice of the peace, or notary public.

Referred to the Committee on Cities—Counties First Class.

By Messrs. GALLAGHER, VERONA and PRENDERGAST. HOUSE BILL No. 600.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors, township superintendents and roadmasters.

Referred to the Committee on Townships.

By Messrs. GALLAGHER and VERONA.

HOUSE BILL No. 601.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for two additional supervisors in townships having a population of more than twelve thousand.

Referred to the Committee on Townships.

By Messrs. GALLAGHER, J. A. SULLIVAN, GREMMINGER and McDEVITT. HOUSE BILL No. 602.

An Act amending the act of June 30, 1947 (P. L. 1161), entitled "An act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, * * services to the public and their employes which cause or threaten to cause strikes, lockouts, * * that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; * * *," removing the prohibition against strikes, lockouts, slowdowns, etc.

Referred to the Committee on Labor Relations.

By Messrs. GALLAGHER, BONNER, J. A. SULLIVAN and McDEVITT. HOUSE BILL No. 603.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), eliminating the waiting period of one week and providing compensation for each day of unemployment.

Referred to the Committee on Workmen's Compensation.

By Messrs. GALLAGHER, BONNER, J. A. SULLIVAN and McDEVITT. HOUSE BILL No. 604.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897) further defining employes' eligibility for compensation.

Referred to the Committee on Workmen's Compensation.

By Messrs. GALLAGHER, J. A. SULLIVAN, GREMMINGER and McDEVITT. HOUSE BILL No. 605.

An Act regulating the payment of wages or compensation for labor or services in certain private employments; establishing regular pay days; imposing duties upon employers; conferring powers and duties upon the Department of Labor and Industry; imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages; imposing civil and criminal penalties for violations of the act; and providing for their collection and disposition.

Referred to the Committee on Workmen's Compensation.

By Mr. HORST. HOUSE BILL No. 606.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating the manner in which a convention of school directors may increase salaries of county superintendents, assistant superintendents and supervisors of special education.

Referred to the Committee on Education.

By Messrs. HAUDENSHIELD, KAMYK, KRAMER and DONALDSON. HOUSE BILL No. 607.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) authorizing the production and performance of civic light opera between certain hours on Sunday in cities of the second class.

Referred to the Committee on Law and Order.

By Mr. MAXWELL and Mrs. PASHLEY.

HOUSE BILL No. 608.

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

Referred to the Committee on Public Health and Sanitation.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 85.

An Act amending the act of June 15, 1951 (P. L. 586) entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" excepting certain probationary appointees from suspension and removal provisions.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. ZIMMERMAN, McCANDLESS, GEORGE and HOLMAN.

(Concurrent) RESOLUTION No. 30.

In the House of Representatives, February 20, 1961.

The Pennsylvania dairy industry, the major agricultural enterprise of the Commonwealth, is concerned with the increasing volume of out-of-state milk coming into the State.

It is believed that some of the out-of-state milk is being used to replace Class I Pennsylvania produced milk. Out-of-state milk utilized in this method is called distressed milk; that is, surplus milk that can be purchased at a price considerably less than Class I Pennsylvania produced milk.

It is believed that some Pennsylvania Milk dealers are purchasing distressed milk at surplus and/or manufacturing prices and are selling this milk as Class I to the consumer.

Such practices are harmful to Pennsylvania dairymen and provide a wider profit for milk dealers; therefore be it

Resolved (The Senate concurring), That the Pennsylvania Department of Justice is requested to investigate

the above situation to determine a feasible solution; and be it further

Resolved, That the Pennsylvania Department of Justice is requested to make a report of its findings and recommendations to this Session of the General Assembly as soon as possible.

Referred to the Committee on Rules.

BILL ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 5 of today's calendar, bill on third reading, Senate bill No. 53.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 53, entitled:

An Act amending the act of October 27, 1955 (P. L. 744) entitled "An act prohibiting certain practices of discrimination because of race color religious creed ancestry age or national origin by employers employment agencies labor organizations and others as herein defined creating the Pennsylvania Fair Employment Practice Commission in the Department of Labor and Industry defining its functions powers and duties providing for procedure and enforcement providing for formulation of an educational program to prevent prejudice providing for judicial review and enforcement and imposing penalties" prohibiting discrimination in the selling leasing or financing of commercial housing and discrimination in places of public accommodation resort or amusement because of race color religious ancestry or national origin changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission and qualifying the scope of the act.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 3 (Sec. 10), page 21, line 14, by inserting after "thereof": "the penalty for which shall not exceed a fine of one hundred dollars ($100), and upon default in the payment thereof, such penalty shall be imprisonment not exceeding thirty days."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, the bill as written provides that any failure to obey any order of court makes it punishable by said court as a contempt thereof. There are no limitations upon what the court could impose upon a person under this bill as now written. The fine would be unlimited and the term of imprisonment would be unlimited.

What the amendments that I have offered will do is to limit the courts in the imposition of any penalty under the contempt to a fine not exceeding $100 and, in default of payment of the fine, jail not exceeding 30 days.

We feel this is reasonable under any circumstances. We do not believe that the local law under the limited authority should be left in the hands of the court or anybody else in this or any other kind of a matter.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I rise to oppose the passage of this amendment.

The bill, Senate bill 53, as written, has one penalty clause in it and that, Mr. Speaker, is that anyone who, after having been investigated by the commission, after a finding of fact by the commission, after a ruling by the commission, and after an appeal of that ruling to the Court of Common Pleas of Dauphin County, and after a hearing de novo, the entire body of evidence by the court, may then be held in contempt of that court.

Mr. Speaker, the proposed amendment would, in my opinion, so weaken this measure as to make it ineffective and ineffectual. It would permit the biased and prejudiced builders, if such actually exist in this Commonwealth, to merely add the $100 fine to the total price of whatever building he is building, and then go ahead and discriminate. This would, in my opinion, be a license for discrimination rather than a prohibition against it and I ask that the membership vote against this proposed amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and AGNEW and were as follows:

YEAS—94

Adams,	Fox,	King,	Seltzer,
Agnew,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Knecht,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Blair,	Goodrich,	Lippincott,	Stiteler,
Bossert,	Gramlich,	Magee,	Strausser,
Bower,	Gross,	Manbeck,	Thompson,
Bowman,	Guesman,	Markley,	Tompkins,
Buchanan,	Guthrie,	Marsh,	Ujobai,
Bush,	Haudenshield,	May,	Varner,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	McInroy,	Weidner,
Dennison,	Hocker,	Merry,	Whittaker,
Donaldson,	Holliday,	Miller,	Willaredt,
Down,	Holman,	O'Dell,	Williams, A. D.,
Edwards,	Horst,	Ogilvie,	Williams, E. S.,
Elvey,	Isaacs,	Piper,	Wilt,
Eshback,	Johnson, A. W.,	Price,	Wood,
Eshleman,	Johnson, R. P.,	Pursley,	Worley,
Ewing,	Keiser,	Royer,	Zember,
Fetterolf,	Kernaghan,	Rutherford,	Zimmerman,
Foor,	Kessler,		

NAYS—102

Anderson, S. A.,	Gailey,	Long, Wm. Jos.,	Reibman,
Arlene,	Gallagher,	Lutty,	Reidenbach,
Bachman,	Gelfand,	Maxwell,	Renwick,
Bonner,	Goldstein, M. H.,	McCann,	Riley,
Branca,	Gray,	McDevitt,	Rovansek,
Breth,	Gremminger,	McDonald,	Rubin,
Capano,	Hamilton,	McKeever,	Rudisill,
Capitolo,	Hankins,	McLaughlin,	Sakulsky,
Cauley,	Hartley,	McNally,	Scarcelli,
Cianfrani,	Heavey,	Meholchick,	Schaaf,
Cioffi,	Heffner,	Monroe,	Shelton,
Clarke,	Irvis,	Morley,	Sherman,
Comer,	Jenkins,	Mullen,	Shupnik,
Cooley,	Jim,	Munley,	Stank,
Crossin,	Jones,	Murphy,	Stone,
Curwood,	Kamyk,	Musto,	Sullivan, J. A.,
Dougherty,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. P.,	Taylor,
Ellberg,	Kornick,	Parlante,	Tomascik,
Farabaugh,	Kramer,	Pashley,	Trusio,
Filo,	Lamb,	Perry,	Verona,
Fineman,	Lawson,	Petrosky,	Walsh,
Flynn,	Lee, A. M.,	Polaski,	Wargo,
Foerster,	Leonard,	Polen,	Welsh,
Frascella,	Limper,	Prendergast,	Andrews,
Fry,	Long, Wm. Jas.,		Speaker

NOT VOTING—12

Boies,	Mills,	Odorisio,	Willard,
McCormack,	Murray,	Schuster,	Wynd,
Mihm,	Needham,	Wescott,	Yetter,

So the question was determined in the negative and the amendments were not agreed to.

Mr. TOMPKINS offered the following amendments:

Amend Title, page 2, last line of Title, by inserting after "act": "and granting common pleas courts of counties in which the alleged offenses were committed, jurisdiction to enforce commission orders or give other appropriate relief."

Amend Sec. 3 (Sec. 10), page 20, line 14, by inserting a bracket before "Dauphin."

Amend Sec. 3 (Sec. 10), page 20, line 14, by striking out the bracket before "Such."

Amend Sec. 3 (Sec. 10), page 20, line 14, by inserting after "proceeding]": "the county in which the alleged offense was committed."

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, on page 18 of the bill, in case of a complaint being filed and a hearing being held before the commission, the bill provides that the place of any such hearing shall be in the county in which the alleged offense was committed. However, when they come to enforce an order of the commission, rather than doing it before the courts of the county where the alleged offense was committed and where the hearing was held, they bring the matter into the Dauphin County court.

My amendments provide that rather than the enforcement being in the Dauphin County court that the enforcement be in the local courts in the county in which the offense was committed. This is for the purpose of keeping people from having to come from all over the State of Pennsylvania on offenses of this kind, into Dauphin County which, on many occasions, because of excessive cost of having to do so, would compel them to abide by the orders of the commission because they cannot finance the defense of themselves.

I might well parallel this by saying that we fought a Revolutionary War to keep our people from being taken to England to be tried for a lot of minor offenses which occurred in the Colonies. I do not know why we should take away from the people the privilege of going to the courts in the county in which the offense is committed.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I rise to oppose the proposed amendments.

If this bill is enacted into law, it will be an amendment to the act authorizing the already existing Fair Employment Practices Commission, which commission has been in existence for a number of years in this Commonwealth, and the language which is included in this particular bill is old language, not new. We have for a number of years had the enforcement of the commission's orders in the hands of the Court of Common Pleas of Dauphin County. I have inquired of the commission and I have found no record of anyone complaining about the expenses, I have found no record of anyone complaining about the expense, Mr. Speaker, of defending themselves in the Dauphin County court, for the simple reason that this has never been brought to the Dauphin County court. It is common practice, I understand from men who have served in this House for many more years than I, that when a state agency is involved the enforcement of that state agency's findings of fact and rulings be placed in the hands of the Court of Common Pleas of Dauphin County. This common procedure is one which we desire to follow as it has been followed in these past years in this Commonwealth, and I therefore ask the membership to vote "no" on this proposed amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and AGNEW and were as follows:

YEAS—97

Adams,	Fox,	King,	Seltzer,
Agnew,	Fulmer,	Kistler,	Simmons,
Anderson, J. H.,	George,	Knecht,	Slack,
Ashton,	Gibb,	Kooker,	Snare,
Auker,	Gibbons,	Korns,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Stiteler,
Bossert,	Goodrich,	Lippincott,	Strausser,
Bower,	Gramlich,	Magee,	Thompson,
Bowman,	Gross,	Manbeck,	Tompkins,
Buchanan,	Guthrie,	Markley,	Ujobai,
Bush,	Haudenshield,	Marsh,	Varner,
Davis,	Helm,	May,	Wall,
Dengler,	Henzel,	McCandless,	Walsh,
Dennison,	Hocker,	McInroy,	Weidner,
Donaldson,	Holliday,	Merry,	Whittaker,
Down,	Holman,	Miller,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Ogilvie,	Williams, E. S.,
Eshback,	Johnson, A. W.,	Piper,	Wilt,
Eshleman,	Johnson, R. P.,	Price,	Wood,
Ewing,	Keiser,	Pursley,	Worley,
Farabaugh,	Kernaghan,	Royer,	Zember,
Fetterolf,	Kessler,	Rutherford,	Zimmerman,
Foor,			

NAYS—99

Anderson, S. A.,	Gailey,	Long, Wm. Jos.,	Reibman,
Arlene,	Gallagher,	Lutty,	Reidenbach,
Bachman,	Gelfand,	Maxwell,	Renwick,
Bonner,	Gray,	McCann,	Riley,
Branca,	Gremminger,	McDevitt,	Rovansek,
Breth,	Guesman,	McDonald,	Rubin,
Capano,	Hamilton,	McKeever,	Rudisill,
Capitolo,	Hankins,	McLaughlin,	Sakulsky,
Cauley,	Hartley,	McNally,	Scarcelli,
Cianfrani,	Heavey,	Meholchick,	Schaaf,
Cioffi,	Heffner,	Monroe,	Shelton,
Clarke,	Irvis,	Morley,	Sherman,
Comer,	Jenkins,	Mullen,	Shupnik,
Cooley,	Jim,	Munley,	Stank,
Crossin,	Jones,	Murphy,	Stone,
Curwood,	Kamyk,	Musto,	Sullivan, J. A.,
Dougherty,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. P.,	Taylor,
Eilberg,	Kornick,	Parlante,	Tomascik,
Filo,	Kramer,	Pashley,	Trusio,
Fineman,	Lamb,	Perry,	Verona,
Flynn,	Lawson,	Petrosky,	Wargo,
Foerster,	Leonard,	Polaski,	Welsh,
Frascella,	Limper,	Polen,	Andrews,
Fry,	Long, Wm. Jas.,	Prendergast,	Speaker

NOT VOTING—12

Boies,	Mills,	Odorisio,	Willard,
McCormack,	Murray,	Schuster,	Wynd,
Mihm,	Needham,	Wescott,	Yetter,

So the question was determined in the negative and the amendments were not agreed to.

Mr. TOMPKINS offered the following amendments:

Amend Title, page 2, last line of Title, by inserting after "act": "and requiring complainants to appear before commission hearings."

Amend Sec. 3 (Sec. 9), page 18, line 17, by inserting a

bracket before and after "may" and inserting immediately thereafter: "shall."

On the question,

Will the House agree to the amendment?

Mr. TOMPKINS. Mr. Speaker, on page 18 of the bill it says, "The complainant may likewise appear at such hearing in person or otherwise with or without counsel and submit testimony."

This amendment provides that the complainant shall appear at any such hearing. Now, it is fundamental in law, and certainly I do not think any person in this House would care to be brought into court without being faced by the person who has made the complaint against him and given the right of cross-examination to find out the background and basis for the complaint. The Constitution guarantees a person that right and I say to you this amendment should prevail and should be passed to compel the attendance of a complainant. Anybody who can file a charge and stir up a lot of trouble for a person certainly should be compelled to come to a hearing and substantiate those charges.

Mr. IRVIS. Mr. Speaker, I rise to oppose the proposed amendment and I ask the indulgence of the Speaker to read a section of the bill which was not read by the proposer of the amendment. I am now reading line 13 on page 18:

"The case in support of the complaint shall be presented before the Commission by one of its attorneys or agents. The respondent may file a written verified answer to the complaint and appear at such hearing in person or otherwise with or without counsel and submit testimony. The complaint may likewise appear."

I read this section, Mr. Speaker, for the information of the House to point out to the House that neither the respondent nor the complainant are forced to appear at these hearings before the commission. They may appear if they personally wish. They may appear with their attorneys or they may appear with their attorney only. The commission itself, of course, holding the hearing would have its agent present. I am quite certain that with the protective envelopment of the court of common pleas as the court of final resort, in which, of course, the respondent, if he wished, could face the complainant, the respondent's constitutional rights are adequately protected. Consequently, I ask for a "no" vote on this amendment.

Mr. TOMPKINS. Mr. Speaker, the gentleman states that neither the complainant nor the respondent are compelled to appear at this hearing. I agree with you that is in the procedure today and that it is in the law and the Constitution, that a respondent is not compelled to appear in proceedings if he does not see fit, particularly in an equity proceeding such as this is supposed to be, and upon failure to appear they can take judgment by default.

I would like to interrogate the gentleman from Allegheny County, if I may.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Irvis, permit himself to be interrogated?

Mr. IRVIS. I shall, Mr. Speaker.

Mr. TOMPKINS. I should like to ask the gentleman if he can cite to me any other instance in the law where the court is permitted to make an order or to try a case without the appearance of the complainant in court to give his testimony in connection with the complaint, particularly in a criminal case or a quasi-criminal case such as this would be.

Mr. IRVIS. I would like to answer the question in this manner, Mr. Speaker:

This bill does not permit the court to make a ruling in the absence of the complainant or the absence of the respondent. This bill merely permits a hearing before a commission which is not a court, in the absence of the physical presence of the complainant.

I think I might point out to the questioner, Mr. Speaker, that preliminary injunctions are frequently issued by courts merely on the complainants say-so in the absence of the respondent. The respondent may go in—and I believe the gentleman knows it to be the truth—later and appear before the court, but a preliminary injunction may be issued in his absence, and this simply follows the equity procedure in this Commonwealth.

Mr. TOMPKINS. Mr. Speaker, the fact of the matter still remains that in the example which the gentleman has cited the complainant, at least, still must appear. Where you have a hearing of any kind, whether before a commission or before a court, I certainly think a person being charged with an offense of some kind should be entitled to be faced by his accuser.

Mr. IRVIS. I do not understand that to be a question, Mr. Speaker, but if it is intended to be a question, then I would say this in reply, that the complainant and the respondent would face each other, if necessary, in the Court of Common Pleas of Dauphin County where the right of full cross—examination would be given. The commission is not a court and the commission is not obliged to follow the rules of evidence of court. This is, we believe, a device to make it easier for the commission to make its investigation.

Mr. TOMPKINS. Mr. Speaker, the courts of Dauphin County merely take up the enforcement processes; they do not take up anything in connection with the hearing on the matter or the findings of fact.

The SPEAKER pro tempore. Has the gentleman completed his interrogation or is he asking a question?

Mr. TOMPKINS. I am merely calling that matter to his attention because the courts, as far as I can read the provisions of this bill, have no right to hold any hearing de novo, although the truth is the record is sent up on it to the courts, where they pass upon the record which is taken before the commission.

Mr. IRVIS. I do not understand that to be a question, Mr. Speaker. Therefore, I shall not attempt to answer it.

Mr. TOMPKINS. That is right. I am merely calling these matters to the attention of the gentleman from Allegheny to point up the fact that you are having a hearing here upon which you are going to make findings of fact without compelling the complainant to appear at these hearings.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and AGNEW and were as follows:

YEAS—97

Adams,	Fulmer,	Knecht,	Simmons,
Agnew,	George,	Kooker,	Slack,
Anderson, J. H.,	Gibb,	Korns,	Snare,
Ashton,	Gibbons,	Lee, A. M.,	Steckel,
Auker,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,

Backenstoe,	Goodrich,	Lippincott,	Stiteler,
Blair,	Gramlich,	Magee,	Strausser,
Bossert,	Gross,	Manbeck,	Thompson,
Bower,	Guthrie,	Markley,	Tompkins,
Bowman,	Haudenshield,	Marsh,	Ujobai,
Buchanan,	Heffner,	May,	Varner,
Bush,	Helm,	McCandless,	Wall,
Davis,	Henzel,	McInroy,	Walsh,
Dengler,	Holliday,	Merry,	Weidner,
Dennison,	Holman,	Miller,	Whittaker,
Donaldson,	Horst,	Murphy,	Willaredt,
Down,	Isaacs,	O'Dell,	Williams, A. D.,
Edwards,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Elvey,	Johnson, R. P.,	Piper,	Wilt,
Eshback,	Keiser,	Price,	Wood,
Eshleman,	Kernaghan,	Pursley,	Worley,
Ewing,	Kessler,	Royer,	Wynd,
Fetterolf,	King,	Rutherford,	Zember,
Foor,	Kistler,	Seltzer,	Zimmerman,
Fox,			

NAYS—100

Anderson, S. A.,	Fry,	Long, Wm. Jas.,	Prendergast,
Arlene,	Gailey,	Long, Wm. Jos.,	Reibman,
Bachman,	Gallagher,	Lutty,	Reidenbach,
Bonner,	Gelfand,	Maxwell,	Renwick,
Branca,	Goldstein, M. H.,	McCann,	Riley,
Breth,	Gray,	McDevitt,	Rovansek,
Capano,	Gremminger,	McDonald,	Rubin,
Capitolo,	Guesman,	McKeever,	Rudisill,
Cauley,	Hamilton,	McLaughlin,	Sakulsky,
Cianfrani,	Hankins,	McNally,	Scarcelli,
Cioffi,	Hartley,	Meholchick,	Schaaf,
Clarke,	Heavey,	Monroe,	Shelton,
Comer,	Irvis,	Morley,	Sherman,
Cooley,	Jenkins,	Mullen,	Shupnik,
Crossin,	Jim,	Munley,	Stank,
Curwood,	Jones,	Murray,	Stone,
Dougherty,	Kamyk,	Musto,	Sullivan, J. A.,
Doughten,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Eilberg,	Klein,	O'Donnell, J. P.,	Taylor,
Farabaugh,	Kornick,	Parlante,	Tomascik,
Filo,	Kramer,	Pashley,	Trusio,
Fineman,	Lamb,	Perry,	Verona,
Flynn,	Lawson,	Petrosky,	Wargo,
Foerster,	Leonard,	Polaski,	Welsh,
Frascella,	Limper,	Polen,	Andrews, Speaker

NOT VOTING—11

Boies,	Mihm,	Odorisio,	Willard,
Hocker,	Mills,	Schuster,	Yetter,
McCormack,	Needham,	Wescott,	

So the question was determined in the negative and the amendments were not agreed to.

Mr. TOMPKINS offered the following amendment:

Amend Sec. 3 (Sec. 10), page 21, line 16, by inserting after "parties" or their attorneys.

On the question.

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, throughout the bill, the respondent in case of proceedings being taken under this act is entitled to act either on his own behalf or through an attorney.

On page 21 of the bill it reads, "The Commission's copy of the testimony shall be available at all reasonable times to all parties for examination—". In here they do not give the party's attorney the right to examine the record. This, I think, is something to which, fundamentally, any party is entitled; to have their attorney represent them and if necessary to look at the record in the hands of the commission. I think, by all means, and I think the Supreme Court of the United States has said, that a person is entitled to be represented by counsel. For that reason I am offering these amendments for this particular section of the bill.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Irvis, desire to be recognized?

Mr. IRVIS. I do, Mr. Speaker.

Mr. Speaker, I wish to assure the House that it is not my intention to debate every single amendment which is offered here this afternoon, and I hope I will be permitted to simply let the House vote "aye" or "nay" on this one.

This amendment, I confess, Mr. Speaker, has me confused. It was my impression, and it is the impression of every other attorney with whom I have spoken, that an attorney always has the right, as long as he is given the right to represent a party, to see any papers which the party may see. I do not know if the amendment is necessary. If I represent Mr. X and Mr. X has the right to look at certain papers, then I have the right to look at those papers for Mr. X. Mr. X can certainly give me authority to look at those papers for him. I find the amendment completely unnecessary.

For that reason I ask the House to vote "nay" on it.

Mr. TOMPKINS. Mr. Speaker, it is just as non-understandable to me that you mention the party or his attorney throughout this bill, but in this particular instance you leave out the word "attorney." You confine it exclusively to the party himself. If the amendment does not make any particular difference, then what is wrong with putting it in the bill to see that the party is properly protected, rather than to leave an open gap there where "can properly" may be improperly used at sometime by the commission and deny the party's attorney the right to see these things. I see nothing wrong in clarifying legislation so there cannot be any mistake as to what is meant by the legislation.

Mr. IRVIS. Mr. Speaker, I suppose we might write into this bill half a thousand new words for clarification. A lawyer seems to be particularly addicted to words—the more words we have the happier we are—and it might be so we can confuse our clients when they need our services.

I do not see the necessity for holding up the vote on this bill so we can insert these words, that is all. I can see where nobody is hurt; I do not see where anybody is denied any constitutional rights, and simply to hold up the vote on this bill so we may insert these words, "all lawyers," that I assume now to be the fact, is, I believe, unnecessary and uncalled for.

Mr. TOMPKINS. Mr. Speaker, the gentleman from Allegheny, as an attorney, undoubtedly knows that. I, as an attorney, undoubtedly know that, but, when I read a bill where a section is specifically spelled out and then we come to a section where it is left out, I wonder if under the Statutory Construction Act the courts might not be allowed to interpret that it denies the right of the attorney to inspect these records.

Mr. IRVIS. Mr. Speaker, I have a great deal of respect for the learned gentleman's ability and his knowledge of the law, and I know as I stand here, as he knows, that what I am stating is a fact. Under the Statutory Construction Act in Pennsylvania it is a rule that the courts shall construe language in its customary, everyday meaning. If ordinary, everyday meaning is quite clear in this

bill, then I can see, again, no real objection to the omission of the words, "or their attorneys." I may point out, Mr. Speaker, to the members of the House that I thank the gentleman for saying he was sure I knew the meaning of this language and that all other lawyers would know the meaning of it. I point out, Mr. Speaker, that it would be a court of law that would interpret this language and courts of law are notably made up of lawyers. All lawyers will agree, I think, on this interpretation of the language: that where a party has the right to see certain papers, his attorney has the same right.

Mr. TOMPKINS. Mr. Speaker, I do not want to belabor the point, but if this respondent in theory would like to have some papers looked at before the commission in Harrisburg, I certainly think the attorney should have the right.

When I mentioned the Statutory Construction Act, I mentioned it for this purpose: That under it the word "attorney" is being mentioned every place else in this bill. To be omitted in this particular section here the courts would be entitled to interpret that it was deliberately intended that the attorneys should be denied that right because if we did intend to give them that right, then the question—you have heard the expression so often—the legislature's version should have said so.

Mr. IRVIS. Mr. Speaker, I think we have belabored the point sufficiently, and I would like to have the roll call.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Walsh, desire to be recognized?

Mr. WALSH. Mr. Speaker, the gentleman from Allegheny, Mr. Arvis, and the gentleman from Cameron, Mr. Tompkins, have made a lot of to-do about the fact that attorneys understand these amendments. I feel that at the present time it is very unfair that Mr. Tompkins did not introduce these amendments some time ago.

When the reading clerk reads these amendments, it is very fast; it is very hard to try to see what is in these amendments. Some of these amendments I have not heard about until just now. This is a very, very important bill. I intend to vote for this bill. I want to see a good bill and I see it. But the way we have been going on in this session and the last session, and sessions I have been down here, we are not giving due consideration to legislation of this importance. We come in here and we do not know, half of the time, what is in these bills. I feel that Mr. Tompkins could do a great service to the people had he presented these amendments a couple of days ago. Let us read them. I feel that perhaps we could agree with all of them. I voted for two of the amendments because I find that in summation they are reasonable. Perhaps if we had more time we could put a better defense on. I feel that in the future when we have bills of this kind, these amendments should be given a little bit of consideration and a little bit of time.

Mr. TOMPKINS. Mr. Speaker, I merely want to call to the attention of the gentleman from Allegheny that copies of all these amendments were submitted to the majority leader prior to the time of their caucus. It was my understanding that he wanted them for the purpose of reviewing them with his caucus so they would know what the amendments provided.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, let us keep the record extremely straight. The Speaker's record on the amendments now being debated shows that Tompkins will offer five sets of amendments. I only had four total sets. The amendments were to be offered Agnew, Tompkins, one, Blair, and one other marked Fulmer.

Your set of five I do not have and I did not receive five individual sets of amendments by Tompkins.

Mr. TOMPKINS. Mr. Speaker, I was over to the gentleman's desk this morning and I said, "Mr. McCann, here are the five amendments which I am going to offer to Senate bill 53." They were tied together in one package with a paper clip.

Mr. McCANN. Yes, there are three amendments.

Mr. TOMPKINS. There were five in that, I am sorry.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and AGNEW and were as follows:

YEAS—96

Adams,	Fox,	Kistler,	Seltzer,
Agnew,	Fulmer,	Knecht,	Simmons,
Anderson, J. H.,	George,	Kooker,	Slack,
Ashton,	Gibb,	Korns,	Snare,
Auker,	Gibbons,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Blair,	Goldstein, M. H.,	Lippincott,	Stiteler,
Bossert,	Goodrich,	Magee,	Strausser,
Bower,	Gramlich,	Manbeck,	Thompson,
Bowman,	Gross,	Markley,	Tompkins,
Buchanan,	Guthrie,	Marsh,	Ujobai,
Bush,	Haudenshield,	May,	Varner,
Davis,	Helm,	McCandless,	Wall,
Dengler,	Henzel,	McInroy,	Weidner,
Dennison,	Holliday,	Merry,	Whittaker,
Donaldson,	Holman,	Miller,	Willaredt,
Down,	Horst,	O'Dell,	Williams, A. D.,
Edwards,	Isaacs,	Ogilvie,	Williams, E. S.,
Elvey,	Johnson, A. W.,	Piper,	Wilt,
Eshback,	Johnson, R. P.,	Price,	Wood,
Eshleman,	Keiser,	Pursley,	Worley,
Ewing,	Kernaghan,	Royer,	Wynd,
Fetterolf,	Kessler,	Rutherford,	Zember,
Foor,	King,	Schuster,	Zimmerman,

NAYS—102

Anderson, S. A.,	Gailey,	Lutty,	Reibman,
Arlene,	Gallagher,	Maxwell,	Reidenbach,
Bachman,	Gelfand,	McCann,	Renwick,
Bonner,	Gray,	McDevitt,	Riley,
Branca,	Gremminger,	McDonald,	Rovansek,
Breth,	Guesman,	McKeever,	Rubin,
Capano,	Hamilton,	McLaughlin,	Rudisill,
Capitolo,	Hankins,	McNally,	Sakulsky,
Cauley,	Hartley,	Meholchick,	Scarcelli,
Cianfrani,	Heavey,	Mills,	Schaaf,
Cioffi,	Heffner,	Monroe,	Shelton,
Clarke,	Irvis,	Morley,	Sherman,
Comer,	Jenkins,	Mullen,	Shupnik,
Cooley,	Jim,	Munley,	Stank,
Crossin,	Jones,	Murphy,	Stone,
Curwood,	Kamyk,	Murray,	Sullivan, J. A.,
Dougherty,	Kelly,	Musto,	Sullivan, T. F.,
Doughten,	Klein,	O'Donnell, J. A.,	Taylor,
Eilberg,	Kornick,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Kramer,	Parlante,	Trusio,
Filo,	Lamb,	Perry,	Verona,
Fineman,	Lawson,	Petrosky,	Walsh,
Flynn,	Leonard,	Polaski,	Wargo,
Foerster,	Limper,	Polen,	Welsh,
Frascella,	Long, Wm. Jas.,	Prendergast,	Andrews,
Fry,	Long, Wm. Jos.,		Speaker

NOT VOTING—10

Boies,	Mihm,	Pashley,	Willard,
Hocker,	Needham,	Wescott,	Yetter,
McCormack,	Odorisio,		

So the question was determined in the negative and the amendments were not agreed to.

Mr. TOMPKINS offered the following amendment:

Amend Sec. 3 (Sec. 10), page 21, line 6, by striking out "MAY" and inserting shall

On the question,

Will the House agree to the amendments?

Mr. TOMPKINS. Mr. Speaker, the bill on page 21 provides: "When enforcement of a commission order is sought the court may make and enter upon the pleadings, testimony and proceedings set forth in such transcript an order or decree enforcing, modifying and enforcing as so modified or setting aside in whole or part the order of the Commission. . . ."

This amendment, instead of making it discretionary with the court to have such an order on the records, makes it mandatory in order that you have a complete record, including the court's order on any important order which I think is only proper for any record or any court.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Irvis, desire to be recognized on this amendment?

Mr. IRVIS. I do, Mr. Speaker.

The reason for the insertion of the permissive rather than the mandatory words is to make it possible for the court to exercise its own judicial discretion as to whether or not it wishes to enter on the record an order or decree.

I do not believe that we have to worry about whether or not the court will exercise its discretion wisely or not. I have sufficient trust in the Court of Common Pleas of Dauphin County to depend on that court. If the court feels, after reviewing the evidence, that it should enter an order, then it is permitted to do so. If the court feels, after reviewing the evidence that it should not enter an order, then it is permitted to do that.

Under the purported amendment, the court would lose that discretion and would be forced to enter an order whether it wished to or not. Consequently, depending upon the discretion of the court, I ask that the language remain as it is written and that the vote be "no" on this amendment.

Mr. TOMPKINS. Mr. Speaker, I merely wish to ask why we should not have court order on these records. The court should not be given discretion to permanently discharge these things without having some record that the respondent may know what is happening to him, and some record that he can rely upon in case something further is tried against him. Certainly we ought to have something on record in our court so a man may know what disposition has been made of his case. He may want to look at that file 10 or 15 years from now and there would be nothing on the record to show that any disposition was ever made of anything.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. TOMPKINS and AGNEW and were as follows:

YEAS—94

Adams,	Fulmer,	Kooker,	Simmons,
Agnew,	George,	Korns,	Slack,
Anderson, J. H.,	Gibb,	Lee, A. M.,	Snare,
Ashton,	Gibbons,	Lee, K. B.,	Steckel,
Auker,	Goldstein, J. H.,	Lippincott,	Stimmel,
Blair,	Goodrich,	Magee,	Stiteler,
Bossert,	Gramlich,	Manbeck,	Strausser,
Bower,	Gross,	Markley,	Thompson,
Bowman,	Guthrie,	Marsh,	Tompkins,
Buchanan,	Haudenshield,	May,	Ujobai,
Bush,	Helm,	McCandless,	Varner,
Davis,	Henzel,	McInroy,	Wall,
Dengler,	Holliday,	Merry,	Weidner,
Dennison,	Holman,	Miller,	Whittaker,
Donaldson,	Horst,	Murphy,	Willaredt,
Down,	Isaacs,	O'Dell,	Williams, A. D.,
Edwards,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Elvey,	Johnson, R. P.,	Piper,	Wilt,
Eshback,	Keiser,	Price,	Wood,
Eshleman,	Kernaghan,	Pursley,	Worley,
Ewing,	Kessler,	Royer,	Wynd,
Fetterolf,	King,	Rutherford,	Zember,
Foor,	Kistler,	Seltzer,	Zimmerman,
Fox,	Knecht,		

NAYS—104

Anderson, S. A.,	Fry,	Long, Wm. Jas.,	Reibman,
Arlene,	Gailey,	Long, Wm. Jos.,	Reidenbach,
Bachman,	Gallagher,	Lutty,	Renwick,
Backenstoe,	Gelfand,	Maxwell,	Riley,
Bonner,	Goldstein, M. H.,	McCann,	Rovansek,
Branca,	Gray,	McDevitt,	Rubin,
Breth,	Gremminger,	McDonald,	Rudisill,
Capano,	Guesman,	McKeever,	Sakulsky,
Capitolo,	Hamilton,	McLaughlin,	Scarcelli,
Cauley,	Hankins,	McNally,	Schaaf,
Cianfrani,	Hartley,	Meholchick,	Schuster,
Cioffi,	Heavey,	Mills,	Shelton,
Clarke,	Heffner,	Monroe,	Sherman,
Comer,	Irvis,	Morley,	Shupnik,
Cooley,	Jenkins,	Mullen,	Stank,
Crossin,	Jim,	Munley,	Stone,
Curwood,	Jones,	Murray,	Sullivan, J. A.,
Dougherty,	Kamyk,	Musto,	Sullivan, T. F.,
Doughten,	Kelly,	O'Donnell, J. A.,	Taylor,
Eilberg,	Klein,	O'Donnell, J. P.,	Tomascik,
Farabaugh,	Kornick,	Parlante,	Trusio,
Filo,	Kramer,	Perry,	Verona,
Fineman,	Lamb,	Petrosky,	Walsh,
Flynn,	Lawson,	Polaski,	Wargo,
Foerster,	Leonard,	Polen,	Welsh,
Frascella,	Limper,	Prendergast,	Andrews, Speaker

NOT VOTING—10

Boles,	Mihm,	Pashley,	Willard,
Hocker,	Needham,	Wescott,	Yetter,
McCormack,	Odorisio,		

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. AGNEW asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 7, lines 1 to 12 by striking out all of lines 1 to 11 and "(1)" in line 12 and inserting:

(j) The term "commercial housing" includes only housing accommodations:

(1) Owned or operated by the Commonwealth or any of its political subdivisions, including housing authorities organized pursuant to the act of May 28, 1937 (P. L. 955), known as the "Housing Authorities Law," as amended.

(2) Constructed on land sold, leased or otherwise turned over by a redevelopment authority organized pursuant to the act of May 24, 1945 (P. L. 991), known as the "Urban Redevelopment Law," to a redeveloper.

(3) Constructed pursuant to the act of May 20, 1949 (P. L. 1633), known as the "Housing and Redevelopment Assistance Law."

(4) Owned or operated by limited dividend housing companies organized pursuant to the act of May 18, 1937 (P. L. 704), known as the "Limited Dividend Housing Company Law," as amended.

(5) Located in any dwelling, the acquisition, construction, rehabilitation, repair or maintenance of which is, after the effective date of the act, financed in whole or

in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the Federal government or any agency thereof or the Commonwealth or any of its political subdivisions or any agency thereof. The housing accommodation shall be deemed publicly assisted only during the life of the loan and the guaranty or insurance.

(6) Offered for sale by any person if:

(i) The acquisition, construction, rehabilitation, repair or maintenance of the housing accommodations is, after the effective date of this act financed in whole or in part by a loan. whether or not secured by a mortgage. the repayment of which is guaranteed or insured by the Federal government or any agency thereof or the Commonwealth, or any of its political subdivisions, or any agency thereof. The housing accommodation shall be deemed publicly assisted only during the life of the loan and guaranty or insurance; or

(ii) A commitment issued by a government agency after the effective date of this act is outstanding, that acquisition of the housing accommodations may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the Federal government or any agency thereof or the Commonwealth, or any of its political subdivisions, or any agency thereof.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. Does the gentleman desire to have this amendment read at length or does he desire to explain the amendment?

Mr. AGNEW. I do not insist that it be read at length; I will explain it.

Mr. Speaker, this amendment which was just offered is for the purpose of limiting the application of the housing provisions of the act only to that real estate which is affected with the public interest, or which has public money involved in its construction, et cetera. For instance, any Federal housing project, any development, into which an agency of the State, the Federal Government, a county or a political subdivision would have any public money. It is our understanding that there are only five states in these United States that have a fair housing law, and that all five of these states limit the application of their fair housing provisions to that real estate into which public money is put. In other words, if the present proposed Senate bill 53 passes and becomes law in Pennsylvania, we will be the only State in the country which has taken fair housing that far. We will be first among the states to propose a fair housing law which is as far-reaching as the provisions of Senate bill 53.

Now, in effect, what the amendments I have offered here now will do, they will put in effect in Pennsylvania the Federal law on non-discrimination in housing. The Federal law, as a practical matter, is not enforced except where the state has such a fair housing law. If these amendments are adopted and the bill is passed with the amendments, Pennsylvania will still be in the vanguard of those states which have recognized the problem; we will be one of six states in the United States with a fair housing law in compliance with Federal wording, which can be enforced not only by the police power of the Commonwealth of Pennsylvania, but by the appropriate agencies of the Federal Government.

We think these are reasonable amendments. We feel that even with the adoption of them, it will be a giant step forward in this field. Like Alexander Pope, we feel that "we should not be the first by whom the new is tried, nor yet the last to lay the old aside." We do not know into what areas of darkness we are approaching if we pass Senate bill 53 in its present form. There are those in favor of the bill, in favor of the principle of the bill, who have serious misgivings about its possible application in Pennsylvania. Let us just take the same step that no more than five other states in this Country have taken. Let us not take a step into the unknown beyond that. We urge your serious consideration of these amendments. If they are adopted, then I think this bill can have general support, which would be a wonderful thing. It would be a great step in the direction of fair housing and a recognition of human rights in this field. Let us not go too far because we do not know what we are doing. Let us only go as far as five other states have gone. Let us word our act in compliance with Federal law, so that we can, in conformity with other states, be subject to Federal enforcement as well as our own. We ask for support for these amendments.

Mr. IRVIS. Mr. Speaker, I am amazed. If I were on the other side I might say, as Mr. oJhnson used to say two years ago, that I almost fell off my chair when I read this amendment. And I will not give them a gold star.

They say from the Republican side that they know their amendment is already Federal law, so, let us put it into the State law to make sure the United States Government enforces the Federal law. Not only do they distrust Pennsylvania, Mr. Speaker, but they distrust the United States Government now.

I point out, Mr. Speaker, that if anyone gave information to the Republican caucus that only four states have fair housing laws, that person was misinformed. Fair housing laws exist now in eight different states and, if anyone gave information to the Republican caucus that in four states only the fair housing law exists and that reaches only public housing, that person was badly misinformed and badly misinformed the Republican caucus. Fair housing laws exist, Mr. Speaker, in Colorado, in Massachusets, in Connecticut, in Oregon, in New York, in New Jersey, in California, in the State of Washington, and Rhode Island has one also. Massachusetts, Oregon, Colorado, and Connecticut reach private housing, not public housing, Mr. Speaker.

I would be proud as a citizen of Pennsylvania, Mr. Speaker, if Pennsylvania had been in the vanguard, but, unfortunately, we delayed. We have dragged our feet in this matter. We cannot take the first giant step among the states. Colorado has done that.

Mr. Speaker, this amendment reminds me of the little boy who came home to his mother, filthy dirty, and his mother said to him, "go up, Johnny, and take a bath." And he says, "Aw, mom," and she says, "Johnny, go up and take a bath." He says, "Well, O.K., mom, but do I have to bathe all of me?" The Republican amendment does not want to bathe all the dirt away. It says, Mr. Speaker, we realize the dirt is there, but let us clean off a little bit of it and not touch the rest.

I call on the members of the Republican caucus to follow their own conscience, if this be their conscience. If they recognize the existence of this problem, then I ask them to join us in this bipartism measure, Mr. Speaker, to

clean off as much of the dirt as we can reach, and we have the power today to reach a considerable amount of the dirt on Johnny's face. I ask for a negative vote on this amendment, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, I, too, am somewhat amazed. I listened to the gentleman from Allegheny, Mr. Irvis, make some general "mishmash" of my general statements. I was hoping he would give us some specific information. So he says there are eight states that have a fair housing law. I say five of them have what we propose to do with these amendments and the other three have a meaningless legislative intent. I say that Senate bill 53 would put Pennsylvania in a position far beyond any other state in the country. I say to the gentleman from Allegheny that New Jersey and New York have exactly the type of fair housing law that we propose to have with this amendment.

I also say to the gentleman from Allegheny, we have no objection to the bath and we have no objection to good strong soap being used, but we do not want the soap to be strong enough so that it takes off part of the skin and causes thereby, perhaps, some other disease or illness on the frame of Pennsylvania. In other words, you do not eradicate one fault, one defect, or one illness, by creating another. Yes, let us clear up the situation and let us give it a bath, but let us not use strong enough soap to take off the skin.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. AGNEW and LIPPINCOTT and were as follows:

YEAS—90

Adams,	Foor,	Knecht,	Seltzer,
Agnew,	Fulmer,	Kooker,	Simmons,
Anderson, J. H.,	George,	Lee, A. M.,	Slack,
Ashton,	Gibb,	Lee, K. B.,	Snare,
Auker,	Gibbons,	Lippincott,	Steckel,
Backenstoe,	Goldstein, J. H.,	Magee,	Stimmel,
Blair,	Goodrich,	Manbeck,	Stiteler,
Bossert,	Gramlich,	Markley,	Strausser,
Bower,	Gross,	Marsh,	Thompson,
Bowman,	Guthrie,	May,	Tompkins,
Buchanan,	Haudenshield,	McCandless,	Ujobai,
Bush,	Helm,	McInroy,	Varner,
Davis,	Henzel,	McNally,	Wall,
Dengler,	Holliday,	Merry,	Weidner,
Dennison,	Horst,	Miller,	Whittaker,
Donaldson,	Isaacs,	O'Dell,	Willaredt,
Down,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Edwards,	Johnson, R. P.,	Piper,	Wilt,
Elvey,	Keiser,	Price,	Wood,
Eshback,	Kernaghan,	Pursley,	Wynd,
Eshleman,	Kessler,	Royer,	Zember,
Ewing,	King,	Rutherford,	Zimmerman,
Fetterolf,	Kistler,		

NAYS—107

Anderson, S. A.,	Gailey,	Long, Wm. Jos.,	Renwick,
Arlene,	Gallagher,	Lutty,	Riley,
Bachman,	Gelfand,	Maxwell,	Rovansek,
Bonner,	Goldstein, M. H.,	McCann,	Rubin,
Branca,	Gray,	McDevitt,	Rudisill,
Breth,	Gremminger,	McDonald,	Sakulsky,
Capano,	Guesman,	McKeever,	Scarcelli,
Capitolo,	Hamilton,	McLaughlin,	Schaaf,
Cauley,	Hankins,	Meholchick,	Schuster,
Cianfrani,	Hartley,	Mills,	Shelton,
Cioffi,	Heavey,	Monroe,	Sherman,
Clarke,	Heffner,	Morley,	Shupnik,
Comer,	Holman,	Mullen,	Stank,
Cooley,	Irvis,	Munley,	Stone,
Crossin,	Jenkins,	Murphy,	Sullivan, J. A.,
Curwood,	Jim,	Musto,	Sullivan, T. F.,
Dougherty,	Jones,	O'Donnell, J. A.,	Taylor,
Doughten,	Kamyk,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Kelly,	Parlante,	Trusio,
Farabaugh,	Klein,	Pashley,	Verona,
Filo,	Kornick,	Perry,	Walsh,
Fineman,	Kramer,	Petrosky,	Wargo,
Flynn,	Lamb,	Polaski,	Welsh,
Foerster,	Lawson,	Polen,	Williams, A. D.,
Fox,	Leonard,	Prendergast,	Worley,
Frascella,	Limper,	Reibman,	Andrews,
Fry,	Long, Wm. Jas.,	Reidenbach,	Speaker

NOT VOTING—11

Boles,	McCormack,	Needham,	Willard,
Hocker,	Mihm,	Odorisio,	Yetter,
Korns,	Murray,	Wescott,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLAIR asked and obtained unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Blair.

Mr. BLAIR. Mr. Speaker, they are very brief and very simple in their intent and meaning. All they do is strike out the words "race and creed" wherever they appear in the bill.

The SPEAKER. Will the gentleman be satisfied then if we read the amendments the short way?

Mr. BLAIR. That is right.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Title, page 2, lines 4 and 5 of Title, by striking out "of race color religious creed ancestry or national origin" and inserting: "a person is of the negroid race."

Amend Sec. 1 (sec. 2), page 3, lines 12 and 13, by striking out "housing and public accommodation."

Amend Sec. 1 (Sec. 2), page 3, line 13, by inserting after "discrimination": "and the denial of housing and public accommodation opportunities because a person is of the negroid race."

Amend Sec. 1 (Sec. 2), page 4, line 12, by striking out all of said line, and inserting: "the fact that they are of the negroid race."

Amend Sec. 1 (Sec. 3), page 4, lines 18 to 20, by striking out "and to obtain" in line 18, all of line 19, and "of public accommodation and of commercial housing" in line 20.

Amend Sec. 1 (Sec. 3), page 5, line 1, by inserting after "origin": "and the opportunity for an individual to obtain all the accommodations, advantages, facilities and privileges of any place of public accommodation and of commercial housing without discrimination because such person is of the negroid race."

Amend Sec. 2 (Sec. 5), page 12, lines 5 and 6, by striking out "of the race color religious creed ancestry or national origin of."

Amend Sec. 2 (Sec. 5), page 12, line 7, by inserting after "housing": "is of the negroid race."

Amend Sec. 2 (Sec. 5), page 12, lines 11 and 12, by striking out "of the race color religiuos creed ancestry or national origin of."

Amend Sec. 2 (Sec. 5), page 12, line 13, by inserting after "housing": "is of the negroid race."

Amend Sec. 2 (Sec. 5), page 12, lines 17 and 18, by striking out "of the race color religious creed ancestry or national origin of."

Amend Sec. 2 (Sec. 5), page 12, line 19, by inserting after "housing": "is of the negroid race."

Amend Sec. 2 (Sec. 5), page 13, lines 3 and 4, by striking out "of the race color religious creed ancestry or national origin of."

Amend Sec. 2 (Sec. 5), page 13, line 5, by inserting after "housing": "is of the negroid race."

Amend Sec. 2 (Sec. 5), page 13, lines 11 and 12, by

striking out "race color religious creed ancestry or national origin" and inserting: "a person being of the negroid race."

Amend Sec. (Sec. 5), page 13, line 15, by striking out "race color religious creed ancestry or national origin" and inserting: "a person being of the negroid race."

Amend Sec. 2 (Sec. 5), page 14, lines 4 and 5, by striking out "of his race color religious creed ancestry or national origin" and inserting: "he is of the negroid race."

Amend Sec. 2 (Sec. 5), page 14, lines 12 and 13, by striking out "on account of race color religious creed ancestry or national origin" and inserting: "because he is of the negroid race."

Amend Sec. 3 (Sec. 9), page 19, line 17, by inserting after "person": "of the negroid race."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question.

Will the House agree to the amendments?

The SPEAKER pro tempore. Does the gentleman wish to explain the amendments any further?

Mr. BLAIR. No, I think they are self explanatory.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. BLAIR. I might add that I think it is the intent and purpose, I think, of everybody to assist and aid in whatever way they can do it, any way humanly possible, to help the colored race. Space travel is not developed yet to where we are having any other race to be concerned with. So, therefore, let us eliminate anything that will make this bill a little more difficult to administer.

The SPEAKER pro tempore. Does the gentleman from Allegheny, Mr. Irvis, desire to be recognized?

Mr. IRVIS. I do, Mr. Speaker.

I wish to thank the gentleman from Erie for his concern for the colored race. I point out to the gentleman from Erie that for 40 years I have been concerned with the colored race. But for 40 years I have also been concerned with the white race and almost that long with the yellow and the brown.

Seriously, Mr. Speaker, I think, the gentleman's intentions are highly honorable but he does not apparently realize the breadth and depth of this problem. I would point out, Mr. Speaker, to you and the gentleman from Erie that discrimination housing reaches many more people than the negroes in this Commonwealth; that the Governor's Commission on Discrimination in Housing in its report in 1958 estimated conservatively that in this Commonwealth discrimination in housing struck at better than a million of the Commonwealth's citizens, including, Mr. Speaker, not only negroes, Puerto Ricans, Italo-Americans, Jewish Americans, Irish Americans, and we have a few of them, I understand, with us. Italo-Americans I did not forget.

And we are not here in this legislature, Mr. Speaker, simply to benefit a particular group of people. What we are trying to do is to spell out what we believe is the democratic right of every man regardless of the color of his skin, regardless of where his grandfather or father may have originated, regardless of whether he worships in the Catholic Church, the Protestant Church or in a tabernacle, regardless of whether he worships at all. If he be a citizen of the Commonwealth of Pennsylvania. Mr. Speaker, those of us who are supporting this legislation say that it is his right to purchase or rent any piece of property that he is qualified financially to purchase and rent.

This is not class legislation and, if it were, I would be the last one to take this microphone, Mr. Speaker, and speak for it. But I feel that I must represent all the people of the Commonwealth and I feel that this purported amendment would not strengthen the legislation but make it class legislation, negate it and destroy its very purpose. I do not believe such is the intent of the honorable gentleman from Erie, but I do believe, Mr. Speaker, that is the eventuality.

Consequently, I ask the members of this House to vote "nay" on these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. BLAIR and TOMPKINS and were as follows:

YEAS—31

Auker,	Eshback,	Kooker,	Slack,
Blair,	Ewing,	Korns,	Tompkins,
Bossert,	Fulmer,	Marsh,	Varner,
Bower,	Gramlich,	McInroy,	Weidner,
Davis,	Gross,	Merry,	Willaredt,
Down,	Guthrie,	Miller,	Wilt,
Edwards,	Helm,	O'Dell,	Wood,
Elvey,	Henzel,	Pursley,	

NAYS—159

Adams,	Gailey,	Lee, A. M.,	Renwick,
Agnew,	Gallagher,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gelfand,	Leonard,	Rovansek,
Anderson, S. A.,	Gibb,	Limper,	Rubin,
Arlene,	Gibbons,	Lippincott,	Rudisill,
Ashton,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goodrich,	Lutty,	Scarcelli,
Bonner,	Gray,	Manbeck,	Schaaf,
Bowman,	Gremminger,	Markley,	Schuster,
Branca,	Guesman,	Maxwell,	Seltzer,
Breth,	Hamilton,	May,	Shelton,
Buchanan,	Hankins,	McCandless,	Sherman,
Bush,	Hartley,	McCann,	Shupnik,
Capano,	Haudenshield,	McDevitt,	Simmons,
Capitolo,	Heavey,	McDonald,	Snare,
Cauley,	Heffner,	McKeever,	Stank,
Cianfrani,	Holliday,	McLaughlin,	Steckel,
Cioffi,	Holman,	McNally,	Stimmel,
Clarke,	Horst,	Meholchick,	Stone,
Comer,	Irvis,	Mills,	Sullivan, J. A.,
Cooley,	Isaacs,	Monroe,	Sullivan, T. F.,
Crossin,	Jenkins,	Morley,	Taylor,
Curwood,	Jim,	Mullen,	Thompson,
Dengler,	Johnson, A. W.,	Munley,	Tomascik,
Donaldson,	Johnson, R. P.,	Murphy,	Trusio,
Dougherty,	Jones,	Musto,	Ujobai,
Doughten,	Kamyk,	O'Donnell, J. A.,	Verona,
Eilberg,	Keiser,	O'Donnell, J. P.,	Wall,
Eshleman,	Kelly,	Ogilvie,	Walsh,
Farabaugh,	Kernaghan,	Parlante,	Wargo,
Fetterolf,	Kessler,	Pashley,	Welsh,
Filo,	King,	Perry,	Whittaker,
Fineman,	Kistler,	Petrosky,	Williams, A. D.,
Flynn,	Klein,	Polaski,	Williams, E. S.,
Foerster,	Knecht,	Polen,	Worley,
Foor,	Kornick,	Prendergast,	Wynd,
Fox,	Kramer,	Price,	Zember,
Frascella,	Lamb,	Reibman,	Andrews,
Fry,	Lawson,	Reidenbach,	Speaker

NOT VOTING—18

Boies,	McCormack,	Piper,	Wescott,
Dennison,	Mihm,	Royer,	Willard,
George,	Murray,	Stiteler,	Yetter,
Hocker,	Needham,	Strausser,	Zimmerman,
Magee,	Odorisio,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. HENZEL asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 4), page 7, lines 1 to 12, by striking out "housing accommodations" in line 1, all of lines 2 to 11, and "(1)" in line 12, and inserting: "(1) housing accommodations comprising or containing five or more housing units, owned or otherwise subject to the control of one owner, whether or not contiguous, or (2) any parcel or parcels of real property or lot or lots, whether or not contiguous, available for the building of five or more housing units, owned or otherwise subject to the control of one owner.

"Such "commercial housing" includes housing accommodations held or offered for sale or rent (1) by a real estate broker, salesman or agent, or by any other person pursuant to authorization of the owner; (2) by the owner himself; or (3) by legal representatives.

"(k)"

Amend Sec. 3 (Sec. 12), page 22, line 6, by striking out "existing or."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mrs. HENZEL. Mr. Speaker, the amendments just introduced raise from one to five under housing accommodations the number of units that may be owned by a single owner without coming under this legislation. This will preserve to a greater degree than as is printed in Senate bill 53 the private property rights.

It will not affect the person who has invested in real estate for the purpose of business or for speculation, but it will protect, to a degree, that he may dispose of his property in the manner in which he chooses. The person who through an inheritance or through the investment of his small savings has chosen to purchase real estate should have preserved for him a right to dispose of them in the manner he sees fit.

It will be recognized as comparable to the ordinance which is now in effect in Pittsburgh, which according to all reports and observations has been highly acceptable and has been working in a very acceptable manner.

I would ask the consideration of the House members to vote "aye" on this amendment.

Mr. IRVIS. Mr. Speaker, it pains me a great deal to oppose anything that the charming lady from Montgomery offers to this House, but I feel that I must oppose this proposed amendment. Apparently the lady from Montgomery has not had an opportunity to read the bill line by line, and I can understand for that reason she made a misstatement unintentionally when she said the bill covers from one up in housing accommodations. That is not factual, Mr. Speaker.

If the lady will read on page 7, beginning with line 7, where personal residence is defined, she will find that a personal residence means a building or structure containing living quarters occupied or intended to be occupied by no more than two individuals, two groups or two families living independently of each other.

This, Mr. Speaker, I think makes it clear that the bill's purview, the bill's reach, does not go to a personal residence occupied either by the owner or by a member of his family. It would reach anything beyond that. It would reach an apartment. In a three-apartment dwelling it would reach the third apartment, but it would not reach the first two if they were occupied by the owner or by a member of his family.

This proposed amendment, Mr. Speaker, I believe, tends to weaken the coverage of the legislation and I would point out to the Speaker that in conversation I have had with those men who have to administer the Pittsburgh ordinance, it has been developed that they do not like the limitation of five or more. They feel that this has hampered the administration of the ordinance.

Incidentally, as a matter of legislative history, that figure was a compromise figure after a battle in city council and a public hearing. I have no doubt whatsoever of the honesty and integrity of the lady from Montgomery when she offers this amendment, but I do submit to the House that this amendment would weaken a bill which, in my opinion, is not quite as strong now as it might be. So I ask for a negative vote, Mr. Speaker.

Mrs. HENZEL. Mr. Irvis and I are not accustomed to saying sweet words to each other across the floor of the House and I dislike disagreeing with him also. However, I must tell him that I have read the bill carefully. I know precisely what he was describing, but I am still speaking in terms of separate residences, separate housing accommodations, that are owned by one owner.

I also presume that from the statement which the gentleman from Allegheny has made that he is going to work very hard to have the acceptable, presumably acceptable, ordinance of Pittsburgh changed in order that it will conform to what he feels so strongly. I will ask for a vote of "aye," Mr. Speaker.

Mr. AGNEW. We were very surprised to hear on the floor of the House an admission that there was a public hearing on this type of legislation when it was proposed as an ordinance in the city of Pittsburgh. I might point out that public hearings are something you cannot get in Harrisburg on this type of legislation or anything else, apparently.

I think this would be an appropriate time to interrogate the gentleman from Allegheny in respect to the effect of the Pittsburgh ordinance if this present law passes, and I desire to interrogate Mr. Irvis.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. IRVIS. I shall.

Mr. AGNEW. If Senate bill 53 passes in its present form, what effect would it have on the ordinance now existing in the city of Pittsburgh?

Mr. IRVIS. Mr. Speaker, it would have no effect. If the gentleman from Allegheny will turn to page 22 of the proposed legislation and read with me as I read, beginning on line 5, he will see that the proposed legislation says, "nothing contained in this act shall be deemed to repeal or supersede any of the provisions of any existing or hereafter adopted municipal ordinance, municipal charter, or any law of this Commonwealth relating to discrimination because of race, color, religious creed, ancestry, age, or national origin," and I will not continue to read. I think you see that is the pertinent part.

Mr. AGNEW. Mr. Speaker, is there any other municipality in this State besides the city of Pittsburgh which

has a fair housing ordinance, to the knowledge of the gentleman?

Mr. IRVIS. Mr. Speaker, to my knowledge there is no other.

Mr. AGNEW. The city of Philadelphia does not have a fair housing ordinance?

Mr. IRVIS. Mr. Speaker, to my knowledge, the city of Philadelphia does not.

Mr. AGNEW. May I ask the gentleman, if we pass Senate bill 53, would there be two standards on fair housing in the Commonwealth of Pennsylvania, Senate bill 53 for all the State except the city of Pittsburgh which would be under its own separate ordinance?

Mr. IRVIS. Mr. Speaker, the answer is categorically no. The citizens of Pittsburgh consider themselves citizens of the Commonwealth and reachable by Commonwealth statutes. I think what the gentleman is referring to is a confusion in terms which I heard debated in the other Chamber of this General Assembly.

Senate bill 53, if it were passed, as I hope it shall be this afternoon, would leave intact the city of Pittsburgh ordinance. This would leave two pathways open to a complainant if he lived in the city of Pittsburgh. He may choose to file his complaint under the city ordinance of Pittsburgh. If he does so he is then precluded from changing his mind and filing under Senate bill 53. If, on the other hand, Mr. Speaker, the complainant chooses to file under Senate bill 53, he is then precluded from changing his mind and filing under the existing city ordinance. He is given two pathways. He has his choice of which path he will take.

Mr. AGNEW. Mr. Speaker, that sounds like Irvis-made law to me. That is not what Senate bill 53 says on page 22 under Section 12, subsection (b), which the gentleman just quoted. Will the gentleman please explain to the members of the House in plain, simple, and clear terms just what ordinance or law would be enforced in the city of Pittsburgh, the city of Pittsburgh ordinance or Senate bill 53, the law of the Commonwealth?

Mr. IRVIS. Mr. Speaker, I am flattered by the gentleman from Allegheny's term of "Irvis-made" law. It is the first time I have heard that term. I trust that some day, with his support, that may become an actuality.

However, I will be happy to read to the gentleman from Allegheny further language from this section. I am now reading from page 22, subsection (b) of section 12, on line 13: "If such complainant institutes any action based on such grievance without resorting to the procedure provided in this act he may not subsequently resort to the procedure herein." That means, I think, plainly and simply so that even lawyers may understand, that if the complainant files under any other law, the city of Pittsburgh ordinance, for example, he may not then file under this act.

Mr. AGNEW. Mr. Speaker, the sentence interpreted by the gentleman from Allegheny is anything but clear because he is reading it out of context. I am referring particularly to the first sentence in that section which says, "Nothing contained in this act shall be deemed to repeal or supersede any of the provisions of any existing or hereafter adopted municipal ordinance, et cetera. How plain can language be?

Mr. IRVIS. Mr. Speaker, I am having no difficulty understanding it, and I daresay the learned gentleman from Allegheny does not have quite as much difficulty as he is pretending to have.

It seems to me that it is perfectly clear that if it is passed, existing acts would not be superseded and any hereafter adopted municipal ordinance shall not be superseded. That is point number one.

The language says quite clearly, and now I am reading from line 10 on page 22, section 12, "the procedure herein provided shall when invoked be exclusive and the final determination therein shall exclude any other action civil or criminal based on the same grievance of the complainant concerned. If such complainant institutes any action based on such grievance without resorting to the procedure provided in this act he may not subsequently resort to the procedure herein." This, it seems to me, is crystal clear. I can find no constructural difficulty whatsoever.

Mr. AGNEW. Mr. Speaker, the gentleman is a far better attorney than he would have us believe by his rather confused explanation. The only sense he made in answering my interrogation was when he read the word in the act.

What the gentleman says about the procedure being the same under the city of Pittsburgh ordinance or the State law is correct, but still the substantive provisions are different, and where there is a conflict between the two the substantive provisions of the local ordinance, whether now existing or hereafter adopted prevail, so that while the procedure would be the same, I would ask the gentleman, is it not true that a landlord in the city of Pittsburgh would be subject to five and under the State act he would be subject to one if he lives anywhere else in the Commonwealth other than the city of Pittsburgh?

Mr. IRVIS. I am afraid I do not understand that question. Will the gentleman rephrase it?

Mr. AGNEW. The city of Pittsburgh ordinance limits it to owners of five rental units or more. Senate bill 53 is two or less. Correct?

Mr. IRVIS. Correct.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand, rise?

Mr. GELFAND. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GELFAND. I believe that the present debate is beyond the scope of the amendment introduced by the lady from Montgomery and I would like a ruling as to whether they are now debating the bill or the amendment.

Mr. AGNEW. Mr. Speaker, in answer to the gentleman's point of parliamentary inquiry, perhaps he missed the point. The lady from Montgomery has offered amendments to make Senate bill 53 conform to the presently existing ordinance in the city of Pittsburgh. I think it is certainly in order that we debate its effect on Senate bill 53 and vice versa at this time.

Mr. GELFAND. I believe the lady from Montgomery introduced an amendment providing language to change this present legislation to include five houses, and I believe that is all we are to debate, not the ordinance of Pittsburgh. Now there is a specific section of the legislation under consideration dealing with ordinances of

other communities and the way they are to be interpreted or enforced, and I believe that is the question under consideration at this time between the two gentlemen. I think the time we should debate that particular issue, if it is something that must be debated, is when we consider the bill as a whole, rather than this particular method.

The SPEAKER pro tempore. The Chair would rule that the Chair is trying to be as lenient as possible in the debate of these amendments. The amendment, however, does specifically mention five units. Therefore the Chair believes the gentlemen are quite in order in their discussion.

Mr. IRVIS. Mr. Speaker, I am delighted with the ruling of the Chair. I would like to answer the gentleman from Allegheny. I think I understand now what your question means. As I understand it, you are asking whether or not a landlord in Pittsburgh, under the ordinance, would not be under two acts, an ordinance and a State statute. Is that correct, sir?

Mr. AGNEW. Under the provisions of Senate bill 53, yes.

Mr. IRVIS. He would not be under two acts, under the city of Pittsburgh ordinance, which cuts-off at the level of five houses, and he would be under the purview of the statute of Pennsylvania. Which act he would have to obey would depend solely upon the complainant. It would depend upon who brought him into court and it would depend upon what act he was brought into court.

The language of this proposed act is quite clear. The complainant has his choice. If he makes his choice under the State statute, he is stuck with his choice. If he makes his choice under the city ordinance, he is stuck with that choice. He may not then change his mind.

I believe, Mr. Speaker, that the murmuring I heard among some of the lawyers on the other side is probably due to the fact that they assumed I missed the constitutional point. This is not an unwarranted assumption; I am very apt to miss a number of points, but I did not happen to miss this one. I recognize, Mr. Speaker, and the draftsmen of the act recognize, that in case of a conflict between a municipal ordinance and a State statute, the municipal ordinance must fall in case there is a conflict. That language is written into the bill and I read, Mr. Speaker, now from line 15 on page 22, "In the event of a conflict between the interpretation of a provision of this act and the interpretation of a similar provision contained in any municipal ordinance the interpretation of the provision in this act shall apply to such municipal ordinance."

Now, that is in case there is a conflict. Should there be no conflict, there is no cause of interpretations, and I again repeat, Mr. Speaker, the complainant will be left to his choice whether or not to bring his action under the city ordinance or to bring it under the State statute.

Mr. AGNEW. Mr. Speaker, does the gentleman admit that there could be no conflict between one and five?

Mr. IRVIS. Mr. Speaker, the conflict would have to be in the interpretation of the provisions of the ordinance, not in the number of units covered.

Mr. AGNEW. In other words, is the such and such a similarly worded provision?

Mr. IRVIS. That is correct, Mr. Speaker.

Mr. AGNEW. In other words, the conflict is only in the matter of interpretation or definition?

Mr. IRVIS. That is correct, Mr. Speaker.

Mr. AGNEW. But there could be no conflict between one and five?

Mr. IRVIS. If there be such a conflict, Mr. Speaker, I fail to discern it.

Mr. AGNEW. In other words, if Senate bill 53 becomes law, it applies anywhere in the Commonwealth with equal force, except in the city of Pittsburgh, and complainants in the city of Pittsburgh have at least a choice between complaining under the city ordinance and complaining under the State law; is that correct?

Mr. IRVIS. That is correct, Mr. Speaker; they would have their choice.

Mr. AGNEW. Does the gentleman know of any other State law which does not supersede local ordinances and does the gentlemn know of any field in which the State law is inferior to an existing or hereinafter adopted municipal ordinance?

Mr. IRVIS. I believe, Mr. Speaker, that the State and cities have coexistent jurisdiction over the highways passing through the cities. I believe, Mr. Speaker, it is quite possible, and that it does happen, that State existing speed limits on highways may be higher than those permitted by city ordinance. In such a case, Mr. Speaker, the State existing law would not supersede the city ordinance. Now, as to the second part of the question, the inference of the question is that the State proposed statute is inferior to the city ordinance. I do not accept that inference, number one, Mr. Speaker. But, to answer the question which I believe is implied, I cannot tell the gentleman of the existence of any other State statute, if he means out-of-State, which supersedes a city ordinance. I can tell him that in New York State this is the proposal, that the New York State laws do not supersede the New York city ordinance, but I cannot tell you whether this has been done before.

Mr. AGNEW. I thank the gentleman.

Mr. Speaker, I would like to point out that I must disagree with him in his interpretation of a law. It seems to me that when the Motor Vehicle Code of the Commonwealth conflicts with a traffic ordinance, the Motor Vehicle Code, the law of the State prevails. I think he will agree with me, when he thinks about it, that that is the case. Certainly there is no legislation in this Commonwealth, criminal or quasi-criminal in nature, in which the State law does not prevail, except if we pass Senate bill 53, which would permit the city of Pittsburgh ordinance, Philadelphia, if they ever adopt their own fair housing ordinance, and any other municipality in this State to adopt a non-stringent ordinance, and only in the procedure or the enforcement of certain phases of it would Senate bill 53 prevail.

Mr. Speaker, we feel that the amendments offered by the lady from Montgomery make Senate bill 53 conform to the only existing municipal ordinance in Pennsylvania, that of the city of Pittsburgh. In this particular instance we feel that what is good enough for the city of Pittsburgh is good enough for the rest of the State and vice versa.

Mr. HEFFNER. Mr. Speaker, I have consistently, with the exception of one amendment, supported the gentleman from Allegheny, Mr. Irvis. But, when I look at this section I am very disappointed, frankly, in this bill.

I believe today in the Commonwealth of Pennsylvania

we are deciding a great issue. I believe that the Commonwealth of Pennsylvania, through the Senate and through the House of Representatives, is going to seek the public policy and the will of this Commonwealth. Here we have, I believe, a very weakening feature to this piece of legislation and I am sorry, frankly, that it is in there. That is, that any municipality having an existing ordinance, or anyone who hereafter may adopt one, would supersede our legislation today. I frankly am disappointed in this section. I know not why it is in. I believe that we should pre-empt the field today in the Commonwealth of Pennsylvania. I am for the bill, Senate bill 53. I intend to vote for it, but I am disappointed in this section of the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Irvis. I would like to have us get back on the track and have us discuss the amendments before the House.

Mr. IRVIS. May I, Mr. Speaker, make a minor correction? I do not know whether the gentleman from Schuylkill has the bill before him or not, but if the gentleman believes, Mr. Speaker, that any thereafter enacted ordinance will supersede the State statute, the gentleman is in error. The language does not say that. The language does not say, Mr. Speaker, that an ordinance may supersede; it says this will not supersede an ordinance. Both would remain on the books. There would be two remedies instead of one, the ordinance or the statute. The complainant would have the right to select between the two, but the passing of the ordinance would not necessarily supersede the State statute, Mr. Speaker.

Mr. HEFFNER. Mr. Speaker, again I say I am a proponent of this legislation, but I do believe that this legislation should embrace all the citizens of the Commonwealth of Pennsylvania, whether they live in Pottsville, Pennsylvania, my home town, or the city of Pittsburgh, and I believe that in this bill we should pre-empt these ordinances. Actually, this bill could repeal them if they are on the books. There should be one common procedure. There should be the common place to find out what is wrong if there is any discrimination. We have this commission set-up. They should resolve the issues for all the people of Pennsylvania, and I again say that I am certainly disappointed. I hate to disagree with the gentleman from Allegheny because I believe in this type of legislation.

The SPEAKER pro tempore. The Chair will recognize the gentleman from Crawford, Mr. Merry, and once again remind the membership that the question before this House is the amendments offered by the lady from Montgomery, Mrs. Henzel.

Mr. MERRY. Mr. Speaker, I think what I have to ask would be in line with Mrs. Henzel's amendments. I would like to ask the gentleman from Allegheny, Mr. Irvis, in the event that a man was about to move his residence and decided to sell his property and that he would build or buy another property, how many properties would he own?

Mr. IRVIS. If I understand the question, Mr. Speaker, I believe the answer would be two.

Mr. MERRY. Well, what right have I got then to dictate to whom I can sell my present house? In other words, I do not have it sold. I would not go out in the market and buy a house after I had sold my house. The only time I would do that would be where they would put in a thruway, or somebody demands that I give up my property. I would go and put an option on a property, or build or buy another property before I moved out of the present house. If I did not sell that house before the day I moved, that house then would come under this new regulation and I would have no say about who bought it. Is that true?

Mr. IRVIS. If I understood the question, Mr. Speaker, as long as you remained in residence in your original home, the sale of that home would not be covered by this act; not if you sold it, nor if your builder or agent were to sell it. You could not be in residence in two different homes, consequently the new home that you propose to buy would not be your personal residence at that time.

Mr. MERRY. I would be before I sold it. I would move into the new home and then the other house would still be for sale. I had that occasion happen too. A fellow backed out before I moved into the other house and the house was for sale for pretty near a year. Well, that would be commercial property, the way I understand it as it is written now.

Mr. IRVIS. The second home, whether it be the original home or the new one, would fall within the purview of the statute. The first home in which you have personal residence would not fall within the purview of the statute, sir.

Mr. MERRY. I do not think you would have a chance at all. This idea of having one on there does not let anybody out. I could ask you the question I have asked several lawyers: If I buy an option on a property, tentatively own that property, because I intend to move into it, immediately when I move into it, the house that I move out of then comes under your act?

Mr. IRVIS. I would say, sir, that would be true, yes.

Mr. MERRY. You have practically tied up everybody.

Mr. IRVIS. I do not say that is true, sir; no.

Mr. MERRY. I do not see many people selling their house before they purchase another one. I would not want to be subject to being thrown out on the street. I do not think too many other people here do. The way it is it just ties everybody up tight. I think the idea of copying the Pittsburgh law would be a very good thing. This other way you do not have any relief at all.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mrs. HENZEL and Mr. LIPPINCOTT and were as follows:

YEAS—95

Adams,	Fox,	Knecht,	Seltzer,
Agnew,	Fulmer,	Kooker,	Simmons,
Anderson, J. H.,	George,	Korns,	Slack,
Ashton,	Gibb,	Lee, A. M.,	Snare,
Auker,	Gibbons,	Lee, K. B.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Stimmel,
Blair,	Goodrich,	Magee,	Stiteler,
Bossert,	Gramlich,	Manbeck,	Strausser,
Bower,	Gross,	Markley,	Thompson,
Bowman,	Guthrie,	Marsh,	Tompkins,
Bush,	Haudenshield,	May,	Ujobai,
Davis,	Helm,	McCandless,	Varner,
Dengler,	Henzel,	McInroy,	Wall,
Dennison,	Holliday,	McNally,	Walsh,
Donaldson,	Holman,	Merry,	Weidner,
Down,	Horst,	Miller,	Whittaker,

Edwards,	Isaacs,	Murphy,	Wilharedt,
Elvey,	Johnson, A. W.,	O'Dell,	Williams, E. S.,
Eshback,	Johnson, R. P.,	Silvie,	Wilt,
Eshleman,	Keiser,	Piper,	Wood,
Ewing,	Kernaghan,	Price,	Wynd,
Farabaugh,	Kessler,	Pursley,	Zember,
Fetterolf,	King,	Royer,	Zimmerman,
Foor,	Kistler,	Rutherford,	

NAYS—103

Anderson, S. A.,	Gallagher,	Lutty,	Renwick,
Arlene,	Gelfand,	Maxwell,	Riley,
Bachman,	Goldstein, M. H.,	McCann,	Rovansek,
Bonner,	Gray,	McDevitt,	Rubin,
Branca,	Gremminger,	McDonald,	Rudisill,
Breth,	Guesman,	McKeever,	Sakulsky,
Buchanan,	Hamilton,	McLaughlin,	Scarcelli,
Capano,	Hankins,	Meholchick,	Schaaf,
Capitolo,	Hartley,	Mills,	Schuster,
Cauley,	Heavey,	Monroe,	Shelton,
Cianfrani,	Heffner,	Morley,	Sherman,
Cioff,	Irvis,	Mullen,	Shupnik,
Clarke,	Jenkins,	Munley,	Stank,
Comer,	Jim,	Murray,	Stone,
Cooley,	Jones,	Musto,	Sullivan, J. A.,
Crossin,	Kamyk,	O'Donnell, J. A.,	Sullivan, T. F.,
Curwood,	Kelly,	O'Donnell, J. P.,	Taylor,
Dougherty,	Klein,	Parlante,	Tomascik,
Doughten,	Kornick,	Pashley,	Trusio,
Eilberg,	Kramer,	Perry,	Verona,
Filo,	Lamb,	Petrosky,	Wargo,
Fineman,	Lawson,	Polaski,	Welsh,
Flynn,	Leonard,	Polen,	Williams, A. D.,
Foerster,	Limper,	Prendergast,	Worley,
Frascella,	Long, Wm. Jas.,	Reibman,	Andrews,
Gailey,	Long, Wm. Jos.,	Reidenbach	Speaker

NOT VOTING—10

Boles,	McCormack,	Odorisio,	Willard,
Fry,	Mihm,	Wescott,	Yetter,
Hocker,	Needham,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Stimmel.

Mr. STIMMEL. Mr. Speaker, I propose to make a motion to recommit this bill, but before doing so I would like to state my reasons.

I could very readily vote for a fair bill for everything against discrimination. However, before so doing I would have to be convinced in my mind that the bill is fair to those that are affected by that bill.

I think this bill is an enormously important piece of legislation and deserves every consideration. I, like the gentleman from Allegheny, Mr. Walsh, feel that we should have time to study these amendments, and not vote on them on a just straight party line basis. I think there is a lot of merit in these amendments that were proposed here today. They should have been much more carefully considered. I am surprised at the reluctance of the Majority Party in denying a public hearing to the people of Pennsylvania on those issues in this bill and in this legislation, particularly when the city of Pittsburgh has had that opportunity.

There is a tremendous amount of economic impact in this. Certainly human rights come first, but there are those who say that this would increase the value of real estate. There are those who say it would decrease the value of real estate. There are those who say this would encourage new housing. There are those who say this would discourage new housing. Why should we not hear those people? Why should their voices not be heard? Why must we rush on this measure? This is not a tax bill. This has no deadline. We should be able to soberly, sincerely, carefully consider the amendments that were offered today. We should know—even the lawyers could not agree—and I am not willing to take a chance on interpretation. I think this House has sufficient intelligence to write a bill which will not be subject to whims of interpretation.

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO RECOMMIT

Mr. STIMMEL. Mr. Speaker, for these reasons, I move that this bill be recommitted to the Committee on Law and Order for the purpose of further study and public hearing.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I, of course, rise to oppose the motion made by the gentleman from Lehigh, Mr. Stimmel, to recommit the bill.

First I want to say something emphatically. On August 4, 1959, this House voted on a fair housing bill. That bill had four days of hearings and there were over 400 people present, pro and con, conducted in the new House Caucus room of this Capital Building.

The provisions as they were in the fair housing legislation passed in this House in 1959, on the 4th day of August, made a stronger, a much firmer bill in human rights and in housing rules and regulations. From the results of those hearings changes were made in the present legislation known as Senate bill 53. True, you can say no hearings were granted in 1961, but hearings were held on the subject, and a public hearing hearing in this field, and those of you who were present will recall vividly the picture that developed.

We are not here to debate the bill at this point; only the recommital motion. We had the churches speaking for it; we had individuals speaking for it; we had individuals speaking against the legislation that was being considered at that time, the then fair housing bill.

Therefore, Mr. Speaker, we are not debating the bill but only the motion to recommit, and I ask the membership of this House to vote against the recommittal, to vote on the bill so we may bring it before us here today. I ask the membership to vote "no."

Mr. AGNEW. Mr. Speaker, We would like to point out that this is not the same bill as House bill 322 that passed this House in the '59 Session. For instance, that bill did not specifically exempt the city of Pittsburgh as this bill does. There are other differences.

What we object to most strenuously and why I speak in support of the motion made by the gentleman from Lehigh is because of this unrealistic kind of rubber stamp legislature.

We did not have hearings on anything this important, not even on major tax programs, not even on fair housing bills. Now while the city council in the city of Pittsburgh, for years, even by its boroughs, has been referred to as a rubber stamp council, yet they had a public hearing on their fair housing ordinance.

We have sunk in this legislature to a postion somewhat lower than the council in the city of Pittsburgh and

we are a legislative body that is sinking pretty low.

May I inquire why this bill must become law this week? There are many reasons for delay, as these amendments would indicate, because they were all reasonable, they were all well considered, and they all pointed out possible serious defects in this legislation. Why would not public hearings be beneficial to us as legislators in determining the provisions in a fair housing law? A fair housing in its final way should apply to the whole Commonwealth and not be modified and mangled, repealed or superseded by presently existing or hereafter adopted ordinances by cities, boroughs, and townships.

We are asking that this be recommitted for study by the committee, and, by the way, the committee gave this no study, as no committee in this House has given any thorough study to anything this session. There was just a motion to report it out to the floor, as committed, and that is the extent of the sudy by the committee. We would like the committee to study this bill and to hold a public hearing to determine its impact and to consider properly, as a legislative body should, what provisions should be in the bill.

Now is that unreasonable? We do not want to be a rubber stamp legislature.

Mr. GELFAND. Mr. Speaker, once again we hear the opponents of this type of legislation bring out hollow trumpets to call up an army of skeletons to use expended ammunition in a cause that was long ago lost.

They act and they bring up questions as though this measure is brand new, as if at no time this legislature has had before it for consideration a measure of similar nature.

Yet as the majority leader has indicated, last session in this legislature we had a measure, House bill 322, which paragraph by paragraph and word for word was almost exactly like the measure here before us now. As a mater of fact, in my examination of House bill 322 and the present Senate bill, the only paragraph of any real moment that differs is the paragraph dealing with ordinances. And goodness knows, whether or not there is a real question in that paragraph can only be determined in the future by the enforcement of this legislation if it does become a State statute.

If I were in the mood to be dilatory, if I were in the mood not to pass such legislation as this, I need only say we have not had hearings, we have not had commissions, we have not had examination, and bring in a whole host of amendments. But this would only be a shabby trick, a sham upon the community, because I would only be hiding behind my true feleings, the feelings of prejudice and intolerance.

Now I think the time has come to act as men and to recognize human individuals as human beings because the time has long since gone by for this type of legislation. We must act with dignity and respect each other as dignified human beings. We have legislation here before us which can make us be human beings and dignify humanity. We can make ourselves the creatures that God put upon this earth to do something for each other. And I think that by hiding, by putting these things to further examination, we only have buried the problem that is here before us today.

Now this is no time to recommit legislation of great moment such as this. We have an opportunity to step forth and move forward in the vanguard of humanity, and I say that we should do it today and now. So let us not recommit this legislation, but consider it and vote for it.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. STIMMEL and AGNEW and were as follows:

YEAS—92

Adams,	Fox,	Kistler,	Seltzer,
Agnew,	Fulmer,	Knecht,	Simmons,
Anderson, J. H.,	George,	Kooker,	Slack,
Ashton,	Gibb,	Korns,	Snare,
Auker,	Gibbons,	Lee, A. M.,	Steckel,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Stimmel,
Blair,	Goodrich,	Lippincott,	Stiteler,
Bossert,	Gramlich,	Magee,	Strausser,
Bower,	Gross,	Manbeck,	Thompson,
Bowman,	Guthrie,	Markley,	Tompkins,
Bush,	Haudenshield,	Marsh,	Ujobai,
Davis,	Helm,	May,	Varner,
Dengler,	Henz l,	McCandless,	Wall,
Dennison,	Holliday,	McInroy,	Walsh,
Donaldson,	Holman,	Merry,	Weidner,
Down,	Horst,	Miller,	Whittaker,
Edwards,	Isaacs,	O'Dell,	Willaredt,
Elvey,	Johnson, A. W.,	Ogilvie,	Williams, E. S.,
Eshback,	Johnson, R. P.,	Piper,	Wilt,
Eshleman,	Keiser,	Price,	Wood,
Ewing,	Kernaghan,	Pursley,	Wynd,
Fetterolf,	Kessler,	Royer,	Zember,
Foor,	King,	Rutherford,	Zimmerman,

NAYS—106

Anderson, S. A.,	Gailey,	Lutty,	Reidenbach,
Arlene,	Gallagher,	Maxwell,	Renwick,
Bachman,	Gelfand,	McCann,	Riley,
Bonner,	Goldstein, M. H.,	McDevitt,	Rovansek,
Branca,	Gray,	McDonald,	Rubin,
Breth,	Gremminger,	McKeever,	Rudisill,
Buchanan,	Guesman,	McLaughlin,	Sakulsky,
Capano,	Hamilton,	McNally,	Scarcelli,
Capitolo,	Hankins,	Meholchick,	Schaaf,
Cauley,	Hartley,	Mills,	Schuster,
Cianfrani,	Heavey,	Monroe,	Shelton,
Cioffi,	Heffner,	Morley,	Sherman,
Clarke,	Irvis,	Mullen,	Shupnik,
Comer,	Jenkins,	Munley,	Stank,
Cooley,	Jim,	Murphy,	Stone,
Crossin,	Jones,	Murray,	Sullivan, J. A.,
Curwood,	Kamyk,	Musto,	Sullivan, T. F.,
Dougherty,	Kelly,	O'Donnell, J. A.,	Taylor,
Doughten,	Klein,	O'Donnell, J. P.,	Tomascik,
Eilberg,	Kornick,	Parlante,	Trusio,
Farabaugh,	Kramer,	Pashley,	Verona,
Filo,	Lamb,	Perry,	Wargo,
Fineman,	Lawson,	Petrosky,	Welsh,
Flynn,	Leonard,	Polaski,	Williams, A. D.,
Foerster,	Limper,	Polen,	Worley,
Frascella,	Long, Wm. Jas.,	Reibman,	Andrews,
Fry,	Long, Wm. Jos.,		Speaker

NOT VOTING—10

Boles,	Mihm,	Prendergast,	Willard,
Hocker,	Needham,	Wescott,	Yetter,
McCormack,	Odorisio,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading

It was agreed to.

On the question,

Shall the bill pass finally?

The Speaker pro tempore. The Chair recognizes the gentleman from Adams, Mr. Worley. Does the gentleman desire to debate the bill?

Mr. WORLEY. Yes, Mr. Speaker, if you are now on Senate bill No. 53.

The SPEAKER pro tempore. We have been.

Mr. WORLEY. I mean on final passage, Mr. Speaker.

The SPEAKER pro tempore. We are.

Mr. WORLEY. I know we were on the amendments.

Mr. Speaker, Senate bill No. 53, the Pennsylvania human relations act, is one of the very few good pieces of legislation that has come before this House for passage at this session of the General Assembly.

I say that in all human relations legislators should strive to prevent making any distinctions of class, station, wealth, color, or race, which might bar the people from friendly mingling. By friendly contact with those of all conditions of life, people are enabled to learn the inspiration which has been given to others, compare it with their own and present ideals for each other to consider. We can best understand and cooperate with others when we know their conditions and aspirations.

By coming into close and friendly relations with the restless and discontented types of people, we may assist in making the adjustments which are necesasry for their welfare and for the welfare of all the people of this Commonwealth.

Senate bill No. 53 promotes such a policy. I am voting for it and I hope many other members of this House will do the same and enact this legislation into the law of this Commonwealth.

Mr. BOWMAN. Mr. Speaker, I have never witnessed in my career a better demonstration of alienation of affections than has been put on here today. As you may or may not know, I supported this legislation in 1959. I stand here before you today to say, and say with all the sincerity and honesty within me, that I support the philosophy of this legislation even today.

But what have we here? We have here articulate statements, authoritative statements, but statements without reason or logic in opposition to some very serious questions raised with respect to this bill.

Let us just take a few of the points, let us examine them, let us face up to the facts, and let us not be controlled exclusively by party lines when we get down to the very basic fundamentals with which we are dealing today.

Taking a few of the technical points which we lawyers only presume we understand, I cannot disagree more fully with Mr. Irvis and his interpertation of the last section of this proposed bill relating to local ordinances. I personally think that he is completely wrong in his interpretation. I personally believe in my interpretation of it and from my whole background and experience in legislation, that he is wrong. It is my personal opinion that the ordinance of the city of Pittsburgh will remain in effect absolutely as to its substantive provisions. There are no two choices. The ordinance of Pittsburgh will prevail in Pittsburgh, and this legislation will pass and will prevail throughout Pennsylvania, otherwise.

I further feel we will end up in this ridiculous situation, that the way this is written any local government in Pennsylvania can adopt a fair housing bill by an ordinance, putting in such terms and conditions as they choose, and it will supersede our State law. I say this to you with all sincerity.

I further say to you that in my experience and in my knowledge this is unique as it is presently written, even assuming Mr. Irvis' interpretation is correct. This is unique in Pennsylvania jurisprudence and law, that we have two laws on the same subject and that a complainant has a right to choose which way he is going.

Gentlemen, let us be above partisan politics in something like this. Let us take this legislation and let us make good legislation out of it.

Another point by way of illustration: To me the sole issue before us today is the balance of private property rights versus the rights of individuals, a very delicate balance, I assure you, a very difficult issue to resolve. Yet by refusing one amendment offered here this afternoon, the very people who work to protect the private rights of individuals over the private right of property completely say to you today, I deny you another fundamental right. What right am I speaking about? I will tell you what right I am speaking about. In spite of Mr. Irvis' explanation, I say that the way this bill is drafted the right of the accused not to be faced with his complainant violates one of the most fundamental rights and protections of the Constitution of the United States and the Constitution of Pennsylvania since the creation of this Country. Do I look to this with cynicism? Do I wonder why such an important amendment was summarily rejected? Aye, I do. I tell you, gentlemen, when something so fundamental is summarily rejected by very close to a party vote, then I think, perhaps, I become cynical.

There are literally dozens of other things which should be and could be discussed. It has been a long day and a trying day. I say again as sincerely and as honestly as I can say it, I say to each and every one of you gentlemen and ladies in this House, you are doing a disservice to the very cause which you espouse by adopting this legislation. I say everything that I personally believe in is being jeopardized and prostituted, aye, prostituted, by this type of legislation. Why can't we as a responsible legislative body dig into it and come up with an acceptable bill? Why should lawyers disagree as to the meaning? The English language is not that difficult. We cannot be perfect, agreed, but we can do a much better job, even with respect to that one section, which is demonstrated here by the very difference existing among lawyers as to interpretation of the section.

Gentlemen and ladies, I do not oppose the philosophy of this legislation, as my record both locally and in this legislature well proves. I oppose only this bill as it is presently drafted. I publicly said I would support public housing or fair housing legislation. I said it and I intend to keep that promise. I cannot keep that promise consistent with the language of this bill as it is presently written. I hoped sincerely that we would have gotten over partisan politics with respect to the motion to recommit. I have found that that is not possible.

We now have this bill before us. I have a terrible choice to make, gentlemen, a very terrible choice, and my choice is this, if we vote on this bill in its present form today, as apparently we shall, I regret to say to my constituents and to the people of Pennsylvania, you are not getting fair legislation in the name of fairness, something to which I cannot subscribe under any circumstances.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Agnew.

Mr. AGNEW. Mr. Speaker, I yield to the gentleman from Dauphin, Mr. Ogilvie.

Mr. OGILVIE. Mr. Speaker, I also supported this type of legislation in August, 1959. I am in favor of this type of legislation, in favor of the principles. I had intended to vote for Senate bill 53, but since I have listened to the debate today and have had pointed out to me so many errors and inadequacies such as prevail in this bill, I am forced to vote against Senate bill No. 53.

Mr. AGNEW. Mr. Speaker, I yield to the gentleman from Schuylkill, Mr. Heffner.

Mr. HEFFNER. Mr. Speaker, I again come before the General Assembly and say that section 12 of this bill is entirely unnecessary. There is no reason in the law or in human relations to have this section in this bill.

I draw an analogy. If we were setting up the Pennsylvania Public Utility Commission today, we would, in effect, be saying to that commission, if the city of Pittsburgh has such a commission, it will not be bound by the Commonwealth of Pennsylvania Public Utility Commission. I ask you what sort of regulation, what sort of common regulation, would you have if you had that situation? That is the very same thing that is condoned by this bill in human relations. We have a situation here—I do not know why it is in. I hope it is not in by design. I hope this legislation is not political in any sense, but only for the best humanitarian relations. I should think this Section 12 should read that every ordinance now in effect in the Commonwealth of Pennsylvania is hereby repealed and this is the law of the Commonwealth of Pennsylvania.

I say to you that I am very disappointed. I say to Mr. Irvis, who so eloquently speaks for this legislation, I agree with him, I agree wth his philosophy, I agree with this type of legislation. I supported his position with respect to every one of the amendments today save one, because I do believe in it. I say to him today, to make this a better bill I will be glad to introduce a bill to repeal section 12, wipe it off the books of the Commonwealth of Pennsylvania so all the people of the Commonwealth of Pennsylvania will be governed by one act, that their rights, their duties, and their responsibilities in this field will be guarded by the Commonwealth of Pennsylvania, and then you will have a good bill. I am going to vote for the bill, but I am hopeful that he will consider this type of amendment. I am hopeful that he will pursue it with all the vigor within him. I am hopeful that he will go along with this type of amendment to repeal section 12, so that we all are in common agreement and that we are all under the human relations commission of the Commonwealth of Pennsylvania.

The SPEAKER pro tempore. Does the gentleman from Allegheny yield to the gentleman from Blair, Mr. Auker?

Mr. AGNEW. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker and members of the House, I am not going to speak at length. If I had no other reason for voting against this bill, which I do have—about six or seven of them, I would vote against it because—I feel the bill is badly drafted. I want to say that I have reached those conclusions without prepudice and without intolerance in my heart or in my soul. I am speaking sincerely and I try to vote that way on all bills.

If I did not have any other reason, this section 12 would be it. I am going to read it again for the information of the House:

> "Nothing contained in this act shall be deemed to repeal or supersede any of the provisions of any existing or hereafter adopted municipal charter or of any law of this Commonwealth—."

I say to you, Mr. Speaker, and to the members of this House that this plainly makes this bill terrible and specifically unconstitutional. I cannot conceive of any Supreme Court, no matter how liberal minded they might be, that would interpret an act and say that the powers of the state, the superior powers, Mr. Speaker, can be offset by a minor power, which is a municipal subdivision, which are creations and creatures of the State and of the legislature.

I say to you for that reason I cannot possibly see how this bill can be considered as constitutional. Regardless of the fine language of the gentleman from Allegheny, this is plain horse sense as I am reading it and as I am interpreting it. No matter how much fancy language is used, how much alibiing is done to get around this language, the language is still there and still specific.

I agree wholeheartedly with the gentleman from Dauphin, Mr. Bowman, and the gentleman from Schuylkill, Mr. Heffner on the unconstitutionality of such a measure as this. I have other reasons which I shall file. I thank you, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, I do not at this time intend to speak for the bill or against the bill, but there are some things that must be said and I believe it is my duty to say them at this time.

In respect to the last section in the act, the one that says, "Nothing contained in this act shall be deemed to repeal or supersede any of the provisions of any existing or hereafter adopted municipal ordinance," I believe that was deliberately placed in the bill to thwart effective enforcement of a fair housing law. I believe that those who support this bill, either do so naively or are deliberately faking the people of Pennsylvania.

This House just heard the two gentlemen from Dauphin and the gentleman from Schuylkill, all three of whom are committed and have been committed to voting for a fair housing bill—until what happened in this House today, I take it from their remarks.

I would like to quote from the legislative Journal of the other chamber during the debate on February 1, 1961, on Senate bill 53. Mr. Mallery said:

"Mr. President, this is not entirely clear to me.

If the Pittsburgh law is not repealed by this bill, then it seems to me we will have one law for Pittsburgh and a law for the rest of the Commonwealth."

Mr. Weiner, the majority leader, the gentleman from Philadelphia, answers him thusly:

"This is the reason, Mr. President, I stated earlier that the fears which the people were expressing were not well founded. If the local community wishes to take whatever appropriate indications they want to take, under this general policy, nobody is going to tell them to do so. In other words, if your local community wants to make it stronger than this bill, they can do so. If they wish to make it weaker than this bill provides, they can do so. However, they will have a general policy from which to

operate. . . We do not try to legislate for any local community on a problem of this type, which is strictly educational and local in nature." Listen very carefully to the last sentence which I am about to read: "Therefore, no one is affected by it who does not want to be affected by it."

That is the majority leader, the gentleman from Philadelphia in the other chamber, Mr. Weiner, one of the sponsors of the bill.

I think the question before this General Assembly, simply stated, is this: Shall we in Pennsylvania have a fair housing law? Can we, under Senate bill 53, have a fair housing law?

Another subject I wish to discuss concerns the remarks made by the gentleman from Philadelphia, Mr. Gelfand, when he accused, in no uncertain language, those of us who voted for amendments and those of us who voted for motions, and I suppose those who will vote against the bill, of hiding behind their bigotry. Let me point out that I know of no person in this House who will vote for an amendment or against this bill for any reason smacking of bigotry. What the gentleman fails to recognize is that many members of this House and many people in the Commonwealth of Pennsylvania are seriously disturbed when you try to legislate rights for the minority and at the same time take away rights from a so-called majority. There should be constitutional property rights for all the people of Pennsylvania. Are you really doing anything beneficial and constructive for a so-called minority group? When we have sincere convictions in these fields, we are accused of bigotry. That reminds me of the United Auto Workers pamphlet issued during the recent campaign: "Vote for Liberty or Bigotry." In other words, you could not be for candidate Nixon without being bigoted.

I personally resent that type of an accusation in this House, to sweep under the rug, so to speak, any possible sincerity any member of this House might have in opposing this type of legislation. As I said, I do not wish to speak for the bill or against the bill. My vote will be recorded, as will everybody else's, and the members of my caucus know that I am not a happy man right now. I have been convinced by the arguments of the gentleman from Dauphin, Mr. Bowman. I am no more strong an advocate of this type of legislation than he is. I feel that the objections he raised in his remarks are well taken. I offer the assistance of the members of this side of the House if you want to take a few weeks' time and write a fair housing bill that will eliminate many of the well-founded objections which were raised here today. If you want to try to put it through on a quick vote today, you may carry it; you may not. I am prepared to say at this time that up until 10 minutes ago there was no thought in my mind that I would cast a vote against this bill. I feel quite certain that sometime during this session today the two gentlemen from Dauphin and the gentleman from Schuylkill changed their minds, and change their minds they did.

I intend to make a motion. It is a motion made out of legislative and personal sincerity. There is no revenue reason, there is no other reason, why this bill must become law this week. There are many serious objections to this bill and we cannot be accused of bigotry for voicing them. My motion is that we postpone action on this bill at this time. I understand that such a motion is debatable within narrow limits. I do not wish to debate it, but I ask those in this House both those who are for a fair housing bill and those who are opposed to it, to support this motion so that we have a fair housing bill, if that is what we end up with, and not an unfair housing bill.

MOTION TO POSTPONE

Mr. AGNEW. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, should not that motion have been made much earlier before we started to debate the merits of the bill than at this point, the minority floor leader holding the floor until such time as he spoke and then making the motion to place it on the postponed calendar. I realize this is proper parliamentary procedure, no question about it, but I do believe that it was understood that the minority floor leader would speak next to last, and I would be the last speaker.

Mr. AGNEW. If the gentleman wishes to debate the motion, I understand he can, but he would be limited in his debate. I would certainly withdraw my motion temporarily and give him a chance to debate the bill. Then, of course, I want the privilege of again making such a motion.

The SPEAKER pro tempore. The gentleman would be limited in his debate under the motion before the House.

Mr. McCANN. Mr. Speaker, I realize I am limited to debate on the motion that has been accepted by the Chair. But I was speaking to the minority floor leader asking that he withdraw his motion, really, at the present time. There are one or two speakers before myself in closing remarks on the bill. His motion is proper; it is in order. I can only speak on the motion before the House at this time.

The SPEAKER pro tempore. The gentleman has expressed a willingness to withdraw his motion.

Mr. AGNEW. Does the gentleman request that I withdraw my motion?

Mr. McCANN. At this point, Mr. Speaker, since we started the debate, I would be most pleased to vote on the motion that the gentleman has made. You have a motion that the bill be placed on final passage postponed calendar. I will ask the membership to oppose that motion. I will ask that they vote against it, so that we can vote on the bill after defeat of the motion to place it on the postponed calendar. We have heard some things here today that I want to debate when we debate the bill. But this gives only the opportunity to speak on the motion before the House, and, if that motion would be made at a later point, it would still fall in the same category during debate on the present Senate bill in this House.

Therefore, I will ask at this point that the membership vote "No" on placing the bill on final passage postponed calendar on the motion made by the gentleman from Allegheny, Mr. Agnew.

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Gelfand rise?

Mr. GELFAND. To make a few brief remarks on the motion.

Mr. Speaker, I always enjoy hearing what the minority leader has to say, because he sets up so many straw

dummies and then proceeds to knock them down that you find it difficult to get the real meat of the situation.

For instance, the word "bigotry." That was not my word; that was his word. If he feels that he is so thin-skined that any misinterpretation of the remarks I made indicated bigotry on his side, then let it be so. I never said such words. I said that continuous delay was merely a sham to delay bringing up consideration of this legislation. The legislation received ample consideration.

Last session we had adequate hearings. The bill proposed presently is almost paragraph for paragraph . . .

The SPEAKER pro tempore. The motion before the House is to place the bill on the postponed calendar. The gentleman is not speaking on the motion.

Mr. GELFAND. Mr. Speaker, the motion is to place it on the postponed calendar, and I am speaking against placing it on the postponed calendar.

The SPEAKER pro tempore. The gentleman will confine his remarks to that motion.

Mr. GELFAND. As I said, the measure under consideration is almost paragraph for paragraph, word for word, similar to one which passed this House last session. As a matter of fact, some of the people who indicated that they are opponents of the present measure were proponents of the same thing during the last session. I, for all of me, cannot see why at this time they feel reluctant to vote for something which they voted for before, and I believe that it ill behooves us to place this measure on the postponed calendar merely for the purpose of continuous delay. I feel we should vote on this measure today because it has had adequate and ample consideration. Any dilatory tactics will serve no real purpose whatsoever.

I request that the measure be called up and this motion to place it on the postponed calendar be defeated.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. AGNEW and LIPPENCOTT and were as follows:

YEAS—90

Adams,	Foor,	King,	Rutherford,
Agnew,	Fox,	Kistler,	Seltzer,
Anderson, J. H.,	Fulmer,	Knecht,	Simmons,
Ashton,	George,	Kooker,	Slack,
Auker,	Gibb,	Lee, A. M.,	Snare,
Backenstoe,	Gibbons,	Lee, K. B.,	Steckel,
Blair,	Goldstein, J. H.,	Lippincott,	Stimmel,
Bossert,	Goodrich,	Magee,	Strausser,
Bower,	Gramlich,	Manbeck,	Thompson,
Bowman,	Gross,	Markley,	Tompkins,
Buchanan,	Guthrie,	Marsh,	Ujobai,
Bush,	Haudenshield,	May,	Varner,
Davis,	Heffner,	McCandless,	Wall,
Dengler,	Helm,	McInroy,	Weidner,
Dennison,	Holliday,	Merry,	Whittaker,
Donaldson,	Holman,	Miller,	Williams, A. D.,
Down,	Horst,	O'Dell,	Williams, E. S.,
Edwards,	Isaacs,	Ogilvie,	Wilt,
Elvey,	Johnson, A. W.,	Piper,	Wood,
Eshback,	Johnson, R. P.,	Price,	Wynd,
Eshleman,	Keiser,	Pursley,	Zember,
Ewing,	Kernaghan,	Royer,	Zimmerman,
Fetterolf,	Kessler,		

NAYS—103

Anderson, S. A.,	Gallagher,	Maxwell,	Reidenbach,
Arlene,	Gelfand,	McCann,	Renwick,
Bachman,	Goldstein, M. H.,	McDevitt,	Riley,
Bonner,	Gray,	McDonald,	Rovansek,
Branca,	Gremminger,	McKeever,	Rubin,
Breth,	Guesman,	McLaughlin,	Rudisill,
Capano,	Hamilton,	McNally,	Sakulsky,
Capitolo,	Hankins,	Meholchick,	Scarcelli,
Cauley,	Hartley,	Mills,	Schaaf,
Cianfrani,	Heavey,	Monroe,	Schuster,
Cioffi,	Irvis,	Morley,	Shelton,
Clarke,	Jenkins,	Mullen,	Sherman,
Comer,	Jim,	Munley,	Shupnik,
Cooley,	Jones,	Murphy,	Stank,
Crossin,	Kamyk,	Murray,	Stone,
Curwood,	Kelly,	Musto,	Sullivan, J. A.,
Dougherty,	Klein,	O'Donnell, J. A.,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. P.,	Taylor,
Eilberg,	Kramer,	Parlante,	Tomascik,
Filo,	Lamb,	Pashley,	Trusio,
Fineman,	Lawson,	Perry,	Verona,
Flynn,	Leonard,	Petrosky,	Wargo,
Foerster,	Limper,	Polaski,	Welsh,
Frascella,	Long, Wm. Jas.,	Polen,	Worley,
Fry,	Long, Wm. Jos.,	Prendergast,	Andrews,
Gailey,	Lutty,	Reibman,	Speaker

NOT VOTING—15

Boies,	Korns,	Odorisio,	Willard,
Farabaugh,	McCormack,	Stiteler,	Willaredt,
Henzel,	Mihm,	Walsh,	Yetter,
Hocker,	Needham,	Wescott,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I wonder if I might interrogate the majority leader on one point.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I read this bill quite thoroughly and there is one question comes to my mind that I would like to ask the majority leader. Would this bill in its present form affect Girard College?

Mr. McCANN. Mr. Speaker, I could not answer the question. Would it affect Girard College? Is that right?

Mr. TOMPKINS. That is right.

Mr. McCANN. I do not know, Mr. Speaker, that I can answer the question. I am sorry to admit that I do not know the situation at Girard College.

Mr. TOMPKINS. Girard College was established under the provisions of the will of Stephen Girard back in 1832 and its provisions are to the effect that only white orphan boys might be admitted to the school. My question is, under this bill, and I am not sure whether or not the bill covers it, whether this bill would break down that testamentary provision in that will and admit other than white orphan children?

Mr. McCANN. Mr. Speaker, I believe I would be honest in saying that any of the colleges, and I believe we have the other situation, I believe we also have some universities that would fall into the category of being colored universities, but neither falls within the provisions of Senate bill 53, although I have never raised the question until now about any of the colleges or universities which would deal with housing of instructors or some other item. I am sure it does not apply to the students who are housed there temporarily until such time as they graduate, whether they are orphans or not.

Mr. TOMPKINS. Well, this is not a public institution. It is a private institution, and I am not sure, in reading certain provisions of this bill, whether or not it would break down that testamentary provision which has prevailed over all these years. Even recently, the Supreme Court of United States decision upheld it. I am wondering whether or not the provisions of this bill would break down the testamentary provision in that will.

Mr. McCANN. Mr. Speaker, my answer will be that I do not know emphatically. I myself would say that it does not.

Mr. TOMPKINS. I thank the gentleman.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Irvis.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Irvis, permit himself to be interrogated?

Mr. IRVIS. I shall, Mr. Speaker.

Mr. A. D. WILLIAMS. Mr. Speaker, I am in the unfortunate position, comparable to Mr. Heffner of Schuylkill County today. I would like to ask the following questions of the gentleman from Allegheny, Mr. Irvis. I may not call this commission by the proper name, but how many employes does the Pittsburgh fair housing commission employ?

Mr. IRVIS. To my knowledge, they number about six.

Mr. A. D. WILLIAMS. Mr. Speaker, if the suggestion of the gentleman from Schuylkill, Mr. Heffner, in regard to the changing of section 12 of this bill were adopted, what would be the result to the commission in the city of Pittsburgh?

Mr. IRVIS. Mr. Speaker, is the gentleman from Bucks referring to Mr. Heffner's proposal, promised proposal, to introduce amendatory legislation?

Mr. A. D. WILLIAMS. Mr. Speaker, I am referring to what I understood was his suggestion that section 12 be taken out as now written and the section read that this act would supersede any and all ordinances of any local governing body and this would be the law of Pennsylvania.

Mr. IRVIS. Mr. Speaker, if that were passed by this House and passed by the other Chamber of the General Assembly, of course it would become the statutory law of the Commonwealth and it would supersede the Pittsburgh ordinance.

Mr. A. D. WILLIAMS. Would then the commission in Pittsburgh be disbanded?

Mr. IRVIS. Mr. Speaker, the commission would have to be disbanded. Its duties would be ended by statute of the Commonwealth.

Mr. A. D. WILLIAMS. Mr. Speaker, may I ask the gentleman whether he thinks the proposal made by Mr. Heffner of Schuylkill County would make this a better bill and a better law in regard to the protection of minority groups in Pennsylvania, or not as good a law?

Mr. IRVIS. Mr. Speaker, if Mr. Heffner introduces that legislation I will give it very careful consideration. I can see very much merit in Mr. Heffner's argument. That is the reason I did not take the microphone to try to offset it.

Mr. A. D. WILLIAMS. Do I take it, Mr. Speaker, that the gentleman would join Mr. Heffner and myself, if Mr. Heffner would permit me to join him, in such a bill at some future date?

Mr. IRVIS. Mr. Speaker, I would be pleased to examine the possibilities of such an amendment with the gentleman for Schuylkill and the gentleman form Bucks, and if it met with what I considered to be adequate, that is, if it were a sound, amendatory piece of legislation which I thought would strengthen the measure before us today, I would be delighted to join with them in sponsoring it.

Mr. A. D. WILLIAMS. Mr. Speaker, both speakers at this moment are attorneys and I think this attorney has just been dodged. Mr. Speaker, I think that Mr. Heffner's position was quite clear and I respect him for it. I think he said he is for this legislation, he just wants it to be a strong law and he wants it to be the law of the entire Commonwealth. I think the gentleman from Allegheny understands that, and my question is simply this: Would it be a stronger and better law for the protection of minority groups as proposed by Mr. Heffner of Schuylkill County, or as proposed in this bill, especially section 12 of this bill?

Mr. IRVIS. Mr. Speaker, if I may qualify my answer, it is my belief that if Senate bill 53 will pass in its present form, with its present limitations and get adequate budgeting to enforce it, it is a stronger statute than we have by ordinance in Pittsburgh, and, therefore, I would not be unhappy to see the Pittsburgh ordinance superseded.

I ask the Speaker to take particular note of the qualifications. I said "adequately budgeted." I ask permission of the Speaker to mention one fact. At the present time the proposed budget for this Senate bill 53 is $108,000 for the entire Commonwealth of Pennsylvania. In my opinion that is not an adequate budget to enforce this law throughout the Commonwealth. But the law itself, Mr. Speaker, I think is a stronger statute than the ordinance of Pittsburgh is and I would be happy to see the stronger statute in force.

Mr. A. D. WILLIAMS. Then I take it, Mr. Speaker, that he would join the gentleman from Schuylkill, Mr. Heffner, in his proposed bill which would eventually amend this bill.

Mr. IRVIS. I would join the gentleman from Schuylkill in his remarks to this House, I agree with his philosophy and the only reason that I am not saying categorically, yes, is because, as a lawyer, I want to see the words in front of me. When I can see in front of me the words of the proposed legislation, at that point I can tell anybody whether or not I will agree or disagree.

Mr. A. D. WILLIAMS. Mr. Speaker, will the gentleman explain why then we cannot look into and examine Mr. Heffner's proposal in the form of an amendment to Senate bill 53 at this time or tomorrow or next week?

Mr. IRVIS. I believe, Mr. Speaker, that the object of Mr. Heffner's draft can be accomplished by Mr. Heffner's methods, amendatory legislation after passage of the bill. I believe also, Mr. Speaker, that I am not sufficiently subtle and devious to answer this question, perhaps, in the manner in which it should be answered, but I shall have to be blunt, and I trust the gentleman from Schuylkill will believe me when I say I do not include him in the group which I am now about to categorize.

I believe, Mr. Speaker, that there are those people seated in this room today who have seized upon an adequate reason for delaying this bill and that they are not truly revealing their real reason. I do not think that is true in Mr. Heffner's case, and I do not think it necessarily true in Mr. Bowman's case, or in Mr. Auker's case. But I believe this is true. I think there are men in this body today who said, "Thank God," when Mr. Heffner stood up and said, "This is the door open for us. This is the way out." I believe their tactics, Mr. Speaker, are deliberately dilatory. I believe they are deliberately dila-

tory in order to give certain pressure groups a chance to go to work even more frantically on the members of this House. And that is the reason, Mr. Speaker, that I say the bill can be passed today and if there are certain corrective amendments, then I shall be happy to join in them at a later date.

Mr. A. D. WILLIAMS. Mr. Speaker, a last series of questions:

Under section 12 of this proposed bill, would it be possible for a borough or a township in which a contractor was going to build 100 houses to pass a local ordinance just exactly like this State law, changing the words "two or more units" to read "one hundred and one or more units," so that that bulider does not come into that township and completely avoid enforcement of either the local ordinance or the State law?

Mr. IRVIS. Mr. Speaker, that would be possible. May I add this in qualification of my answer, Mr. Speaker? I repeat to the members of this House, despite the high regard I have for the legal learning of Mr. Bowman, despite the fact that he has been a member of the Bar for far longer than I, I believe he is incorrect in his interpretation, and I believe my interpretation is correct, that the complainant would have his own choice of remedy, that in the particular instance the gentleman from Bucks has constructed, the complaining party would have to make a choice whether he would move under the weak ordinance of a borough or under the strong statute of the State.

If the complainant made the mistake of moving in under the weak ordinance, then he is stuck. If he is a fool and chooses to take the weaker of two laws, then the law can do nothing to protect him. If, on the other hand, he would do as most wise complainants would do, seek the stronger measure, he would then move under the aura of protection of Senate bill 53 and would stay there.

Mr. A. D. WILLIAMS. Mr. Speaker, my last question:

Does the gentleman from Allegheny, Mr. Irvis, happen to know whether or not the city of Philadelphia presently has a fair housing commission or a fair housing ordinance?

Mr. IRVIS. The city of Philadelphia does not presently have a fair housing commission or a fair housing ordinance. I understand from certain friends of mine in Philadelphia that it is their desire to have such an ordinance.

Mr. A. D. WILLIAMS. I had not anticipated that answer, but, Mr. Speaker, if Mr. Irvis has that information does he expect that ordinance to be stronger or weaker than Senate bill 53?

Mr. IRVIS. Mr. Speaker, the gentleman from Bucks is asking me a question which I am completely incapable of answering. I do not know. Nobody has submitted even a rough draft of such an ordinance to me. I could not answer that.

Mr. A. D. WILLIAMS. I thank the gentleman.

Mr. McCANN. Mr. Speaker, I believe Senate bill 53 has been very well debated through the debate on the amendments offered here today to the various sections of the bill. We discussed this bill by page and line, dealing with the various amendments offered, and I believe I am correct when I say a total of eight amendments were offered today, in the House, to this bill, a motion to recommit, and a motion to place the bill on the postponed final passage calendar.

There is little left to say about this bill after all the amendments have been debated, except perhaps to consider for a moment that this is one of the finest lines of legislation you will ever vote on as a member of this House, no matter what type of legislation may come in future years. It concerns human relations.

The Fair Employment Practice Commission has been in operation in this Commonwealth, and Senate bill 53 does provide a section of law dealing with the FEPC, which has handled over 1,500 cases. Of those 1,500 cases, how many have ever gone to court?

Perhaps a few remember the debate when establishing the Fair Employment Practice Commission. in years gone by. This House and senate had just as difficult a time in establishing and after enacting it in getting any money for the operation of that Commission.

Today we are making another step in this field of human relations. I believe everyone in the hall of this House, every single member, will vote on this bill as he or she feels individually. Some will honestly oppose this legislation because they believe some sections should be stronger. And then if such sections were stronger, there are others who would oppose it because it would be too strong.

This case is just a little different than it was when we voted the housing bill in the 59 session by virtue of the fact this is a Senate bill that has aready passed the Senate. It is here in the House for either passage or defeat today. It is not its first round through the legislative body.

Therefore, the decision is a little different when you vote on bills and you are assured that such bills will not have an opportunity to be voted on again but already has veen voted on by the Senate. You will make the final decision here today on that legislation.

I think the best way is to say to yourself—and I am sure the men who have spoken, such as Mr. Bowman, Mr. Heffner and perhaps through Mr. Williams' interrogation, sincerely say—but if this bill passes today, we want to make some sections stronger, and there are those of us who say to you, yes, we will join you in sponsoring that and see if we can work together to pass it through this House to go on its merry way to the Senate to become law. We must work just as closely as you honestly can to enact a good piece of legislation.

If you say Senate bill 53 is perfect, I will be the first to disagree with you. But, what may be perfect in your mind and my mind, cannot get 106 votes, which our Constitution requires to pass legislation. I will say to the gentleman from Dauphin, Mr. Bowman, and I will say to the genleman from Schuylkill, Mr. Heffner, although I am not a lawyer, I think in a layman's language I understood what you said, and when you put it in bill form, I will sign my name to help you enact it, because it is what I believe in, and I believe you believe in it, and if this is what the other people and members of this House believe in, they will join with us in enacting that next step as we start to walk in with the good States in the Union that believe that fair housing is for every human being.

It is only by the grace of God that some of us are white and some are black and neither one of us is the majority in the world. Neither one, the black or the white. We are the minority.

It is only by the grace of God that decisions of this kind are made by which you, individually, can vote today. This is a step in the right direction. You may disagree with a section, you may not disagree with the bill in its entirety, but in your own conscience, as you sit here today, ask yourself if you are taking the first step in the right direction, which the Bible has taught you. I have always voted right. I have never preached, but I am a man who believes in God.

I have more than one reason to vote for the bill, and yet this bill does not do anything for me politically, if I were to run for a hundred public offices. I do not live in an area that has a negro population that amounts to anything; it is also a light Jewish area. My people are either Protestants or Catholics, but they are not ever in disagreement about trying to help one another. Mr. Speaker, in this situation today, you and I know very well this is the biggest step we have ever taken in this field of legislation. In a few minutes you can help to enact this bill into law.

I am aware there are individual differences of opinion both on the Democratic side and the Republican side. But I ask you, and I ask you in all fairness, to vote "aye" in support of this legislation. Then if you believe some sections can be made better, you join with us on another date in supporting that proposed legislation, which I feel confident will be introduced following the debate here today.

Mr. Speaker, we have covered the bill in its entirety, and we certainly have tried to show the need for the legislation. All I can ask is that the members vote "aye" and help enact this legislation. There is no question that the vote is very close. This we know, and this you know, but it takes 106 to pass this bill. I ask you, not as a Democratic Party or as a Republican Party, but individual members, to enact this bill into law here now.

Mr. BOWMAN. Majority Leader McCann's remaks were, to a large extent, presumably addressed to me.

It has been my experience and I think the experience of most legislators that the law books today are filed with the dead bodies of good intentions of something we are going to do in the future.

It availeth us not to say, let us put something through that is not very good or is inadequate or is not fully drafted and then we will take up the matter later. That is not responsibility in legislation. That is cowardice in legislation. It is irresponsibility at its worst. I say to the majority leader, please, let him support us, postpone this, and I will gladly join with him in amendments whch will be satisfactory, in my opinion, and which will enable me to vote for this bill. Do not pass the buck on this matter. We either have good legislation now or we do not; let us not talk about something in the future.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—121

Agnew,	Gallagher,	Long, Wm. Jos.,	Reidenbach,
Anderson, S. A.,	Gelfand,	Lutty,	Renwick,
Arlene,	Gibbons,	Marsh,	Riley,
Bachman,	Goldstein, M. H.,	Maxwell,	Rovansek,
Bonner,	Gray,	McCann,	Rubin,
Branca,	Gremminger,	McDevitt,	Rudisill,
Breth,	Guesman,	McDonald,	Sakulsky,
Buchanan,	Hamilton,	McKeever,	Scarcelli,
Capano,	Hankins,	McLaughlin,	Schaaf,
Capitolo,	Hartley,	McNally,	Shelton,
Cauley,	Heavey,	Meholchick,	Sherman,
Cianfrani,	Heffner,	Mills,	Shupnik,
Cioffi,	Holman,	Monroe,	Snare,
Clarke,	Irvis,	Morley,	Stank,
Comer,	Jenkins,	Mullen,	Stone,
Cooley,	Jim,	Munley,	Sullivan, J. A.,
Crossin,	Jones,	Murphy,	Sullivan, T. F.,
Curwood,	Kamyk,	Murray,	Taylor,
Donaldson,	Kelly,	Musto,	Tomascik,
Dougherty,	Kessler,	O'Donnell, J. A.,	Trusio,
Doughten,	Klein,	O'Donnell, J. P.,	Ujobai,
Eilberg,	Knecht,	Parlante,	Verona,
Farabaugh,	Kornick,	Pashley,	Walsh,
Filo,	Kramer,	Perry,	Wargo,
Fineman,	Lamb,	Petrosky,	Welsh,
Flynn,	Lawson,	Piper,	Williams, A. D.,
Foerster,	Lee, K. B.,	Polaski,	Williams, E. S.,
Fox,	Leonard,	Polen,	Worley,
Frascella,	Limper,	Prendergast,	Zember,
Fry,	Long, Wm. Jas.,	Reibman,	Andrews,
Gailey,			Speaker

NAYS—76

Adams,	Fetterolf,	King,	Rutherford,
Anderson, J. H.,	Foor,	Kistler,	Schuster,
Ashton,	Fulmer,	Kooker,	Seltzer,
Auker,	George,	Korns,	Simmons,
Backenstoe,	Gibb,	Lee, A. M.,	Slack,
Blair,	Goldstein, J. H.,	Lippincott,	Steckel,
Bossert,	Goodrich,	Magee,	Stimmel,
Bower,	Gramlich,	Manbeck,	Strausser,
Bowman,	Gross,	Markley,	Thompson,
Bush,	Guthrie,	May,	Tompkins,
Davis,	Haudenshield,	McCandless,	Varner,
Dengler,	Helm,	McInroy,	Wall,
Dennison,	Holliday,	Merry,	Weidner,
Down,	Horst,	Miller,	Whittaker,
Edwards,	Isaacs,	O'Dell,	Willaredt,
Elvey,	Johnson, A. W.,	Ogilvie,	Wilt,
Eshback,	Johnson, R. P.,	Price,	Wood,
Eshleman,	Keiser,	Pursley,	Wynd,
Ewing,	Kernaghan,	Royer,	Zimmerman,

NOT VOTING—11

Boies,	McCormack,	Odorisio,	Willard,
Henzel,	Mihm,	Stiteler,	Yetter,
Hocker,	Needham,	Wescott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REASONS FOR VOTE

Mr. AUKER filed the following reasons for his vote on Senate bill No. 53.

Reasons for vote against Senate bill 53 known as "Fair Housing Bill."

First—In this bill the word "Creed" is used—This can and does include those who belong to the Communist Party and believe in the Communist Creed.

Second—As an attorney at law I firmly believe the bill to be probably unconstitutional in that it deprives individuals of inalienable property and individual rights guaranteed by the United States and Penna. Constitution. Is strikes a serious blow at freedom as, we, in these United States have always regarded as sacred.

Third—It will have a very serious deterrent and harmful effect on economical climate in Penna. It will seriously affect the housing and building industry and probably cause a great deal more unemployment than now so sadly exists in Penna. Financing of housing and business establishment will be very seriously affected.

Fourth—This bill is discriminatory in that it discriminates against all minority groups.

Fifth—It allows any municipal ordinance heretofore or subsequently passed to supercede this bill. Something unheard of in Penna., Federal or State.

Sixth—This bill will do more to harm the colored race or members of any other race than it will do good.

I feel that this bill will take Penna. a long distance down the road to a Socialistic State which is akin to Communism and which, as a freedom loving, God-fearing American, I detest with all my might.

Mr. A. D. WILLIAMS filed the following reasons for his vote on Senate bill No. 53.

This morning we witnessed the reenactment of President Abraham Lincoln's visit to this House of Representatives 100 years ago. With this ceremony as a background we are now casting our vote on the fair housing bill. It is unfortunate that such legislation is apparently needed approximately 100 years after Lincoln's great act of freeing the ancestors of those colored among us.

I wish that those who say education is the answer would come forward with an explanation as to why we have not been able to educate ourselves over these last 100 years.

My conscience dictates that I vote for this legislation and I could not do otherwise.

At this very moment the United States is in a world struggle with the Communist nations. We see in New York City the efforts of the free world to gain support for our position among the new African nation. We must win this struggle. I fear that we cannot and will not do so if we permit any vestige of discrimination to remain in this land of ours.

Human rights have clashed with property rights many times in the course of government. One must lose or be bent in each instance. An obvious example are reasonable zoning regulations, which almost all of us have come to accept.

Many of us cheer the news from the southland where small groups of courageous students are victorious in their peaceful sit-in demonstrations. We can hardly cheer their efforts and at the same time reject the principles of this bill.

I have the sincere hope that we will further the education of all Pennsylvanians toward the goal of non-discrimination as a result of this legislation.

Mr. DOWN filed the following reasons for his vote on Senate bill No. 53.

I opposed Senate bill 53, not because I am for discrimination, but, on the contrary, I sincerely wish an end to discrimination. If this bill becomes law it is intended to benefit the minorities now affected by segregation in housing, but in doing so it would limit the freedom of all citizens. It is an invasion of the right of individuals to own, use and dispose of property—a right that lies at the very base of our economic system. In my estimation this bill is nothing but a political VOTE CATCHER aimed to supposedly benefit members of the minority groups. It is an expensive way to get votes considering the DAMAGEs it will cause.

Mr. Speaker, I helped fight a war for these basic principles and I have not forgotten it.

Thank you.

Mrs. KOOKER filed the following reasons for her vote on Senate bill No. 53.

I am a believer of equal rights- and I mean equal rights for all classes of American citizenry. I do not believe that Senate bill 53 affords these equal rights. It is discriminatory and therefore I cannot support it. I feel Senate bill 53 infringes on personal property rights. It is my belief that any citizen or group of citizens of the Commonwealth or the United States, for that matter, who owns property, maintains it, and pays taxes thereon has the right to dispose of that property in the manner he so chooses, without restrictions or compulsive legislation. No buyer should be restricted from buying a property if the buyer so desires to sell it to him; and no seller should be compelled to sell to any buyer he does not desire to sell to.

This is the American way—our American freedom—a freedom for which we fought and many died and a freedom we all cherish and would again fight, I am sure, to protect. It is a priceless heritage—let us not barter it away for any self-agrandizement or political favor. In many foreign lands blood is today flowing in the cause of liberty and freedom—thank God that we have it. Let us always guard it zealously. Let us all rather live together peacefully with love and charity towards all and with malice towards none, true tolerance and understanding for each other through education and Christian brotherhood.

Mr. MERRY filed the following reasons for his vote on Senate Bill No. 53.

Mr. Speaker, in support of my vote on Senate bill 53, printer's No. 143, I wish to say that I do not believe in discrimination on account of race, color or creed and my reasons here are because of the wording in the bill. Where the plaintiff does not have to appear against me is one objection, and I do not believe that my property rights are protected when I would desire to move my residence and had taken possession of my new home. My old home would be termed commercial and I would have no voice in to whom I sold it. A part of my personal rights have been taken away from me.

Mr. HOLMAN filed the following reasons for his vote on Senate Bill No. 53:

Mr. Speaker, I submit herewith my reason for supporting the Fair Housing Bill; however, I must state that I am very disappointed with the attitude of the majority in its refusal to accept amendments, which would both clarify language in this Bill and eliminate inequities that have been written into it. Some of the objections raised by the minority are well taken. If the majority had properly performed its legislative function, it should have honestly considered the merits of such objections, rather than arbitrarily voting NO on every one.

Nevertheless, Mr. Speaker, and with all due respect to those who oppose the bill because of its draftsmanship, I feel that the procedural and substantive defects that have been debated today are overshadowed by the overriding intent and purpose of this legislation, with which I am in complete accord.

It has been stated, and correctly so, that whenever human rights are given to a person they are likely to be taken away from someone else. This certainly could be a result of Senate Bill 53. When this Bill becomes law, certain groups will obtain rights which they may not

have had before. Other groups will lose rights which they may have had before. But, Mr. Speaker, the result will follow that the human rights of all groups will then tend to be equalized under the law.

This is the overriding intent and purpose of Senate Bill 53. This, Mr. Speaker, is the reason I have voted for this Bill today.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, as some people may have mentioned, roll call is over, the bill will pass and I am thankful that it will pass. There are some who wanted to vote "aye" when the bill passed.

BILLS PASSED OVER

Mr. McCANN. I request that all remaining bills on today's calendar be passed over.

ANNOUNCEMENT BY CHIEF CLERK

The CHIEF CLERK. Before the members of the Philadelphia delegation leave, and since they missed the train, may I suggest that those who are going to the Mayor's reception in Philadelphia meet in my office and we will endeavor to arrange transportation.

We will also ask those who have cars leaving from here for Philadelphia to meet in my office immediately after the session and to volunteer any space they may have.

Thank you.

RESOLUTIONS

Mr. FOERSTER offered a resolution which was filed with the clerk under the rules.

Mr. VARNER offered a resolution which was field with the clerk under the rules.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Clarion, Mr. Varner.

Mr. VARNER. Mr. Speaker, today my colleague, Mr. Dennison, and myself have presented a resolution concerning the critical surplus food situation in Fayette County, Pennsylvania. We have also written to President Kennedy in Washington asking for his immediate action to alleviate this situation which has developed, apparently, through mismanagement.

REPORTS FROM COMMITTEE

Mr. FULMER from the Committee on Highways, reported as committed, House Bill No. 218, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring operators to drive on the right side of multiple lane divided highways and providing penalties.

Mr. MURPHY from the Committee on Judiciary, reported as committed, House Bill No. 331, entitled:

An Act amending the " Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 218, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring operators to drive on the right side of multiple lane divided highways and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 331, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL No. 28.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicily read as follows:

SENATE BILL No. 28.

An Act amending the act of April 12, 1951 (P. L. 90) entitled "Liquor Code" changing the number of electors required on petition for referendum.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 25, 31, 74, 77, 102, 178 and 180.

BILL RE-REFERRED

Mr. CAULEY from the Committee on Cities—Counties Second and Second Class A, returned with the recommendation that it be re-referred to the Committee on Highways, House Bill No. 415, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242) providing for payment by the Commonwealth of damages occasioned by a change of width, lines or grades of streets designated as State highways in cities of the second class A and third class.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Highways.

CAUCUS

Mr. McCANN. Mr. Speaker, I would like to ask the minority leader if he would again consent to having a

caucus of his party on Monday so that we could vote on bills, because at this point we have caucused on the entire calendar and are ready for Monday's vote? If the Republican Party could caucus on the bills on Monday, we would be in position to vote on ten or fifteen pieces of legislation.

Mr. AGNEW. Under the informal ground rules, we do not take any record vote until after 4:30. I think if we will be permitted to hold a caucus off the floor for half an hour or 45 minutes we can caucus on sufficient bills for Monday's session.

Mr. McCANN. Mr. Speaker, the House will be in session Monday, Tuesday, and Wednesday of next week.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. AGNEW. I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. AGNEW. As the gentleman knows, there is an important annual dinner in Philadelphia next Tuesday night. Many of the members from that part of the State would like to attend the dinner and not have to come back to Harrisburg. I would ask the majority leader, is it absolutely necessary that we have a third day next week, especially if we caucus and vote on bills on Monday?

Mr. McCANN. Mr. Speaker, I am aware of the Pennsylvania Manufacturers' dinner and I hope to be present in Philadelphia, along with others, Tuesday night. I believe if it is agreeable we can have a conference with the Speaker immediately after the session today for a minute or two and we can work it out. But it seems as though every week there is some meeting. Today we were due in Philadelphia at this hour and rightfully should have been there, I guess. Hoping that we can go down on the 2:30 train, I believe it is, on Tuesday your request is then that we would not have a session on Wednesday?

Mr. AGNEW. I make that request on behalf of many members of this House on both sides of the aisle, unless it is absolutely necessary.

Mr. McCANN. Mr. Speaker, if this is their request, I believe we will gladly consent to the request for a two-day session, but I do ask then that somehow, on Tuesday, we must vote on legislation and finish up, I assume, at 2 o'clock, so we can get out of here.

Mr. AGNEW. I thank the gentleman.

ADJOURNMENT

Mr. CLARKE. Mr. Speaker, I move that this House do now adjourn until Monday, February 27, 1961 at 3:30 p.m., EST.

The motion was agreed to, and (at 5:18 p.m., EST.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

MONDAY, February 27, 1961.

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

PRAYER

The Chaplin, Rev. ANSELM OBER, O. S. B., Assistant, St. Mary's Church, Patton, offered the following prayer:

Let us pray.

O God, Thou dost tell us in the Book of Wisdom: "A great number of wise men is the safety of the world."

Therefore, O God, Omnipotent and Omniscent, since it is especially for Wisdom that we pray today in asking Thy blessing upon these Senators of the Commonwealth of Pennsylvania, deign to accept our utilization of the words of Solomon's own prayer, as found in the 9th Chapter of the Book of Wisdom, wherein Solomon states: "I prayed and prudence was given me; I pleaded, and the spirit of Wisdom came to me."

And thus he prayed.

"God of my fathers and Lord of mercy, You who have made all things by Your word, and in Your wisdom have established men to rule the creatures produced by You, to govern the world in holiness and justice and to render judgment in integrty of heart; give me wisdom... for I am your servant. . . a man weak and short-lived and lacking comprehension of judgment and of laws... For the deliberation of judgment of mortals are timid, and unsure are our plans. . . Now with You is Wisdom... Send her forth from Your Holy Heaven, and from Your glorious throne dispatch her that she may be with me and work with me. . . For she knows and understands all things, and will guide me discreetly in my affairs. . . thus, my deeds will be acceptable and I shall judge my people justly." Amen.

The PRESIDENT pro tempore. At this time, the Chair invites the gentleman from York, Mr. Seyler, to the rostrum to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on the motion of Mr. WEINER and Mr. Hays, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, who is hospitalized due to illness.

COMMUNICATION FROM THE GOVERNOR APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate bill had been approved and signed by the Governor: **SB 28.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James F. Rogan, 243 Harrison Avenue, Scranton, Lackawanna County, for appointment as Alderman in and for the Seventeenth Ward of the City of Scranton, Lackawanna County, to serve until the first Monday of January 1962, vice Patrick J. Boland, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard J. Blakinger, 1956 Melody Lane, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until his sucessor is appointed and qualified, vice Samuel S. Wenger, Esq., Paradise, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. Meehan, 225 East North Street, New Castle, Lawrence County, for reappointment as a member of the Board of Trustees of Slippery Rock State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel M. Feldman, 8214 Aspen Way, Elkins Park, Montgomery County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Rev. Jerry E. Carpenter, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances M. Fordyce (Democrat), 36 South Mercer Street, Greenville, Mercer County, for appointment as a member of the Mercer County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Edna K. Rumbaugh, Sharpsville, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred I. Mahoney, 140 East Avenue, Johnsonburg, Elk County, for appointment as Justice of the Peace in and for the Borough of Johnsonburg, Elk County, to serve until the first Monday of January 1962, vice W. A. Mahoney, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Garner, 1411 Broad Street, South Greensburg, Greensburg, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of South Greensburg, Westmoreland County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 53**, with the information that the House has passed the same without amendments.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILL SIGNED

The President pro tempore Anthony J. DiSilvestro in the presence of the Senate signed the following bill: **SB 53.**

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor:

SHERIFF IN AND FOR THE COUNTY OF McKEAN

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse Taylor, Indian Creek Road, Eldred, McKean County, for appointment as Sheriff in and for the County of McKean, until the first Monday of January 1962, vice Hon. William M. Reese, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE STATE TAX EQUALIZATION BOARD

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John Bevec, 173 Alexander Avenue, Strabane, Washington County, for reappointment as a member of the State Tax Equalization Board, until November 14, 1963, and until his successor shall be duly appointed and shall have qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BUILDING AND LOAN BOARD

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John G. Rothermel, Secretary, New Home Savings and Loan Association, 33 North Sixth Street, Reading, Berks County, for reappointment as a member of the Building and Loan Board, until September 1, 1967, and until his successor is duly appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John R. Davis, 2411 Eighth Avenue, Altoona, Blair County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of Janary 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William Lippman, 419 West Third Street, Mount Carmel, Northumberland County, vice Edward B. Freck, Island Park, whose term expired.

William Zurick, R. D. 1, Trevorton Road, Shamokin, Northumberland County. (Reappointment)

Robert J. Webb, 24 Helen Street, Shamokin Dam, Snyder County, vice Ira Swope, Hummels Wharf, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS TRADE SCHOOL

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Thaddeus Stevens Trade School, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

George C. Crudden, Jr., 102 South Ann Street, Lancaster, Lancaster County.

Howard J. Hanlen, Jr., 729 Second Street, Lancaster, Lancaster County.

Paul R. Yarnall, 2514 Mayfair Drive, Lancaster, Lancaster County.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hazel B. Ahearn, R. D. 1, Coudersport, Potter County, for appointment as Justice of the Peace in and for the Township of Allegany, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Dorismarie Rowe, Mohnton, from January 1, 1961, until December 31, 1963, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Mary Harris, Erie, from November 15, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Sarah R. Halperin, Lancaster, from December 28, 1960 until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roland F. F. Roehner (Democrat), 2757 Clear Springs Boulevard, York, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. C. M. Ankerbrand, York, resigned.

DAVID L. LAWRENCE.

NOMINATIONS LAID ON THE TABLE

The PRESIDING OFFICER. The nominations will be laid on the table.

BILL REREFERRED

Mr. SARRAF, from the Committee on Pubilc Health and Welfare, returned to the Senate, **SB 312,** which was rereferred to the Committee on Agriculture.

BILLS INTRODUCED AND REFERRED

Mr. MULLIN presented to the Chair **SB 274,** entitled:

A Joint Resolution proposing an amendment to article four, section nine of the Constitution of the Commonwealth of Pennsylvania, removing the requirement that certain State officers must give their recommendations before the Governor may grant pardons or commute sentences, and removing requirements of hearing, public notice, and the recording and filing of such recommendations.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. PECHAN and KROMER presented to the Chair **SB 275,** entitled:

An Act amending the act of June 27, 1947 (P. L. 1095), entitled, as amended, "Anthracite Strip Mining Law," providing that forfeitures for failure or refusal to comply with requirements for back-filling and other acts shall, upon request, be made available to county commissioners for performance of such acts, subject to rules and regulations of the Department of Mines and Mineral Industries.

Which was committed to the Committee on Mines and Mineral Industries.

They also presented to the Chair **SB 276,** entitled:

An Act making an appropriation to the Fire Department of the Borough of Indiana, for fire protection of State property.

Which was committed to the Committee on Appropriations.

Mr. PECHAN presented to the Chair **SB 277,** entitled:

An Act amending the act of June 22, 1931 (P. L. 594), entitled "Rural State Highway Law," deleting a certain highway in Cadogan and South Buffalo Townships, Armstrong County.

Which was committed to the Committee on Highways.

Messrs. BELL and DiSILVESTRO presented to the Chair **SB 278,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 279,** entitled:

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties; . . . . . ," correcting the name of the Italian American War Veterans of the United States, Incorporated to conform with name in its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 280,** entitled:

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgements in connection with the administration of the affairs of veterans and their dependents; . . . . . ," changing the name of the Italian-American World War Veterans of the United States, Incorporated to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 281,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," correcting the name of the Italian American War Veterans of the United States, Incorporated to conform with name in its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 282,** entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; . . . . . ," changing the name of The Italian American World War Veterans of the United States Incorporated to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 283,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," by correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 284,** entitled:

An Act amending the act of April 18, 1929 (P. L. 609), entitled "An act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; . . . . . ," changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 285,** entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 286,** entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled, "An act to permit disabled soldiers to peddle by procurring a license therefor, without charge," correcting the name of the Italian-American War Veterans of the United States Incorporated to conform with name in its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 287,** entitled:

An Act amending the act of June 2, 1937 (P. L. 1184), entitled, as amended, "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day," correcting the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. SILVERT presented to the Chair **SB 288,** entitled:

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Women's Medical College Hospital, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also presented to the Chair **SB 289,** entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. SESLER and STAISEY presented to the Chair **SB 290,** entitled:

An Act amending the act of May 24, 1945 (P. L. 991), entitled "Urban Redevelopment Law," by requiring the

filing of a bond to secure the owner before vesting of title in condemnor in eminent domain proceedings.

Which was committed to the Committee on Local Government.

Messrs. SESLER and HAYS presented to the Chair **SB 291,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," further regulating the issuance of hunting licenses for antlerless deer season; and providing a penalty.

Which was committed to the Committee on Forests and Waters, Game and Fish.

They also presented to the Chair **SB 292,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," extending the hours for hunting woodchucks to include the month of June.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. STAISEY, SESLER and HAYS presented to the Chair **SB 293,** entitled:

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible," making the office of mayor of third class cities and members of the legislature incompatible.

Which was committed to the Committee on Local Government.

Messrs. McCREESH and ROONEY presented to the Chair **SB 294,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further providing for the lights and signals to be used in connection with certain vehicles and providing penalties.

Which was committed to the Committee on Highways.

Messrs. VAN SANT and LANE presented to the Chair **SB 295,** entitled:

An Act fixing the fees of the prothonotaries in counties of the fourth, fifth, sixth, seventh and eighth class; fixing the time when they are to be paid and the person liable for payment, and imposing powers and duties on the prothonotaries, their deputies and clerks.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 296,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing prothonotaries and clerks of the courts of quarter sessions and oyer and terminer to appoint solicitors.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 297,** entitled:

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer, and quarter sessions, . . ." increasing certain fees and making certain editorial corrections.

Which was committed to the Committee on Local Government.

Messrs. VAN SANT and SARRAF presented to the Chair **SB 298,** entitled:

An Act amending the act of April 12, 1951 (P.L. 90), entitled "Liquor Code," providing for the ordering and sale of miniature bottles to certain licensees.

Which was committed to the Committee on Law and Order.

Messrs. HALUSKA and SESLER presented to the Chair **SB 299,** entitled:

An Act amending the act of June 3, 1937 (P.L. 1225), entitled "The Game Law," further regulating the issuance of hunting licenses for antlerless deer season.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. KELLER, LANE, VAN SANT, HAYS and KESSLER presented to the Chair **SB 300,** entitled:

An Act amending the act of June 3, 1937 (P.L. 1333), entitled "Pennsylvania Election Code," further regulating the form of official absentee ballots.

Which was committed to the Committee on Elections.

Mr. STEVENSON presented to the Chair **SB 301,** entitled:

An Act amending the act of June 26, 1931 (P.L. 1379), entitled "Third Class County Board Assessment Law," authorizing the reassessment of property in certain cases and imposing liability for taxes upon the owner thereof; repealing inconsistent acts.

Which was committed to the Committee on Local Government.

He also presented to the Chair **SB 302,** entitled:

An Act amending the act of May 21, 1943 (P.L. 571), entitled, as amended, "The Fourth to Eighth Class County Assessment Law," authorizing the reassessment of property in certain cases, and imposing liability for taxes upon the owners thereof; repealing inconsistent acts.

Which was committed to the Committee on Local Government.

Messrs. DEVLIN, STAISEY, FLEMING and SARRAF presented to the Chair **SB 303,** entitled:

An Act amending the act of July 28, 1953 (P.L. 723), entitled "Second Class County Code," authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

Which was committed to the Committee on Local Government.

SENATE CONCURRENT RESOLUTIONS

WEEKLY ADJOURNMENT

Mr. McCREESH offered the following resolution, which was read, considered and adopted:

In the Senate, February 27, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 6, 1961, at THREE o'clock P. M., E. S. T., and when the House of Representatives adjourns this week, it reconvene Monday, March 6, 1961, at THREE-THIRTY o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

JOINT SESSION

Messrs. RIPP, SCOTT and MULLIN offered the following resolution, which was read, considered and adopted:

In the Senate, February 27, 1961.

RESOLVED (the House concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 28, 1961, at eleven-fifteen o'clock A. M., E. S. T., to hear and see a report by the United States Army Corps of Engineers, on the recommendations for the development of the Delaware River.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER

HB 98—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

CONGRESSMAN J. IRVING WHALLEY PRESENTED TO SENATE

Mr. STROUP. Mr. President, I ask unanimous consent to introduce former Senator—and now Congressman—J. Irving Whalley, who is a visitor in the Senate Chamber.

The PRESIDING OFFICER. The Chair is very happy to welcome Senator Whalley to the Senate.

THIRD READING CALENDAR

BILL ON THIRD READING AMENDED

SB 75—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendments:

Amend Section 1, Page 2, line 7 by striking out "TWO" and inserting in lieu thereof: "ONE."

Amend Section 1, Page 2, line 7 by striking out "200" and inserting in lieu thereof: "100."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILLS OVER IN ORDER

SB 84—Without objection, the bill was passed over in its order at the request of Mr. MALLERY.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 101—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 3, 4, 5 and **SB 20**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

SB 20—Upon motion of Mr. LANE, seconded by Mr. WEINER, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. HALUSKA.

SB 79—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING AMENDED

SB 86—The first section was read.

On the question,

Will Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 1, page 2, line 1 by inserting after "1" where it appears the second time: "and": Amend Sec. 1, page 2, line 1 by striking out "3 4 5 and 6". Amend Sec. 1, page 2, line 6 by striking out "is" and inserting: "are". Amend Sec. 1 (Title), page 2, line 9, by inserting after "counties": "of the third, fourth, fifth, sixth, seventh and eighth classes". Amend Sec. 1 (Sec. 1), page 2, line 14, by inserting after "counties": "of the third, fourth, fifth, sixth, seventh and eighth classes". Amend Sec. 1 (Sec. 2), page 3, line 4, by inserting after "perform": "Municipal services and functions which may be separately exercised and performed under such existing provisions of law may be supplied or exchanged by municipalities under the joint agreements." Amend Bill, page 3, lines 7, 8 and 9 by striking out all of said lines and inserting: "Section 2. The act is amended by adding after section 2, a new section to read: "Section 2.1 (a) Municipalities may establish optional joint advisory boards to aid and advise them in ways and means of effectuating the purposes authorized by this act. Whenever such an advisory board is established, the governing body of each municipality shall, by majority vote, select one of its number to act as its representative on the board. Each representative shall serve without compensation, but shall be entitled to receive traveling and other necessary expenses actually incurred in the performances of his duties. Any vacancy on the board caused by death, resignation or otherwise shall be filled for the remainder of the unexpired term in the same manner as the original appointment was made. "(b) Any agreement creating an optional joint advisory board shall contain but not be limited to provisions relating to: "(1) The nature and scope of activities with respect to which the board shall make studies, recommend programs and policies, and give advice to the cooperating municipalities: "(2) The manner in which the board shall make reports; "(3) The furnishing by the cooperating municipalities of office space, facilities, equipment and supplies, and such professional, technical or clerical personnel as may be required in the work of the board: "(4) Sharing of expenses of the board; and "(5) Any other provisions that may be appropriate and desirable to govern the establishment, functioning and termination of the board. "Section 3. Section 3, 4, 5 and 6 of the act, reenacted and amended September 29, 1959 (P. L. 990) are reenacted and amended to read:"

They were agreed to.

The section was agreed to as amended.
The second section was read.
On the question,
Will the Senate agree to the section?
Mr. STEVENSON offered the following amendment:

Amend Sec. 2, page 5, line 1 by striking out "2" and inserting: "4".

It was agreed to.
The section was agreed to as amended.
The third section was read.
On the question,
Will the Senate agree to the section?
Mr. STEVENSON offered the following amendment:

Amend Sec. 3, page 5, line 3 by striking out "3" and inserting: "5".

It was agreed to.
The section was agreed to as amended.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. STEVENSON offered the following amendments:

Amend Title, page 1, third from last line of Title, by inserting after "counties": "Of the third, fourth, fifth, sixth, seventh and eighth classes". Amend Title, page 1, next to last line of Title, by inserting after "purchases": "and the supply and exchange of certain services and functions". Amend Title, page 1, next to last line of Title, by inserting after "of": "optional". Amend Title, page 1, last line of Title by striking out "service".

They were agreed to.
The title was agreed to as amended.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILL ON SECOND READING AMENDED

SB 88—The first, second, third, fourth and fifth sections were read and agreed to.
The sixth section was read.
On the question,
Will the Senate agree to the section?
Mr. LANE offered the following amendments:

Amend Sec. 6 (Art. XXI), page 6, line 18, by striking out 'Public Charges" and inserting: "Children". Amend Sec. 6 (Sec. 2164), page 9, line 6, by striking out "dependent" and inserting: "neglected child or for any dependent, whether adjudicated as neglected or dependent by a court or not". Amend Sec. 6 (Sec. 2164), page 9, line 9, by striking out "dependent" and insering: "neglected child or for any dependent, whether adjudicated as neglected or dependent by a court or not." Amend Sec. 6 (Sec. 2164), page 9, lines 15 to 20, page 10, lines 1 to 4, by striking out "of the care and mainte-" in line 15, all of lines 16 to 20, page 9, all of lines 1 to 4, page 10, and inserting: "with respect to mental or other patients imposed by law upon county institution districts. "(5) To take any other action authorized by law. "(6) To contract with any individual, association, corporation, institution or governmental agency, for the purpose of providing foster home care for persons over eighteen years of age who are in institutions and under the care and supervision of the county if, in the discretion of the county commissioners, such foster home care is advisable. The county commissioners may expend funds for foster home care for persons over eighteen years of age accepted for care and supervision by the county in addition to any funds paid by the Commonwealth or any individual, association, corporation, institution or governmental agency, to or for such persons. The county shall not exercise supervision or control over the finances or services received under the "Public Assistance Law" by, or on behalf of, persons for whom foster home care has been provided. "(7) To require that any person cared for in an instittion, as defined herein, shall pay for the cost of his care to the extent of his resources, including but not limited to industrial pensions, old age survivors and disability insurance benefits, and public assistance grants." Amend Sec. 6 (Sec. 2168), page 11, lines 12 to 14 by striking out all of said lines, and inserting: "provide those child welfare services that supplement or substitute for parental care and supervision for the purpose of protecting and promoting the welfare of children and youth; preventing neglect, abuse and emploitation; helping overcome problems that result in dependency, neglect or delinquency; and to provide adequate care for children and youth away from their own homes, such care to be given in foster family homes, adoptive homes, child caring institutions or other facilities." Amend Sec. 6, page 13, by inserting between lines 12 and 13; "Section 2173. Providing Certain Services Without Charge Prohibited.—Notwithstanding any other provisions of law, no county commissioners shall provide without charge any items of care or service which an individual is entitled to receive as assistance under the "Public Assistance Law," but this section shall not be construed to preclude county commissioners from supplementing such public assistance. "Section 2174. Payments by County Commissioners.—The county commissioners shall pay monthly to the Department of Public Welfare the amount expended by the department during the preceding month as assistance to patients in institutions, plus the cost of administering such assistance, minus the amount of Federal funds properly received or to be received by the Department of Public Welfare on account of such expenditures, increased or reduced, as the case may be, be any amount by which the sum paid for any previous month differed from the amount which should have been paid for such previous month. As provided in the "Public Assistance Law," the Department of Public Welfare shall certify to the county commissioners the amount to be paid by them to the department." Amend Sec. 6 (Sec. 2173), page 13, line 13, by striking out "2173" and inserting: "2175". Amend Sec. 6 (Sec. 2174), page 18, line 5, by striking out "2174" and inserting: "2176". Amend Sec. 6 (Sec. 2175), page 19, line 13, by striking out "2175" and inserting: '2177".

They were agreed to.
The section was agreed to as amended.
The seventh and eighth sections were read and agreed to.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. LANE offered the following amendments:

Amend Title, page 1, line 5 of Title, by striking out "and" where it appears the second time. Amend Title, page 1, last line of Title, by inserting after "counties": "prescribing certain further duties of county commissioners with regard to persons in foster homes and as to children and youth; and regulating payments for care."

They were agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILLS OVER IN ORDER

SB 93 and **94**—Without obpjection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 99—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. VAN SANT offered the following amendments:

Amend Section 2, page 5, by inserting between line 7 and line 8 the following: "(d) A junior operator's license shall be printed upon a card of distinctive color differing from a regular operator's license and shall bear prominently the words 'JUNIOR OPERATOR'. "(e) No vehicle which is being operated by any person holding a junior operator's license shall be occupied by more persons than the manufacturer's advertised passenger capacity of the vehicle."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. VAN SANT.

BILLS OVER IN ORDER

SB 100—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 104—Mr. BERGER. Mr. President, I request that Senate Bill No. 104, Printer's No. 104 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, may I inquire of the Majority Leader what the purpose of Senate Bill No. 104 may be?

Mr. WEINER. Mr. President, the purpose of this bill is to allow the Secretary of Highways to establish realistic speeds. For example, you are driving on a State highway which goes through a business or populated section of a small community. You than have to slow down to perhaps ten or fifteen miles an hour, even though there may be no traffic or no reason for doing so. However, the speed limit may have been established by the local community and perhaps was posted many, many years ago and nothing was ever done about it.

The purpose of this bill, Mr. President, is to permit the Secretary of Highways to have a study made of the area in order to find out what type of traffic pattern exists in that community and to establish the speed in conformity therewith. For example, if the speed limit on the highway continues at forty miles per hour, there is no reason to slow down in this community. If it is all right in the community, in the general pattern of the traffic, then traffic could be slowed down by about five miles per hour. The Secretary of Highways could establish it on that basis.

On page 2 of the bill, mention is made about it being unsafe to operate motor vehicles at certain speeds. It could be just as unsafe to go from forty miles per hour down to fifteen miles per hour in an area, and then try to speed up again in order to pick up momentum, as it would be to go fifty miles per hour through a certain community. I think that is the intention of this bill.

Due to the fact there are no periods or commas printed in the bill,—the punctuation which we are accustomed to in sentences—it might give cause to think that some of the language is a little bit ambiguous. However, I think that is what is intended. I will be glad to get further clarification from the Secretary of Highways if that is indicated.

Mr. BERGER. Mr. President, I believe it is indicated. I understood the purpose of this bill would be to vest some discretion in the Secretary of Highways in making more realistic speed limits. I understand that any restrictive speed inside a residential or municipal area may be established, but only upon approval by the Secretary of Highways. Otherwise, it becomes inoperative.

It is my understanding that this bill was intended to permit the Secretary of Highways not only to reduce, but in increase speed limits where necessary. It says in this bill as follows:

> ". . . where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act. . ."

That language appears to me to be a little bit obscure and opaque. I am afraid that if it is written into the Vehicle Code, it would give rise to considerable litigation in the enforcemeent of this law.

Therefore, Mr. President, I believe this bill should go over in its order until we can study it further and get it clarified.

Mr. WEINER. Mr. President, the gentleman might be correct in his concept of the bill. As I stated before, you do not have all the grammatical indicators which are usually present in any paragraph or reading. Of course, as you well realize, neither the Secretary of Highways nor the Secretary of Revenue can raise the maximum speed limit. He must maintain that and cannot go over that. The result might be that there are many communties which are far below the maximum and the Secretary might want to raise it. However, the gentleman's interpretation might be just as valid as the interpretation I gave it.

Therefore, for further clarification, I would like to check with the Department of Revenue and bring an answer back to the Members of the Senate.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

At this time, the Chair turns the gavel over to the President, who has returned to the Senate.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILL OVER IN ORDER

SB 105—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 128 and **153**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 192—Mr. BERGER. Mr. President, I request that Senate Bill No. 192 go over in its order.

The PRESIDENT. Is there objection?

Mr. WEINER. Mr. President, I have no objection to this bill going over in order. However, I do not think this bill is of the same caliber as the other one, and subject to an ambiguous interpretation. I think what we are trying to do here is to put Pennsylvania in conformity with the Interstate Commerce Commission requirements in regard to reflectors, so that you do not come upon a truck by suddenly having it loom up in front of you before you have an opportunity to absorb that it is within close proximity to the point where we may have some dangerous situations.

If it will help the gentlemen and the other Members, I will be very happy to give them any memoranda that are available to me or get any information that they might need in regard to this measure. It is not that complicated.

Mr. BERGER. Mr. President, I am inclined to agree with the Majority Leader. However, just one or two questions were raised, and I am sure they will be resolved by tomorrow and we will be able to act on the bill.

The PRESIDENT. There being no objection, the bill will go over in its order.

SENATE CONCURRENT RESOLUTION, SERIAL NO. 108, CALLED UP

Mr. WEINER, without objection, called up from page 5 of the Calendar, Senate Concurrent Resolution, Serial No. 108, entitled:

Directing the Joint State Government Commission to Study the Relocation of Eastern and Western Correctional Institutions

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I desire to offer an amendment to this resolution.

The PRESIDENT. The Clerk will read the amendment. ment.

The amendment was read by the Clerk as follows:

"And be it further resolved that in developing the study herein provided for, the Joint State Government Commission give particular attention to the possible location of either or both of said Eastern and Western Correctional Institutions in a county in northern Pennsylvania wherein are located large tracts of unoccupied lands already owned by the Commonwealth."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate adopt the resolution, as amended?

SENATE CONCURRENT RESOLUTION, SERIAL No. 108, ADOPTED AS AMENDED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Concurrent Resolution, Serial No. 108, as amended.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to and the resolution was adopted, as amended.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. KESSLER asked and obtained unanimous consent to address the Senate.

Mr. KESSLER. Mr. President, I am about to offer some bills, and I would like to make a statement in connection with two of those bills.

Mr. President, as Chairman of the Finance Committee of this Senate in 1955 through 1960, I had much to do with the drafting of the sales and use tax legislation, on which legislation many of you men voted.

For some time I have watched with concern and consternation the efforts of the sales tax administrators to frustrate and misconstrue certain provisions of such legislation. I shall explain as briefly as possible exactly what I mean.

The Finance Committee necessarily had the Capital Stock Tax "manufacturing" exemption and the decisions construing the scope of "manufacturing" before it when it provided a "manufacturing" exemption to taxpayers under the initial Selective Sales and Use Tax Act of 1956.

The Department of Revenue properly recognized our intent that the "manufacturing" exemption under the Selective Sales and Use Tax Act was different than that under the Capital Stock Tax regulation, which made no specific reference to fabricating, compounding or processing.

In the regulations published by the Department of Revenue on July 15, 1956, manufacturing was defined as follows:

> "For the purpose of this regulation 'manufacturing' is defined as the performance as a business of activities which place personal property in a form different from that in which it is acquired. Fabricating, compounding and processing are considered to be manufacturing activity."

At the time the Act of 1957 was pending before the 1957 General Assembly, the Pennsylvania Department of Justice prepared a formal and detailed analysis of its provisions which it issued under date of March 28, 1957. The following statement appears on page nine of that Analysis:

> "Section 2(c) of the present act then defines 'manufacture' very broadly as the performance of

manufacturing, fabricating, compounding, processing or other operations engaged in as a business which place any personal property in a form, composition or character different from that in which it is acquired. This is a much broader definition of the term 'manufacture' than that found in other areas of tax law."

Despite this unequivocal statement by the Department of Justice, the Department of Revenue shortly thereafter changed its position, contrary to legislative intent, as to the scope of the "manufacturing" exemption under the Selective Sales and Use Tax Act and administratively harrowed the "manufacturing" exemption to that established under the Capital Stock Tax legislation. On November 1, 1957, the Department of Revenue issued a new Manufacturer's Regulation effective as of April 5, 1957. The department is taxing, as a result of this regulation, certain operations which clearly constitute "fabricating, compounding and processing," contrary to our intent.

I am, accordingly, presenting a bill at this time which is designed to again express to the Department of Revenue and the taxpayers of this Commonwealth that we intend and have always intended manufacturing to include fabricating, compounding and processing for Selective Sales and Use Tax purposes.

Mr. President, as a companion bill, I would like to clarify the Capital Stock Tax Act for the same reason, and I would like to make a statement.

The newspapers for several days past have contained numerous headlines concerning the decision of the Ford Motor Company to remove its automobile assembling operations from Chester, Delaware County, Pennsylvania, and on Wednesday, February 22, 1961, the newspapers reported that Governor Lawrence had been unable to dissuade Henry Ford, II from the decision of Ford to close its Chester operations.

I have no way of knowing whether the Ford Motor Company had any knowledge of a decision of the Supreme Court of Pennsylvania on January 4, 1961. On that date, the Supreme Court stated in a tax case as follows:

"The facts sustained by the record are these. The appellee designs, assembles and sells vocational shop equipment: work benches, tool racks, lockers, cabinets and desks. Appellee designs the equipment, makes samples thereof, breaks down the samples into component parts and prepares working drawings thereof. The parts are then ordered from independent contractors in bulk. It assembles the final product from the standard parts purchased from and supplied by others who do the entire manufacturing thereof. Parent Metal does not make a single part that goes into the products sold. However, it does cut, shear, drill, rivet, fasten and bolt the component parts as it fashions them into the finished equipment. This, in our opinion, is not manufacturing as contemplated by the statute and the lower court erred in so ruling.

"The parts (themselves completed upon its receipt thereof) which appellee purchases are manufactured by others and are, as intended, components of work benches and the other vocational shop equipment. Appellee merely changes them from parts of benches or equipment into whole benches and similar equipment through the process of assembly or mechanical operation. This assembly process is not manufacturing. The fact that, in fitting together the integral parts, it is necessary to do some cutting, shearing or bolting does not make the act of assembling an act of manufacturing."

It is significant that the assembling of benches was found not to be manuacturing. Ford might very well have concluded from this opinion, if it had any knowledge of it, that the assembling of automobiles was not manufacturing; hence, that Ford would not be entitled to the manufacturing exemption in the computation of its Franchise Tax.

As all of you know, the manufacturing exemption is an exemption accorded in the computation of the Capital Stock Tax and the Franchise Tax for property or activities which are manufacturing. The law has never defined for Capital Stock and Franchise Tax purposes what "manufacturing" is. The Pennsylvania Courts, notwithstanding, have had to interpret what the meaning of the term "manufacturing" is in a long line of cases. These decisions hold that "fabricating, compounding and processing," which would include asembling, are not included within the term "manufacturing."

It seems appropriate, therefore, that it be made perfectly clear that it is the intent of this Legislature to include within the term "manufacturing", fabricating, compounding and processing for the purpose of the imposition of the Capital Stock and Franchise Taxes.

Accordingly, I have prepared a bill which I hereby introduce, and I hope that it will be promptly reported from committee and passed by this Body.

It will have the following salutary effects:

1. Clarify the meaning of the term "manufacturing" so that a company like Ford would be entitled to the manufacturing exemption when it assembles automobiles.

2. It would place the fabricating, compounding and procesing industries on a basis equal to that which is traditionally manufacturing.

3. It would promote industry in the Commonwealth and thereby relieve unemployment.

Mr. President, on behalf of my colleague, Senator McMenamin, and myself, I am presenting to the Chair the following two bills.

BILLS INTRODUCED AND REFERRED

Messrs. KESSLER and McMENAMIN, by unanimous consent, presented to the Chair **SB 304,** entitled:

An Act amending the act of March 6, 1956 (P. L. 1228), entitled, as amended, "Selective Sales and Use Tax Act," extending the scope of the manufacturing exemption to taxation.

Which was committed to the Committee on Finance.

They also, by unanimous consent, presented to the Chair **SB 305,** entitled:

An Act amending the act of June 1, 1889 (P. L. 420), entitled, "A further supplement to an act entitled, 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," defining manufacturing for tax purposes.

Which was committed to the Committee on Finance.

Messrs. KESSLER, SEYLER and HAYS, by unanimous consent, presented to the Chair **SB 306,** entitled:

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and

increments for members of the faculty and adminstration of the Thaddeus Stevens Trade School, and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction," changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

Which was committed to the Committee on Education.

Messrs. WARE and SEYLER, by unanimous consent, presented to the Chair **SB 307,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for the purchasing of used supplies of the first class.

Which was committed to the Committee on Education.

They also, by unanimous consent, presented to the Chair **SB 308,** entitled:

An Act validating and confirming certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy and authorization or ratifying payments on such contracts by the school district.

Which was committed to the Committee on Education.

Messrs. WADE, MURRAY, McCREESH and VAN SANT, by unanimous consent, presented to the Chair **SB 309,** entitled:

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Company Law of 1921," providing for the merger or consolidation of domestic and foreign life insurance companies.

Which was committed to the Committee on Insurance.

Messrs. SEYLER, WAGNER and HAYS, by unanimous consent, presented to the Chair **SB 310,** entitled:

An Act amending the act of March 10, 1949, (P. L. 30), entitled "Public School Code of 1949," changing provisions relating to the approval of projects for reinbursement purposes.

Which was committed to the Committee on Education.

Mr. YATRON (By request), by unanimous consent, presented to the Chair **SB 311,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," excluding hawks from the definitation of "unprotected birds."

Which was committed to the Committee on Forests and Waters, Game and Fish.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in the resolutions from the Senate, entitled:

Weekly Adjournment
Joint Session

ANNOUNCEMENT OF MEETING OF COMMITTEE ON LOCAL GOVERNMENT

Mr. HALUSKA. Mr. President, the Committee on Local Government has set the hour of 11:00 a.m. for its meeting every Tuesday. The last two meetings have been held in vain. We have quite a number of important bills in that committee which must be acted upon and acted upon soon.

Tomorrow, we have a most unusual schedule. Therefore, the hour must be changed from 11:00 to 8:30 a. m. tomorrow morning, in room 301. I trust that we will have a quorum. It may seem to be in the middle of the night, but I cannot help it.

ANNOUNCEMENT CONCERNING HIGHWAY OMNIBUS BILL

Mr. ROONEY. Mr. President, I am not being optimistic when I make this statement, but generally the last piece of business the General Assembly takes care of, during the course of a Session, is usually the famous omnibus bill.

I spoke with the Chairman of the House Highways Committee, Representative Cromer, this morning. We have set up a deadline date of April 3, 1961 for all of the omnibus legislation.

Tomorrow, there will be the necessary applications on the Senator's desks. I hope all of the roads which are going to be included in the omnibus bill will be typed up in duplicate and returned to my office before April 3, 1961.

PETITIONS AND REMONSTRANCES

Mr. STIEFEL. Mr. President and Members of the Senate, I guess in the next few months I will have to be similar to Cato in the Senate of Rome. I will get up from time to time and say: "Carthage must be destroyed." Of course, I am not destined for any destruction. However I am going to ask for a complete evaluation, reevaluation and allocation of several departments which are subject to the jurisdiction of the Secretary of Public Welfare, Mrs. Horting.

I cannot concieve why such a division as general hospitals has to be placed under the Department of Public Welfare instead of the Department of Health. In the person of Doctor Wilbar, who is the Secretary of Health, we have one of the finest and most capable administrators. I would say he is second to none in the Nation. Yet, such an important subject as general hospitals and their administration is still under the Department of Public Welfare. After all, I am fully cognizant of the fact that some of the general hospitals are now in the distressed areas. Nevertheless, this should not be considered as welfare. This should be considered as a place for research, for healing, and not in the nature of custodial service. Why this particular branch of our government is under the Department of Public Welfare, I do not understand. It may be because in the heydays of Senator Shapiro, he tried to build an empire. Now the emperor is gone and we are dealing with an empress of the dust. The question is: Shall we permit this disarrangement to still persist in our government?

Therefore, Mr. President, I just rose to make a prologue, a preface, to the resolution which I am going to introduce tomorrow, asking the Joint State Government Commission to make a speedy survey and report to the Senate about the possibility of transferring all the general hospitals, now subject to the jurisdiction of the Department of Public Welfare, to the Department of Health.

Mr. BERGER. Mr. President, I had hoped that the Legislative Reference Bureau would have been able to prepare, for introduction here this afternoon, a bill upon the subject which deals with the most shocking of situations all over this Country and which, of course, would deal with that situation in Pennsylvania.

In fact, every newspaper, daily publication, radio station and television station had announcements to the same effect as the one from which I am now reading; a Pittsburgh newspaper, under a New York dateline, as follows:

> "The massive search for little Edith Kiecorius ended today in a dingy Chelsea rooming house where her mistreated body had been lying for days."

Mr. President, crimes of this type are not confined to the city of New York, the city of Philadelphia, the city of Pittsburgh, St. Louis, Dallas, Los Angeles, or Seattle. However, people who commit these crimes live in all types of communities, urban and rural. They are apt to commit those crimes under situations which present themselves from time to time, and then we are again shocked by the report of a child having been mistreated by a sexually deviate crimminal.

Mr. President, I mention this subject here this afternoon in the belief that a number of the Members of this Senate will desire to join me in co-sponsoring a bill which will provide that any person who has been convicted of rape or assault and battery, with intent to rape, or a murder committed in the course of rape upon a child, shall be emasculated. It shall further provide that any person arrested and convicted of molestation or indecent assualt upon any child, under the age of sixteen years, and who has been determined by a board of physicians,—I have suggested five physicians—consisting of psychiatrists and medical doctors, to be a congenital psychiatric inferior shall also be subject to such emasculation.

Mr. President, I realize there are decisions which have held that laws of this type provide cruel and unusual punishment or an unlawful invasion of the person. However, it seems to me, Mr. President, in view of the heinous crimes which have been committed on children who have been murdered, after being misused, that a re-evaluation of this type of legislation and a study of the situation should be immediately undertaken in Pennsylvania.

Therefore, Mr. President, I say that when this bill is introduced, it will not be definitive. It will be subject to discussion in committee. It will be subject to amendment, in the hope that we may at least do something which will be a deterrent to this type of crime.

It is quite possible that we will also wish to amend the so-called Walker-Barr Act, which we passed here some time ago, providing that the courts may sentence a person of that type to life imprisonment. I understand, however, that this is rarely used. If it is used, then these persons are subject to parole. That I would eliminate, Mr. President.

Therefore, I would invite any Member of this Senate, who might care to do so, to join me in sponsoring this legislation which I will have ready for presentation at tomorrow's Session.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that the penalty he seeks is a rather severe one, not that it may not be indicated in many of these cases and that we feel we ought to do this type of thing. However, I believe if anybody would carefully peruse some of the material that is about—notably, there is a very famous book by Doctor Karpman, who I think is now deceased or has since retired, called "The Sex Offender and His Offenses," which deals primarily with this problem.

In the last two Sessions of the Legislature,—I have not done it this Session because I have been a little busy with one or two other problems—I have asked that the Joint State Government Commission make a study on this subject wherein the schools would deal with these youngsters the same as they deal with them on the basis of checking vaccinations, knowing of diseases they have had and the condition of their teeth, because you will find that everyone of the people who were ever involved in these cases—and I do not care where you begin—have a previous history and it manifests itself in many stages.

I am not an expert on this subject, but I have done considerable reading on it and I happen to practice law occasionally in the city of Philadelphia when we are not here. I have defended some of these people. You will find that generally the history is that this begins at a very early age. You will find, in going back into history, that many of these people have begun to mainfest these different types of tendencies at a very early stage of development. In fact, you will find that sometimes they go on and marry and for even a time maintain what is a normal life as we know it, which will indicate to you also that they are trying sometimes to do something about it.

One of the reasons the Barr-Walker Act is not used by many courts or very many judges is that they feel—and I believe, Mr. President, you are familiar with this from your own experience, which has been considererable in this area— the institutions which we have to institutionalize these people are not equipped to handle this particular type of problem. These people are sick. They are people who are ill. They are not the same type of people who are in a later stage of the game—men and women—may get involved and have to be penalized or, in a sense, institutionalized and who may expose themselves, which is a part of senility or some later factor that comes in at a later stage of the game. These people are not of that type. They commit these acts or commit these crimes under the basis that they are quite ill. They cannot control themselves. It is impulsive with them when this happens, but there is a manifestation of it at an early stage of the game. So, they ought to be taken out of society at avery early stage of the game and taken from society until such time as somebody certifies they are ready to come back or are ready to return to the community under a limited type of freedom or probation setup.

We are not equipped to handle these cases. The seventy or eighty cases, and the probation people cannot see everybody and cannot possibly follow them up. Some of these people are in the condition that they are congenital liars. Some of them have many, many problems.

Unless you address yourslf to the immediate problem, you are going to have these outrageous crimes in our society. This happens all over the Country and it is just highlighted when something comes to the fore. This is something which does not receive the same publicity in the small communities. There are many small communities where it is never even brought up.

If we really want to address ourselves to this problem, I do not think we should do it in this fashion because this is the result; this is the way we feel after it has happened. What we are speaking about are things symptomatic of the disease. We should be concerned with those symptoms and try to cure them.

We are thinking about establishing a new Eastern and Western Penitentiary, and I think that we should consider some of the suggestions made by the penologists to build institutions in which to house these people and still have them perform some useful function and yet take them away from society.

If emasculating them is what the gentleman has in mind, I am not sure this would be constitutional. I think one of the landmarks of the law is the Oklahoma Case, and I guess everyone who has ever studied law remembers this. In this case, they decided to take people who were involved in a very serious crime—and they even delineated them; male or female—and perform the operation of vasectomy to make them sterile. This was held by the United States Supreme Court to be unconstitutional—depriving people of their rights and freedoms.

I am sure this would go into the same category. I think it is a cruel and unusual punishment for a person who is ill. I am sure if someone had tuberculosis or some other kind of disease, you would be a little more sympathetic and not treat him in the same fashion.

I am not saying this is not warranted because the crime that has been committed is a horrible crime. It is the type of thing that shocks any decent person. However, I think we ought to treat the symptom and not treat the net result.

Mr. BERGER. Mr. President, I have no considerable knowledge at all of this subject, except in such discussions as I have had with some psychiatrists and some little reading on the subject.

I agree with the Senator that probably these people could be called sick. However, to quote psychiatrists to whom I have talked: "Yes, they are sick but just the same as a mad dog is sick." When you parole one of these people from a penal institution, you are doing the same as turning a mad dog loose, and it has been proven to be true many times, Mr. President.

Certainly, if there is a cure for this, it should be undertaken and found. However, to date, so far as I know and so far as my discussions have reached, there appears to be no known cure for such types. Consequently, we have the Barr-Walker Act, which says that the court may incarcerate them for life, because it is well known that they are not going to be cured of this sickness, if you will.

Mr. HAYS. Mr. President and Members of the Senate, I am going to change the topic, if you want to call this a topic.

Over the week end, I am sure most of you know that Pennsylvania lost one of its most distinguished daughters. I think that this Session should not close without making mention of the fact of the passing of the late Violet Oakley; the artist who made this room, it seems to me, one of the most distinctive and beautiful legislative halls in America. We are greatly indebted to her and her work. She has given to us—those who worked here before us and those who will come after us—a sense of history and a better appreciation of the great heritage that we have inherited.

I hope the distinguished and very scholarly Senator from Philadelphia, when he gets the Public Welfare Department in order or before he does that, will pay a more adequate tribute to the work of this most famous and distinguished daughter of Pennsylvania, Violet Oakley, who has made this room a very distinctive room.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
TUESDAY, FEBRUARY 28, 1961

Time	Committee	Room
8:30 A.M.	LOCAL GOVERNMENT	301

NOTICE

There will be a joint Senate and House Appropriations Committee Hearing on the Public Utility Commission Budget on Tuesday, February 28, 1961 at 10:00 a.m., in Room 245, Main Capitol Building.

There will be a Joint Committee Meeting of the House and Senate Education Committee, on Tuesday, February 28th, in the Senate Caucus Room at 9:00 a.m., to discuss with the Superintendent of Public Instruction important educational matters.

The Committee on Constitutional Changes and Federal Relations will hold a Public Hearing on Senate Bill 23, March 2, 1961 at 2:00 p.m., in the Pittsburgh State Office Building.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, February 28, 1961, at 10:15 a.m.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:30 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, February 27, 1961.

The House met at 3:30 p. m., EST.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

God of all grace, and Lord of our salvation, we come to Thee as the twilight hours of this day swiftly draws in upon us; we recognize all of the gifts of Thy love which Thou hast so graciously given to us; and we humbly bow in true reverence and adoration before Thee and Thy tender mercy. O Father, make us truly Thine in thought, in word, and in deed; so that the lives we live and the deeds we bring to maturity may be in accord with Thy will and Thy way. In Thy eternal wisdom instill discerning minds and hearts in these representatives of Thine in order that they may use wisely the talents which Thou hast so graciously bestowed. And to each one, grant Thy everlasting peace: through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 21, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. VARNER, DENNISON, WILT and McCANDLESS. HOUSE BILL No. 609.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), imposing a maximum limitation on the amount of occupation taxes which may be levied by political subdivisions.

Referred to the Committee on State Government.

By Mr. SHUPNIK, Mrs. REIBMAN, Mr. DENGLER and Mrs. HENZEL. HOUSE BILL No. 610.

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), providing a death benefit after ten years of service or an accumulation of withdrawal credits in certain cases.

Referred to the Committee on Appropriations.

By Mr. HAMILTON, Mrs. ANDERSON, Messrs. WOOD and ESHLEMAN. HOUSE BILL No. 611.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), further providing for payments on account of agricultural education.

Referred to the Committee on Education.

By Mesrs. WORLEY and DONALDSON. HOUSE BILL No. 612.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), exempting certain textbooks and other instructional materials and supplies from the tax.

Referred to the Committee on Ways and Means.

By Messrs. FOX, MAGEE, CIOFFI and J. A. O'DONNELL. HOUSE BILL No. 613.

An Act amending the "Public Schol Code of 1949," approved March 10, 1949 (P. L. 30), authorizing additions, and revisions to duplicates in second class school districts.

Referred to the Committee on Education.

By Messrs. STRAUSSER and KESSLER. HOUSE BILL No. 614.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), exempting from the tax liquid fuels used by or sold and delivered to political subdivisions for use for municipal purposes.

Referred to the Committee on Ways and Means.

By Messrs. McLAUGHLIN and WILT. HOUSE BILL No. 615.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), designating additional house trailers to be valued, assessed and subject to taxation.

Referred to the Committee on State Government.

By Mrs. REIBMAN, Messrs. HAMILTON and COOLEY and Mrs. HENZEL. HOUSE BILL No. 616.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the renewal of provisional college certificates.

Referred to the Committee on Education.

By Messrs. HAMILTON, STONE, KLEIN and CIOFFI. HOUSE BILL No. 617.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the closing of court houses and other county offices on Saturday.

Referred to the Committee on Rules.

By Messrs. HAMILTON, STONE and KLEIN. HOUSE BILL No. 618.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), further defining persons eligible for public assistance.

Referred to the Committee on Welfare.

By Messrs. FRY, MORLEY, GREMMINGER and HARTLEY. HOUSE BILL No. 619.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050), providing that the compensation of tax collectors in boroughs and townships of the second class may be changed from a commission to salary or wages.

Referred to the Committee on State Government.

By Messrs. FILO and ZIMMERMAN. HOUSE BILL No. 620.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing boroughs to have a recreation board of either five or seven members.

Referred to the Committee on Boroughs.

By Messrs. MURPHY, KORNICK and Mrs. MUNLEY. HOUSE BILL No. 621.

An Act requiring a guard to be posted when a manhole

cover is removed or when a manhole is entered and providing penalties.

Referred to the Committee on Municipal Corporations.

By Messrs. MURPHY, CAPANO, FLYNN, and POLEN.
HOUSE BILL NO. 622.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), giving local authorities in cities, boroughs, and incorporated towns certain authority to limit the speed of vehicles upon State highways and continuations thereof and connecting links between State highways located in such cities, boroughs and townships.

Referred to the Committee on Municipal Corporations.

By Messrs. MURPHY and CURWOOD.
HOUSE BILL No. 623.

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), removing the limitation on the purchase price of land.

Referred to the Committee on State Government.

By Messrs. J. A. SULLIVAN, FILO, T. F. SULLIVAN and MURPHY. HOUSE BILL No. 624.

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), authorizing certain services by public utilities operating taxicabs.

Referred to the Committee on Public Utilities and Corporations.

By Messrs. MURPHY, MILLS, SNARE and TAYLOR.
HOUSE BILL No. 625.

An Act relating to motor vehicles used to transport workers to and from their places of employment, and directing the Pennsylvania Public Utility Commission to prepare rules and regulations regulating such motor vehicles; and providing penalties.

Referred to the Committee on State Government.

By Messrs. PETROSKY, STANK and BLAIR.
HOUSE BILL No. 626.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) authorizing the transfer of club licenses from one municipality to another under certain conditions.

Referred to the Committee on Liquor Control.

By Messrs. PETROSKY, BLAIR and STANK.
HOUSE BILL No. 627.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

Referred to the Committee on Rules.

By Messrs. PETROSKY, POLASKI, BLAIR and STANK.
HOUSE BILL No. 628.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), changing the time within which notice of a hearing is issued and requiring notice of violations as prerequisite to imposition of a penalty, suspension or revocation.

Referred to the Committee on Liquor Control.

By Messrs. PETROSKY, POLASKI, BLAIR and STANK. HOUSE BILL No. 629.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the transfer of hotel restaurant and eating place licenses to clubs without affecting the number of licenses thereafter grantable in any municipality.

Referred to the Committee on Rules.

By Messrs. LUTTY, REIDENBACH, PERRY and McKEEVER. HOUSE BILL No. 630.

An Act amending and recodifying Section 302 of The Fiscal Code; clarifying certain provisions relative to the State Harness Racing Fund and Sinking Fund; and further amending this Section of The Fiscal Code to grant certain powers and duties to the Governor.

Referred to the Committee on Rules.

By Messrs. WHITTAKER and BUSH.
HOUSE BILL No. 631.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing third class cities to install traffc signals on all highways within such cities without prior approval of the Secretary of Highways.

Referred to the Committee on Cities—Third Class.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 25.

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law" adding a new route in Potter County.

Referred to the Committee on Highways.

SENATE BILL No. 31.

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

Referred to the Committee on State Government.

SENATE BILL No. 74.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

Referred to the Committee on State Government.

SENATE BILL No. 102.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to operate them during certain hours and providing penalties.

Referred to the Committee on State Government.

SENATE BILL No. 102.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring pedestrians in cities of the first class who are charged with a violation

of the summary provisions of this act to stop upon request or signal of a peace officer.

Referred to the Committee on Cities—Counties First Class.

SENATE BILL No. 178.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

Referred to the Committee on State Government.

SENATE BILL No. 180.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. FOERSTER. RESOLUTION No. 31.

In the House of Representatives, February 21, 1961.

The prompt and equitable adjustment or settling of automobile damage claims by insurance companies is a matter of importance to persons entitled to receive money from such claims.

There have been numerous complaints concerning such adjustments or settlements by the Nationwide Insurance Company in Allegheny County, Pennsylvania, therefore be it

Resolved, That the Speaker of the House of Representatives appoint a committee of five House members to investigate the subject of very poor service in the adjustment and settling of automobile damage claims in Allegheny County, Pennsylvania, by the Nationwide Insurance Company; and be it further

Resolved, That the committee make a report of their findings and recommendations to this Session of the General Assembly as soon as possible.

Referred to the Committee on Rules.

By Messrs. VARNER and DENNISON (Concurrent) RESOLUTION No. 32.

In the House of Representatives, February 21, 1961.

In the Fayette County area over twenty-two percent of the people are unemployed. Many of these people have spent all of their savings and now have to depend upon the supply of surplus food to tide them over.

While all this is true, during the month of February there was no surplus food distribution in Fayette County. The President of the United States has ordered the surplus food allotments doubled and the speed of distribution increased, yet in one of our own counties there are fifty-five thousand people eligible for surplus food. Many of these are children who are going to bed hungry.

It is obvious that some officials, either at the local, State or national level, have been derelict in their duties in handling the surplus food distribution program in Fayette County; therefore be it

Resolved (the Senate concurring) That the Speaker of the House of Representatives appoint a committee of three members of the House and the President pro tempore of the Senate appoint three members of the Senate, who together shall constitute a joint committee to make a thorough investigation as to the causes and effect of the mismanagement of the surplus food distribution in Fayette County; and be it further

Resolved, That the committee may meet, hold hearings, take testimony and make its investigations whether the General Assembly is in session or in recess. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee, and to produce any books, papers, records and documents as the committee deems necessary. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

Resolved, That the committee make a report of their findings and recommendations to this session of the General Assembly as soon as possible.

Referred to the Committee on Rules.

SENATE MESSAGE

JOINT SESSION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, February 27, 1961.

Resolved (the House concurring), That the Senate and House of Representatives meet in Joint Session on Tuesday, February 28, 1961, at eleven-fifteen o'clock A.M., E.S.T., to hear and see a report by the United States Army Corps of Engineers, on the recommendations for the development of the Delaware River.

RESOLUTION

COMMITTEE TO ESCORT THE SENATE

Mr. EILBERG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives
Tuesday, February 27, 1961.

Resolved, That the Speaker appoint a committee of two members of the House to escort the members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE TO ESCORT SENATE APPOINTED

The SPEAKER. The Chair appoints the following committee on the part of the House to escort the Senate to the hall of the House to attend the Joint Session of the General Assembly: the gentleman from Philadelphia, Mr. Eilberg, and the gentleman from Cameron, Mr. Tompkins.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate
February 27, 1961

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 6, 1961 at three o'clock P. M., E. S. T., and when the House of Representatives adjourns this week, it reconvene Monday, March 6, 1961, at three-thirty o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the lady from Montgomery rise?

Mrs. HENZEL. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Mrs. HENZEL. Because of a situation beyond my control, I was unable to remain for the final vote on S. B. 53, the fair housing bill. I wish it recorded that had I been present for the vote as well as for the debate, I should have found it impossible to support the bill as passed. The conflicts in my own mind between the various aspects of human and civil rights still exist. However, I cling to the fact that we pride ourselves on being citizens of a democracy. The philosophy of this type of government does not mean to me that we make progress by almost completely taking away the rights of one section of our society in order that another might gain. In my thinking, this is not growth; it is regression. Every effort was made to bring the bill into line in a manner which would benefit both those who are presently denied certain privileges while retaining for others at least a degree of private property rights. My own amendment, introduced to raise from one to five the number of housing accommodations under one ownership in the exempt area, would have done just this. It would still have retained, under legislation, those engaging in real estate for a business or for purposes of speculation. It would, on the other hand, have protected those who have property which has been acquired through inheritance or the investment of smaller savings. This amendment was defeated.

The bill which we now have legislates to a far more stringent degree against the private property rights of the citizens of Pennsylvania than any other state in the Union. Such stringent legislative control of private property rights is not, in my opinion, something of which we of this Commonwealth should boast or be proud. Equitable distribution of rights, human and civil, are every body's privilege. If these are to be legislated, they should be done in an equitable manner. This bill does not accomplish that purpose nor support that philosophy.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, the Republican membership would like to take a break to caucus, but we can go right ahead and refer bills and do all other things and save time that way. Could we proceed with that?

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. AGNEW. That is agreeable, Mr. Speaker. I call a Republican House caucus at this time, the usual weekly caucus. We will ask for 45 minutes.

REPORT OF GENERAL STATE AUTHORITY

CONSTRUCTION REPORT

The SPEAKER laid before the House the Construction Report of the General State Authority as required by the provisions of the General State Authority Act, effective July 27, 1953.

(For report, see appendix)

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL Nos. 88, 89, 96, 99, 100 and 101.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

February 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 88, Printer's No. 88, entitled "An Act amending the act of August 24, 1951 (P. L. 1417), entitled as amended 'Corporation Income Tax Law' increasing the rate of the tentative and annual tax."

DAVID L. LAWRENCE.

February 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 89, Printer's No. 221, entitled "An Act amending the act of May 16, 1935 (P. L. 208), entitled as amended 'Corporate Net Income Tax Act' increasing the rate of the tentative and the annual tax."

DAVID L. LAWRENCE.

February 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 96, Printer's No. 96, entitled "An Act amending the act of July 8, 1957 (P. L. 594) entitled 'Pennsylvania Cigarette Tax Act' making permanent one of the additional excise taxes and reducing the commissions allowed to stamp affixing agencies."

DAVID L. LAWRENCE.

February 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 99, Printer's No. 99, entitled "An Act imposing a State tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies associations and exchanges requiring the filing of annual and tentative reports and the computation and payment of tax providing for the rights, powers and duties of the Department of Revenue, the taxpayers and officers thereof and providing penalties."

DAVID L. LAWRENCE.

February 21, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 100, Printer's No. 100, entitled "An Act amending the act of June 1, 1889 (P.

L. 420), entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine' continuing in effect for an unlimited period of time the rate of tax of fourteen mills heretofore imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships, municipalities and persons and requiring filing of tentative tax reports and the computation and payment of tax."

DAVID L. LAWRENCE.

February 21, 1961.

To the Honorable, the House of Representatives of the Commonweath of Pennsylvania.

I have the honor to inform you that I have this day approved and signed House Bill No. 101, Printer's No. 224, entitled "An Act amending the act of July 15, 1897 (P. L. 292), entitled 'An act to provide revenue by taxation' increasing the rate of tax on shares of capital stock of banks and savings institutions and extending such tax to the surplus undivided profits and reserves of savings banks without capital stock building and loan associations and federal and state savings and loan associations changing the date for the determination of the base of the tax AND MAKING CERTAIN REPEALS."

DAVID L. LAWRENCE.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 392, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 418, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the basis for pensions.

And said bill having been read at length the first time, Ordered, To laid aside for second reading.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purposes does the gentleman rise?

Mr. O'DELL. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. O'DELL. Mr. Speaker, having been a co-sponsor on House bill 527, I would like to withdraw my name from the bill but I understand that the bill is now in print. Therefore, for the record I should like to have the announcement made that I would like to withdraw my name.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

I am informed that various members of the Republican delegation of the House do not seem to have been informed that their caucus is pending, that there is a caucus, that they are needed at a caucus. The House has been proceeding with routine business and will go out for 45 minutes while the Republicans caucus.

COMMUNICATION

APPRECIATION

The SPEAKER laid before the House a communication, which was read by the Clerk as follows:

4302 Cottman Ave.
Philadelphia, 35, Pa.
February 22, 1961

Mr. Hiram G. Andrews,
Speaker of the House of Representatives
Harrisburg, Penna.

Dear Sir:

We would like you to express our appreciation to the Members of the House of Representatives for the condolences and respects shown the family of Francis X. Muldowney.

Gratefully yours,
(Mrs.) Mae Muldowney.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CIOFFI asked and obtained permission for the Committee on Counties to meet during the session of the House.

Mr. KAMYK asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Messrs. KRAMER, WM. JAMES LONG, DOUGHTEN and FINEMAN. HOUSE BILL No. 632.

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

Referred to the Committee on State Government.

By Mrs. KOOKER, Messrs. GALLAGHER, A. M. LEE and IRVIS. HOUSE BILL No. 633.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), redefining manufacture.

Referred to the Committee on Ways and Mans.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 634.

An Act declaring the office of Senator and member of the House of Representatives to be incompatible with any appointive office under any county, city, borough, town or township; requiring reemployment of members of the Senate and House of Representatives by counties, cities, boroughs, towns and townships by which formerly employed and defining their retirement rights.

Referred to the Committee on Rules.

By Messrs. HARTLEY, RUBIN, SHELTON and DOUGHTEN. HOUSE BILL No. 635.

An Act amending the "Fuel Use Tax Act", approved January 14, 1952 (P. L. 1965), reducing the tax rate of fuels used in turbine propeller, turbo-jet or jet driven aircraft and aircraft engines.

Referred to the Committee on Rules.

By Messrs. RUBIN, SHELTON, HARTLEY and DOUGHTEN. HOUSE BILL No. 636.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), reducing the tax rate of fuels used in turbine propeller jet, turbo-jet, or jet driven aircraft and aircraft engines for a certain period of time.

Referred to the Committee on Rules.

STATEMENT BY MINORITY LEADER

Mr. AGNEW. Mr. Speaker, there are many problems facing the people of Pensylvania. Among these are chronic unemployment, public education, and a host of lesser matters. It is the duty, we Republicans contend, of the elected State officials, the Governor and the members of the General Assembly, particularly, to face these problems and to solve them to the best of their ability. The question is, are we doing everything in Pensylvania we should be doing to solve these problems, or are we drifting with the tide and hoping that someone else or some other level of government, such as the Federal government, will solve these problems for us.

The problems of the Commonwealth demand leadership. In the governmental nature of things in Pensylvania, leadership can come from only one person, the Governor of the Commonwealth. We need in Pennsylvania a Governor who not only has the ability to lead, but has the personal courage to lead. In Pennsylvania we need a full-time Governor, a man with vision, ideas and a program to lift Pennsylvania and her citizens up by the bootstraps.

Unfortunately, today Pennsylvania has a part-time, do-nothing Governor. He spends more time away from his duties in Harrisburg than he does in attending to them. We concede that the Governor has an able assistant in Bill Green, Philadelphia's pride and joy. Perhaps when the Governor of Pennsylvania has such an able assistant, the job of chief executive of the Commonwealth becomes one only of part-time performance.

We desire to point out, however, as a minority party, that David L. Lawrence was elected Governor of Pennsylvania by the people of Pennsylvania and not Bill Green, David Kurtzman, David Baldwin or Walter Giesey, and as such the Governor has a deep and personal obligation to every citizen of this Commonwealth.

It is my pleasure to announce that the Republican Party, commencing March 1, 1961, has made arrangements to keep a record of our wandering Governor. We shall list the days he is in Harrisburg and the days he is in Pittsburgh, and periodically we shall make such information available publicly. We believe that the Governor can better do the job for which he was elected by serving in Harrisburg and by spending far less of his time in Pittsburgh overseeing the affairs of the local Democrat political organization in Allegheny County. We shall also announce in the near future a record of the Governor's whereabouts during the first two months of this year, if this information can be accurately tabulated. We believe that the people of Pennsylvania will be shocked to discover how little time our Governor has spent in Harrisburg during the first two months of this year.

We also ask the Governor—and we think we have the right to so ask—to exert a little more personal courage. I do not like to disagree with my friend from Adams County, Mr. Worley, but it is obvious to me that Pennsylvania's Governor should have an executive mansion and that such an establishment should be in or very near to the city of Harrisburg, and not some 20 miles distant.

The Governor apparently thought so, also, but at the first faint blush of criticism he retreated and has now taken a stand which is fence-straddling at best. "Governor," in the words of another famous Democrat, "if you cannot take the heat, get out of the kitchen." If you are able to make a decision and take a stand on any subject, including the location of a proposed executive mansion, please let us know about it. It will be as refreshing as a spring breeze to have a little leadership from the front office, especially leadership that does not panic everytime there is an adverse article in the public press.

Mr. Speaker, we would advise the Governor that it is too late for the "politics-as-usual" approach. Increasing the State payroll by many thousands of persons is not the answer to what ails Pennsylvania. It is the time for real leadership. The people of Pennsylvania have a right to expect such leadership from their duly elected Governor. Governor, it is now up to you.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I of course, did not know that when we came back from the Republican caucus we would go into a "politics-as-usual" discussion.

For the information of the minority leader, there is published and released to the press of Pennsylvania the schedule of the Governor every given day of the week, for every week of the year, and copies are mimeographed and available for your office as well as the press, who get them each week.

When the Governor of this Commonwealth is addressing various groups within the confines of this Commonwealth, he is still carrying out the duties of the Governor. When, for example, last week he flew to Detroit, Michigan, to plead with Henry Ford regarding the factory at Chester, Pennsylvania, I would consider that of prime importance to the Commonwealth of Pennsylvania.

In many cases I think you will have to agree that you do not need to tabulate the information. You can tabulate it if you want to, but we will make arrangements to have one copy available to you, which will indicate the Governor's schedule from Monday to Saturday, inclusive, and, in many cases, Sunday, when such meetings are a part of State functions. Then you will have no trouble checking for the information.

I will say that the Governor is not a Governor who is absent, or failing to carry out his duties.

I say to the Republican leadership, as I have stated many times, your basic trouble is that you do not stand for things, you are only against, and the day you learn to be for a positive program the people of Pennsylvania will listen to you. We believe you are starting to think in positive terms, positive terms in legislative programs, but now you are going to think in negative terms on executive action. That is your prerogative and you can do as you please.

I am confident you will find, when you release your report, that our Governor of this Commonwealth does not have to duck any issues. The recommendation for the mansion that you spoke about was presented to the com-

mittee by a man by the name of General Edward Martin, who was the Governor of this Commonwealth. The decision as to the mansion has not been made as to its location. I believe the members of that committee are Miss Blatt, Stuart Helm and myself, and I believe that we will make a recommendation as to the location of the mansion in the Commonwealth of Pennsylvania. I am confident we will.

We do know we were not going to look at any ground until the snow was off the ground. But just for the information of the Harrisburg people, we have more recommended sites in the Harrisburg area for the construction of a mansion than I ever knew existed around this city, and I am sure the committee will select the site for the mansion that they believe should be recommended to the executive committee.

Mr. Speaker, this was not a political meeting and I was hoping that we could get on with the calendar today and move rather rapidly in an effort to finish by 6 o'clock.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. EILBERG asked and obtained unanimous consent to address the House.

Mr. Speaker, this session is almost two months in duration and there has been a relative calm in this chamber. I think I have hardly heard Bill Green's name spoken until today. Perhaps once before in this session.

I would like to suggest, Mr. Speaker, to the minority leader that in respect to his insinuations about Bill Green, which he made on the floor today and also in the newspapers over the weekend, I think he is not so much concerned with the figure Bill Green as the Democratic majority in the city of Philadelphia.

I suggest, Mr. Speaker, that the minority leader is concerned with the figure of 331,534. I say to you, Mr. Speaker, in the last election our party voted 622,534 for our ticket, whereas the opposition figure voted 291,000. Our majority in Philadelphia was 331,000, a ratio of more than two to one. I say to you, Mr. Speaker, the people of Philadelphia are for Mr. Green and the Democratic Party.

Thank you very much.

ANNOUNCEMENT

The CLERK. Mr. Speaker, Mr. Auker has lost a brown leather briefcase. It was taken from the washroom at locker 63. It is the property of Charles A. Auker, Blair County, seat No. 63.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman rise?

Mr. KORNICK. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. KORNICK. Mr. Speaker, I was somewhat alarmed or surprised at the statements made on the floor of this schamber by two gentlemen, Mr. Varner of Clarion County and Mr. Dennison of Jefferson County, asking that an investigation be made into the distribution of surplus food in Fayette County. I was very distressed and shocked, as were all the people of Fayette County, by the headlines in the newspapers over Pennsylvania, all of which seem to leave the question unsolved, and the published reports left the impression that perhaps something is wrong in Fayette County.

I want to state here before all the members of this House, with all the emphasis that I can command, that there is nothing wrong with the distribution of surplus food in Fayette County. The only thing that is wrong is the great number of unemployed that has swelled the rolls of the people eligible for surplus food to where it was impossible to obtain the necessary food for distribution in the month of February.

Perhaps it would be proper here, in order that all of you might understand the tremendous amount of work involved in making a distribution of surplus food in such a county as Fayette, to state a few of the facts. I hope I can convey to you sufficient information that you will know that the officials of my county charged with the distribution of surplus food have been doing, and will continue to do the very best of their ability, to help all people who are in this uncomfortable and intolerable position through no fault of their own. Our economic condition has gone from a recognized bad position to where it has now reached a critical and desperate stage. To illustrate, I wish to give you a few figures that demonstrate very clearly what our position is. These figures are not drawn out of thin air, but are from the State Employment and Security Office in Uniontown, Pennsylvania. This report is as of January 15, 1961.

We have a total able-bodied civilian labor force of 47,000; we have a total unemployed labor force of 13,000; this represents 27.9 per cent unemployed in my county.

This 27.9 per cent represents, by far, the highest rate of unemployment in all the 67 counties in Pennsylvania, and, from the information we have, there is no area in the entire United States to compare with it.

We have 8,400 persons commuting out of Fayette County every day. This figure is from the same office. We are also informed that in 1960 there was a total of 19,197 continued inter-state unemployment claims filed by residents of Fayette County for out-of-State unemployment benefits.

I also wish to inform you of the number of people dependent upon public assistance in Fayette County as of February 1, 1961.

We have now 20,714 persons, which represents 7,118 families. These figures also represent the highest number per capita in all the 67 counties in Pennsylvania receiving grants from the Pennsylvania Department of Public Assistance.

The Federal Government program for the distribution of surplus food, administered by the county, discloses that as of January 31, 1961, there were 19,000 eligible for and receiving surplus food. This was the number of persons registered at the regular quarterly registration for the period beginning November 1, 1960, and ending January 31, 1961. The new quarterly registration began the first of February, 1961, and there has been a tremendous increase in the number of registrations of persons who qualify to participate in the distribution of surplus

food. This figure is now estimated to reach 55,000, and will probably be higher when the registration ends on February 28th.

This is a stark and ugly picture of the economic conditions as they exist today in Fayette County. It is in this unbearable position that we find ourselves.

With the inception of the program for the distribution of surplus food in June 1954, no one at that time realized how far-reaching would be the extent, or the period, for the distribution of this food. In fact, at that time the agents of the government, Federal and State, were of the opinion that it was only a temporary measure, but the Board of County Commissioners of Fayette County at that time, as well as the present Board, have with no reservations whatsoever set up the necessary machinery for the distribution of food at that time, and the present Board is continuing. At the beginning of the surplus food program in June of 1954, there were no rules, no regulations, no nothing, and the Board of County Commissioners had to set up their own forms, bookkeeping forms, distribution forms, registration forms, and I might add that these forms were copied by the Department in Harrisburg and, with very few changes, were made the official forms of procedure in the distribution of food for all of Pennsylvania.

The Board of County Commisioners of Fayette County have probably the best warehouse for the storage of surplus food of any county in Pennsylvania. They have made the necessary arrangements for refrigeration of perishable food, and will be able to take care of any amount of food that might be needed or that might be shipped.

There has never been one question raised by anyone concerning the distribution of surplus food in Fayette County, other than the two gentlemen from Clarion and Jefferson Counties, but, on the other hand, the county has been commended time and again for doing a tremendous job under very trying circumstances. As I have stated before, the only reason there is not a distribution of food in February is due to the fact of this tremendous increase in registration. The people of Fayette County understand this situation, the people who are recipients and eligible for surplus food understand perfectly well the situation, and there certainly has been no protest from any of them. There has not been one protest from any source.

The people of my county are used to hardships and they have learned to bear those hardships, and to take no undue advantage of their fellowman. I sincerely believe if a poll were taken today of all the people who are on the surplus food rolls in Fayette County and they were asked whether a partial distribution should be made, that some would be able to receive surplus food and thousands of others would receive none, that it would be unanimous that these people only want a distribution when everyone can receive their quota, and that would be impossible for the month of February.

This is certainly not any reflection on the officials in charge at the county level, and I might add, also, that with a very small salaried personnel the distribution of food in Fayette County at more than 40 distribution points has been made by volunteers, and I am sure that everyone in Fayette County has nothing but praise for this group of dedicated persons who have made possible the carrying on of this program.

The people of my county, the officials, the Board of County Comissioners, especially, who are responsible for this distribution, do not lay any blame on anyone for not having the food here in order that this distribution could be made. They certainly have no fault to find with the officials in charge of these distributions at the State level and the national level, and I believe that any statement questioning the distribution and the carrying on of this program came with poor grace from the gentleman from Clarion County and the gentleman from Jefferson County, who in my opinion have no conception of the amount of work involved in making a distribution of food in a county such as Fayette. Persons on the surplus food rolls in Fayette County outnumber by far the entire population of either Clarion County or Jefferson County. I am sure that the officials charged with this responsibility in Fayette County would welcome any constructive help that would make the administration of this program more efficient.

The able-bodies citizens of Fayette County who are dependent upon surplus food do not want unemployment checks, they do not want Department of Public Assistance grants, they do not want surplus food; what they want is employment. If that is done, the distribution of surplus food, not only in Fayette County, but everywhere, will not be necessary, for these people then can purchase their own commodities with ther own earned money.

There is not a community anywhere in the United States where the people have done more to help themselves than in Fayette County. I want you to know that the people representing every segment of our society, industrialists, labor, bankers, lawyers, doctors, farmers, representatives of government at the county level, city level, borough level, and township level have banned together to try to help themselves. These people are doing, and will continue to do so, by hard work, united effort, and their own money, too, not only to help every citizen in Fayette County, but are endeavoring to bring, or build, new industries in our county, to replace our lost ones caused by the depletion of the nine-foot or Pittsburgh vein of coal. We have done everything possible by ourselves to provide employment for our people and to try to bring back to our county those who are forced to be separated from their families in order to seek employment out of State. Hundreds of these people own their own homes in Fayette County.

The people of Fayette County have struggled with this economic unemployment problem; they have reached the limit of their resources; they have gone far beyond what they should have spent from their own private funds in order to help this intolerable situation.

The things I have told you, my friends, concern only Fayette County and I inform you of them not for the purpose of finding fault with any one person or any group of persons, but I have told them in the hope that you might better understand the situation that now exists in our county.

ORDER OF THE DAY DISPENSED WITH

The SPEAKER. The order of the day is adjournment. Does the Majority Leader desire to dispense with the order of the day?

Mr. McCANN. Mr. Speaker, I do and we may proceed on the calendar and reports of committee.

The SPEAKER. If there are no objections, the order of the day is dispensed with.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 517, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting certain acts relating to counterfeit or facsimile registration plates. numbers or markers.

Mr. KAMYK from the Committee on Ways and Means, reported as committed, House bill No. 573, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), further regulating the time of making returns.

Mr. FINEMAN from the Committee on State Government, reported as committed, Senate bill No. 178, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 29.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 517, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), prohibiting certain acts relating to counterfeit or facsimile registration plates, numbers or markers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to Order,

The House proceeded to the first reading and consideration of House Bill No. 573, entitled:

An Act amending the "Selective Sales and Use Tax Act," approved March 6 1956 (P. L. 1228), further regulating the time of making returns.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILL RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Highways, House Bill No. 523, entitled:

An Act establishing and taking over as State highways certain county highways or sections thereof, ** in counties and certain streets in cities of the first class and certain streets in cities of the second class, second class A and third class and certain township roads and certain streets in boroughs and incorporated towns; ***.

The SPEAKER. The bill is re-referred to the Committee on Highways.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 132, entitled:

An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania amending revising consolidating and changing the laws relating thereto imposing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

Article I was read.

On the question,

Will the House agree to the article?

Mr POLEN offered the following amendments:

Amend Sec. 102, page 4, line 2, by inserting after "class'" which establishes or maintains a local library

Amend Sec. 102, page 4, line 7, by inserting after "class:" which establishes or maintains a local library.

They were agreed to.

Article II was read.

On the question.

Will the House agree to the Article?

Mr POLEN offered the following amendments:

Amend Sec. 201, page 5, line 1, by striking out "recommend" and inserting counsel local libraries on

Amend Sec. 201, page 5, line 2, by inserting after "location" of new local libraries

Amend Sec. 201, page,7, line 5, by inserting after "law" provided that such rules and regulations shall not directly or indirectly prohibit the inclusion of a particular book, periodical or material, the works of a particular author, or the expression of a particular point of view. Such rules and regulations shall not take effect until approved by the Advisory Council on Library Development.

They were agreed to.

On the question,

Will the House agree to the Article as amended?

Mr. TOMPKINS offered the following amendment:

Amend Sec. 102, page 2, line 18, by inserting after "libraries" located within the same county.

It was agreed to.

The article was agreed to as amended.

Mr. TOMPKINS offered the following amendments:

Amend Sec. 201, page 5, line 3, by inserting after "facilities" Nothing contained herein shall restrict or limit public libraries in the selection of resources, of books, and other material not determined from counselling.

Amend Sec. 201, page 6, line 18, by striking out "however"

Amend Sec. 291, page 6, line 18, by inserting after "That" this act shall apply to clerks, typists, volunteer workers or other personnel who do not need special library training: And provided further, That

Amend Sec. 208, page 10, line 9, by striking out "for" and inserting in

They were agreed to.

The article was agreed to as amended.

Article III was read.

On the question,

Will the House agree to the Article?

Mr. TOMPKINS offered the following amendments:

Amend Sec. 303, page 13, line 16, by striking out "recommended for it by" and inserting determined by counselling with

Amend Sec. 303, page 16, line 1, by inserting after "moneys" either from the general fund or a special library tax or other sources

They were agreed to.

The Article was agreed to as amended.

Articles IV and V and titled were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 195, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) authorizing appropriations for mosquito control programs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 276, entitled:

An Act amending "The First Class Township Code" approved June 24, 1831 (P. L. 1206) further providing for the accepting of bids and the awarding of contracts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 321, entitled:

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" extending the benefits of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the annual vacation of police officers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 331, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145) authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 346, entitled:

An Act amending the "Intangible Personal Property Tax Law" aproved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property of five years prior to the date in which death occurs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 416, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" changing the basis for pensions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection,

House Bill No. 20, Printer's No. 516
House Bill No. 29, Printer's No. 654 and
House Bill No. 184, Printer's No. 518,

were passed over at the request of the SPEAKER.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. STRAUSSER for the week because of illness.

Mr. Tompkins for Mr. BUCHANAN for the week because of illness.

Mr. Tompkins for Mr. UJOBAI for the week.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 224, entitled:

An Act amending the act of June 19, 1941 (P. L. 143) entitled "An act designating certain days of each year as Arbor Days and Bird Days one of which days shall be the ninth day of April *** and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers" further providing for the designation of Arbor Day and Conservation Week.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Lamb,	Riley,
Agnew,	Gailey,	Lawson,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rubin,
Arlene,	George,	Leonard,	Rudisill,
Ashton,	Gibb,	Limper,	Rutherford,
Auker,	Gibbons,	Lippincott,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Schuster,
Blair,	Goodrich,	Lutty,	Seltzer,
Boies,	Gramlich,	Manbeck,	Shelton,
Bonner,	Gray,	Markley,	Sherman,
Bossert,	Gremminger,	Marsh,	Shupnik,
Bowman,	Gross,	Maxwell,	Simmons,
Branca,	Guesman,	May,	Slack,
Breth,	Guthrie,	McCandless,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Capitolo,	Hankins,	McDevitt,	Steckel,
Cauley,	Hartley,	McDonald,	Stimmel,
Cianfrani,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	McNally,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Mihm,	Tomascik,
Curwood,	Holliday,	Miller,	Tompkins,
Davis,	Holman,	Mills,	Trusio,
Dengler,	Horst,	Monroe,	Varner,
Dennison,	Irvis,	Morley,	Verona,
Donaldson,	Isaacs,	Munley,	Wall,
Doughten,	Jenkins,	Murphy,	Walsh,
Down,	Jim,	Musto,	Wargo,
Edwards,	Johnson, A. W.,	O'Dell,	Weidner,
Eilberg,	Johnson, R. P.,	Ogilvie,	Welsh,
Elvey,	Jones,	Parlante,	Wescott,
Eshback,	Kamyk,	Pashley,	Willard,
Eshleman,	Keiser,	Perry,	Willaredt,
Ewing,	Kelly,	Petrosky,	Williams, A. D.,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Prendergast,	Worley,
Flynn,	Klein,	Price,	Wynd,
Foerster,	Knecht,	Pursley,	Yetter,
Foor,	Kooker,	Reibman,	Zember,
Fox,	Kornick,	Reidenbach,	Zimmerman,
Frascella,	Korns,	Renwick,	Andrews,
Fry,	Kramer,		Speaker

NAYS—4

McCormack,	O'Donnell, J. A.,	O'Donnell, J. P.,	Schaaf,

NOT VOTING—14

Bower,	Magee,	Needham,	Sullivan, T. F.,
Buchanan,	McKeever,	Odorisio,	Ujobai,
Bush,	Mullen,	Strausser,	Whittaker,
Dougherty,	Murray,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 306, entitled:

An Act amending the act of July 22, 1913 (P. L. 928) entitled "An act relating to domestic annimals *** providing methods of improving the quality thereof and of preventing controlling and eradicating diseases thereof *** and providing penalties for the violation of this act" prohibiting persons from impeding or hindering the testing of domestic animals or poultry by the Department of Agriculture and changing penalties.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fulmer,	Lee, A. M.,	Rovansek,
Agnew,	Gailey,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gallagher,	Leonard,	Rubin,
Anderson, S. A.,	Gelfand,	Lippincott,	Rudisill,
Arlene,	George,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibbons,	Lutty,	Scarcelli,
Bachman,	Goldstein, J. H.,	Manbeck,	Schaaf,
Backenstoe,	Goodrich,	Markley,	Schuster,
Blair,	Gramlich,	Marsh,	Seltzer,
Boies,	Gray,	Maxwell,	Shelton,
Bonner,	Gremminger,	May,	Sherman,
Bossert,	Gross,	McCandless,	Shupnik,
Bowman,	Guesman,	McCann,	Simmons,
Branca,	Guthrie,	McCormack,	Slack,
Breth,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Steckel,
Cauley,	Haudenshield,	McLaughlin,	Stimmel,
Cianfrani,	Heavey,	McNally,	Stiteler,
Cioffi,	Heffner,	Meholchick,	Stone,
Clarke,	Helm,	Merry,	Sullivan, J. A.,
Comer,	Henzel,	Mihm,	Taylor,
Cooley,	Hocker,	Miller,	Thompson,
Crossin,	Holliday,	Mills,	Tomascik,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvis,	Munley,	Varner,
Dennison,	Isaacs,	Murphy,	Verona,
Donaldson,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	O'Dell,	Walsh,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Jones,	Ogilvie,	Welsh,
Elvey,	Kamyk,	Parlante,	Wescott,
Eshback,	Keiser,	Pashley,	Willard,
Eshleman,	Kelly,	Perry,	Willaredt,
Ewing,	Kernaghan,	Petrosky,	Williams, A. D.,
Farabaugh,	Kessler,	Piper,	Williams, E. S.,
Fetterolf,	King,	Polaski,	Wilt,
Filo,	Kistler,	Polen,	Wood,
Fineman,	Klein,	Prendergast,	Worley,
Flynn,	Knecht,	Price,	Wynd,
Foerster,	Kooker,	Pursley,	Yetter,
Foor,	Kornick,	Reibman,	Zember,
Fox,	Korns,	Reidenbach,	Zimmerman,
Frascella,	Kramer,	Renwick,	Andrews,
Fry,	Lawson,	Riley,	Speaker

NAYS—1

Goldstein, M. H.,			

NOT VOTING—16

Bower,	Lamb,	Mullen,	Strausser,
Buchanan,	Limper,	Murray,	Sullivan, T. F.,
Bush,	Magee,	Needham,	Ujobai,
Dougherty,	McKeever,	Odorisio,	Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 32, entitled:

An Act requiring bills introduced in the General Assembly to be printed with punctuation

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill

be recommitted to the Committee on Judiciary for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 63, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt certain blind paraplegic and double or quadruple amputee veterans from the payment of certain real and property taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lamb,	Rovansek,
Agnew,	Gailey,	Lawson,	Royer,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rudisill,
Arlene,	George,	Leonard,	Rutherford,
Ashton,	Gibb,	Lippincott,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Lutty,	Schuster,
Blair,	Gramlich,	Manbeck,	Seltzer,
Boies,	Gray,	Markley,	Shelton,
Bonner,	Gremminger,	Marsh,	Sherman,
Bossert,	Gross,	Maxwell,	Shupnik,
Bowman,	Guesman,	May,	Simmons,
Branca,	Guthrie,	McCandless,	Slack,
Breth,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McDonald,	Steckel,
Cianfrani,	Haudenshield,	McInroy,	Stimmel,
Cioffi,	Heavey,	McLaughlin,	Stiteler,
Clarke,	Heffner,	McNally,	Stone,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Merry,	Taylor,
Crossin,	Hocker,	Mihm,	Thompson,
Curwood,	Holliday,	Miller,	Tomascik,
Davis,	Holman,	Mills,	Tompkins,
Dengler,	Horst,	Monroe,	Trusio,
Dennison,	Irvis,	Morley,	Varner,
Donaldson,	Isaacs,	Munley,	Verona,
Doughten,	Jenkins,	Murphy,	Wall,
Down,	Jim,	Musto,	Walsh,
Edwards,	Johnson, A. W.,	O'Dell,	Wargo,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Elvey,	Jones,	O'Donnell, J. P.,	Welsh,
Eshback,	Kamyk,	Ogilvie,	Wescott,
Eshleman,	Keiser,	Parlante,	Willard,
Ewing,	Kelly,	Pashley,	Willaredt,
Farabaugh,	Kernaghan,	Perry,	Williams, A. D.,
Fetterolf,	Kessler,	Petrosky,	Williams, E. S.,
Filo,	King,	Piper,	Wilt,
Fineman,	Kistler,	Polaski,	Wood,
Flynn,	Klein,	Polen,	Worley,
Foerster,	Knecht,	Prendergast,	Wynd,
Foor,	Kooker,	Price,	Yetter,
Fox,	Kornick,	Pursley,	Zimmerman,
Frascella,	Korns,	Reibman,	Zember,
Fry,	Kramer,	Riley,	Andrews, Speaker

NAYS—0

NOT VOTING—20

Bower,	Goodrich,	Mullen,	Renwick,
Buchanan,	Limper,	Murray,	Strausser,
Bush,	Magee,	Needham,	Sullivan, T. F.,
Capitolo,	McCormack,	Odorisio,	Ujobai,
Dougherty,	McKeever,	Reidenbach,	Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. EILBERG asked and obtained unanimous consent to address the House.

Mr. Speaker, in connection with House bill 63, this is the second time the legislature has voted upon identically the same joint resolution, and, if the measure passes the Senate and is then voted upon favorably by the people, this will constitute an amendment to the Constitution. Some members on the other side have asked me with regard to the enabling legislation which will follow this amendment should it become a part of the Constitution. Upon checking with Roy Schafer of the Governor's Office, I have learned that the enabling legislation will amplify and establish the standards with regard to the need or needs of the particular veterans involved. I can safely say, Mr. Speaker, the fear that some of the members have regarding the veteran who resides in a large apartment house which he happens to own can be allayed. The veteran will not qualify because the enabling legislation that will be proposed will eliminate that possibility.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack rise?

Mr. McCORMACK. To make a brief answer, Mr. Speaker, to the statement of Mr. Eilberg in reference to the bill which we just voted upon, the joint resolution.

The SPEAKER. The Chair hears no objection. The gentleman will proceed.

Mr. McCORMACK. It was precisely for the reasons mentioned by Mr. Eilberg that I failed to have my vote recorded. I did not want to vote against the veterans. At the same time I thought the resolution was unfair in that it applied equally regardless of what the particular veteran owned, or whether or not he was wealthy or poor, and for that reason I did not cast my vote. It was really under a misapprehension that I did so, and I would like that fact recorded on the record—that if I had heard Mr. Eilberg before the vote was taken I would have cast my vote in favor of the resolution.

The SPEAKER. The remarks of the gentleman will be spead upon the record.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 302, entitled:

An Act amending the "Pennsylvania Fertilizer Law of 1956" approved May 29, 1956 (P. L. 1795) providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANDLESS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 1 (Sec. 5), page 2, lines 11, 12 and 13, by striking out "in such a manner as to include the" in line 11, all of line 12 and "fertilizer" in line 13.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?

Mr. McCANDLESS. Mr. Speaker, I want to say a word on this amendment before we vote on it.

My objection to this part of the bill goes to only one part of the amendment in the bill, but it seems to me I have heard objection from some of the fertilizer plant managers in our State here, local State concerns, against this part of this bill.

In reporting the tonnage and the grades of fertilizer by county, the objection is that this would give out-of-State manufactures a chance to see where the tonnage and the grades of fertilizer lay and therefore concentrate their sales force in this area.

I ask the members of this House to vote for this amendment.

Mr. McCANN. Mr. Speaker, we will support the amendments offered by the gentleman, Mr. McCandless. I ask our members to vote "aye."

On the question recurring,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 309, entitled:

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) defining certain terms.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, I would request majority leader to hold this bill over until tomorrow. There is a lot of confusion on it in our caucus as to just what it does, how far it extends existing law, and we are very much interested in the bill. We would request that it be held over until tomorrow, if that is possible.

Mr. McCANN. Mr. Speaker, we certainly could do that, but if it is the question that was asked before pertaining to House bill 309, we do have the answer. If it is a question about the institutions of the Commonwealth of Pennsylvania, we do have the answer.

Mr. AGNEW. May we have the answer?

Mr. McCANN. The answer is yes, this law, or proposed legislation, would apply to the inmates and the institutions operated by the Commonwealth of Pennsylvania.

Mr. AGNEW. Mr. Speaker, I would further interrogate the gentleman by asking just what is the purpose of the bill? Is it to restrict the right to use colored margarine in public places, or is it to extend the right? What is the purpose of the bill?

Mr. McCANN. Mr. Speaker, I did not ask that question, but when we did discuss this bill on the question that was raised about institutions, I received the answer. So from that I would say it would be to extend the use. I did not ask that question. We can gladly hold the bill if you want to get the answer, or are there any other questions that could be raised now so the answers could be gotten for tomorrow?

Mr. AGNEW. The only question I would ask is, what is the intent of the bill? Is it to restrict or is it to enlarge upon the present law? That was the confusion in our caucus and it came up at the last minute.

Mr. McCANN. Mr. Speaker, we will have the answer outlined by the minority leader tomorrow for 309. I will ask that it be passed over today then.

Mr. AGNEW. I thank the gentleman.

The SPEAKER. The Chair withdraws the decision that the bill was agreed to on third reading.

On the question recurring,
Will the House agree to the bill on third reading?

Mr. McCANN. Mr. Speaker, I request that this bill be passed over.

BILLS PASSED OVER

There being no objection,
House Bill No. 309, Printer's No. 338
was passed over at the request of Mr. McCANN.

There being no objection,
House Bill No. 313, Printer's No. 342
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 332, entitled:

An Act amending the act of July 5, 1957 (P. L. 485) entitled "An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks * * *" Changing the expiration dates of licenses and registrations and further providing for the marking of labels.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lamb,	Renwick,
Agnew,	Fulmer,	Lawson,	Riley,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Royer,
Arlene,	George,	Leonard,	Rubin,
Ashton,	Gibb,	Limper,	Rudisill,
Auker,	Gibbons,	Lippincott,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goodrich,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gramlich,	Lutty,	Schaaf,
Boies,	Gray,	Manbeck,	Schuster,
Bonner,	Gremminger,	Markley,	Seltzer,
Bossert,	Gross,	Marsh,	Shelton,
Bower,	Guesman,	Maxwell,	Sherman,
Bowman,	Guthrie,	May,	Shupnik,
Branca,	Hamilton,	McCandless,	Simmons,
Breth,	Hankins,	McCann,	Slack,
Capano,	Hartley,	McCormack,	Snare,
Capitolo,	Haudenshield,	McDevitt,	Steckel,
Cauley,	Heavey,	McDonald,	Stimmel,
Cianfrani,	Heffner,	McInroy,	Stone,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Clarke,	Henzel,	McNally,	Taylor,
Comer,	Hooker,	Mehrlich,	Thompson,
Cooley,	Holliday,	Merry,	Tomascik,
Crossin,	Holman,	Mihm,	Tompkins,

Curwood,	Horst,	Miller,	Trusio,
Davis,	Irvis,	Mills,	Varner,
Dengler,	Isaacs,	Monroe,	Verona,
Dennison,	Jenkins,	Morley,	Wall,
Donaldson,	Jim,	Munley,	Walsh,
Doughten,	Johnson, A. W.,	Musto,	Wargo,
Down,	Johnson, R. P.,	O'Dell,	Weidner,
Edwards,	Jones,	O'Donnell, J. A.,	Welsh,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Wescott,
Elvey,	Keiser,	Ogilvie,	Willard,
Eshback,	Kelly,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kistler,	Piper,	Wood,
Filo,	Klein,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Wynd,
Flynn,	Kooker,	Prendergast,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,			Speaker

NAYS—1

Murphy,

NOT VOTING—18

Buchanan,	Magee,	Odorisio,	Strausser,
Bush,	McKeever,	Price,	Sullivan, T. F.,
Dougherty,	Mullen,	Stank,	Ujobai,
Gailey,	Murray,	Stiteler,	Whittaker,
Goldstein, M. H.,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 343 Printer's No. 372

House Bill No. 355 Printer's No. 477

House Bill No. 356 Printer's No. 478

House Bill No. 387 Printer's No. 424 and

House Bill No. 400 Printer's No. 437 were pased over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 136, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" increasing the debt limit of school districts of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Gelfand,	Lee, K. B.,	Rovansek,
Agnew,	George,	Leonard,	Royer,
Anderson, J. H.,	Gibb,	Limper,	Rubin,
Anderson, S. A.,	Gibbons,	Lippincott,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Auker,	Goodrich,	Lutty,	Scarcelli,
Bachman,	Gramlich,	Manbeck,	Schaaf,
Backenstoe,	Gray,	Markley,	Schuster,
Blair,	Gremminger,	Marsh,	Seltzer,
Boies,	Gross,	Maxwell,	Shelton,
Bonner,	Guesman,	May,	Sherman,
Bossert,	Guthrie,	McCandless,	Shupnik,
Bower,	Hamilton,	McCann,	Simmons,
Bowman,	Hankins,	McCormack,	Slack,
Branca,	Hartley,	McDevitt,	Snare,
Capano,	Haudenshield,	McDonald,	Stank,
Capitolo,	Heavey,	McInroy,	Steckel,
Cauley,	Heffner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Sullivan, J. A.,
Comer,	Holliday,	Mihm,	Taylor,
Cooley,	Holman,	Miller,	Thompson,
Crossin,	Horst,	Mills,	Tomascik,
Curwood,	Irvis,	Monroe,	Tompkins,
Davis,	Isaacs,	Morley,	Trusio,
Dengler,	Jenkins,	Munley,	Varner,
Dennison,	Jim,	Murphy,	Verona,
Donaldson,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Wescott,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Williams, E. S.,
Fineman,	Klein,	Polaski,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Prendergast,	Worley,
Foor,	Kornick,	Price,	Wynd,
Fox,	Korns,	Pursley,	Yetter,
Frascella,	Kramer,	Reibman,	Zember,
Fry,	Lamb,	Reidenbach,	Zimmerman,
Fulmer,	Lawson,	Renwick,	Andrews,
Gallagher,	Lee, A. M.,	Riley,	Speaker

NAYS—0

NOT VOTING—17

Breth,	Farabaugh,	Mullen,	Strausser,
Buchanan,	Gailey,	Murray,	Sullivan, T. F.,
Bush,	Magee,	Needham,	Ujobai,
Dougherty,	McKeever,	Odorisio,	Whittaker,
Down,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Orderd, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 137, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Gelfand,	Lee, K. B.,	Rovansek,
Agnew,	George,	Leonard,	Royer,
Anderson, J. H.,	Gibb,	Limper,	Rubin,
Anderson, S. A.,	Gibbons,	Lippincott,	Rudisill,
Arlene,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Ashton,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goodrich,	Lutty,	Scarcelli,
Backenstoe,	Gramlich,	Manbeck,	Schaaf,
Blair,	Gray,	Markley,	Schuster,
Boies,	Gremminger,	Marsh,	Seltzer,
Bonner,	Gross,	Maxwell,	Shelton,
Bossert,	Guesman,	May,	Sherman,
Bower,	Guthrie,	McCandless,	Shupnik,
Bowman,	Hamilton,	McCann,	Simmons,

Branca,	Hankins,	McCormack,	Slack,
Breth,	Hartley,	McDevitt,	Snare,
Capano,	Haudenshield,	McDonald,	Stank,
Capitolo,	Heavey,	McInroy,	Steckel,
Cauley,	Heffner,	McLaughlin,	Stimmel,
Cianfrani,	Helm,	McNally,	Stiteler,
Cioffi,	Henzel,	Meholchick,	Stone,
Clarke,	Hocker,	Merry,	Sullivan, J. A.,
Comer,	Holliday,	Mihm,	Taylor,
Cooley,	Holman,	Miller,	Thompson,
Crossin,	Horst,	Mills,	Tomascik,
Curwood,	Irvis,	Monroe,	Tompkins,
Davis,	Isaacs,	Morley,	Trusio,
Dengler,	Jenkins,	Munley,	Varner,
Dennison,	Jim,	Murphy,	Verona,
Donaldson,	Johnson, A. W.,	Musto,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Ogilvie,	Welsh,
Eshback,	Kelly,	Parlante,	Wescott,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Fetterolf,	King,	Petrosky,	Williams, A. D.,
Filo,	Kistler,	Piper,	Williams, E. S.,
Fineman,	Klein,	Polaski,	Wilt,
Flynn,	Knecht,	Polen,	Wood,
Foerster,	Kooker,	Prendergast,	Worley,
Foor,	Kornick,	Price,	Wynd,
Fox,	Korns,	Pursley,	Yetter,
Frascella,	Kramer,	Reibman,	Zember,
Fry,	Lamb,	Reidenbach,	Zimmerman,
Fulmer,	Lawson,	Renwick,	Andrews,
Gallagher,	Lee, A. M.,	Riley,	Speaker

NAYS—0

NOT VOTING—17

Auker,	Farabaugh,	Mullen,	Strausser,
Buchanan,	Galley,	Murray,	Sullivan, T. F.,
Bush,	Magee,	Needham,	Ujobai,
Dougherty,	McKeever,	Odorisio,	Whittaker,
Down,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. McCANN. Mr. Speaker, may I ask the minority leader if they have had a chance to go over the resolutions so that we may vote on them

The SPEAKER. The majority leader is interrogating the minority leader.

Mr. AGNEW. We are ready.

Mr. McCANN. Mr. Speaker, did the Republican caucus have an opportunity to poll the resolutions?

Mr. AGNEW. No, we did not. We ran out of time, Mr. Speaker. Perhaps there are several that are noncontroversial.

Will the gentleman suggest one or two that he would like to vote on?

Mr. McCANN. We have Resolution No. 13 cleared, Resolution 18, on page 8, Resolution 19 will be amended, Resolution 22, Resolution 24, Resolution 25, and Resolution Senate 105.

The SPEAKER. The Chair would like to have House Resolution 25, printer's No. 395 go over. I would like to confer with the minority leader about this.

Mr. AGNEW. Mr. Speaker, I believe we are ready to vote on Resolution 18, House Resolution 18.

RESOLUTIONS

HOUSE RESOLUTION No. 18

Mr. McCANN. Mr Speaker, I call up House Resolution No. 18 on page 7 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 30, 1961.

Resolved (the Senate concurring) That the Pennsylvania Turnpike Commision is hereby requested to erect and install radio antennae facilities in the several Turnpike Tunnels for the safety and convenience of the travelling public and be it further

Resolved That a copy of this resolution be transmitted to the Pennsylvania Turnpike Commission.

Ordered, That the Clerk present the same to the Senate for its concurrence.

HOUSE RESOLUTION No. 19

Mr. McCANN. Mr. Speaker, on page 8, I call up House Resolution 19 for the purpose of the gentleman from Cambria, Mr. Rovansek, offering amendments.

The resolution was read by the Clerk as follows:

In the House of Representatives, January 30, 1961.

Whereas A considerable amount of inconvience is occasioned by the tests being given by the State Police in compliance with the Governor's Safety Program in the Johnstown area. The main portion of this inconvenience stems from the fact that only a portion of these tests take place in State Police offices. In many instances these offices are inadequately equipped and their facilities limited to complete the tests therefore be it

Resolved That the House of Representatives of the Commonwealth of Pennsylvania urge the Governor to establish centrally located stations with a physician in attendance qualified to complete the physical test necessary to obtaining a drivers license and be it further

Resolved, That these stations be equipped with the necessary facilities and adequate personel to facilitate the completion of these tests and be it further

Resolved, That a copy of this resolution be sent to the Governor.

On the question,

Will the House adopt the resolution?

Mr. ROVANSEK offered the following amendments:

Amend the preamble, page 1, line 4 of preamble, by striking out "only."

Amend first resolution, page 2, line 1, by striking out "with a physician in attendance qualified."

Amend first resolution, page 2, lines 1 and 2, by striking out "the physical test" and inserting: tests.

Amend second resolution, page 2, line 5, by inserting after "tests:" and that one of these stations be located in the area of the City of Johnstown.

On the question,

Will the House agree to the amendments?

They were agreed to.

The SPEAKER. The resolution will lie over for printing under the rules.

Mr. AGNEW. Mr. Speaker, if the majority leader desires, he can roll Resolutions 22 and 24. On 24 the gentleman from Cameron, Mr. Tompkins, would like to make a statement.

HOUSE RESOLUTION No. 22

Mr. McCANN. Mr. Speaker, I call up House resolution No. 22.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 31, 1961.

Whereas, There are many areas within the Commonwealth of Pennsylvania which are sources of chronic unemployment and

Whereas, There are many areas within the Commonwealth burdened with a surplus of labor and

Whereas, These conditions have created many cases of hardship as well as placing additional burdens upon the communities wherein these areas exist and

Whereas, There are numerous industries firms and merchants which employ Pennsylvania residents and which manufacture and sell commodities utilized by agencies and departments of the Commonwealth and

Whereas, Said industries firms concerns and merchants oft times require additional sales stimulus in order to continue in operation and continue employment of Pennsylvania residents and

Whereas, Said industries firms concerns and merchants in many instances are not successful in their efforts to sell said commodities to the agencies and departments of the Commonwealth therefore be it

Resolved, That all agencies including the Department of Property and Supplies making purchases for the Commonwealth of Pennsylvania be urged to give preference to industries firms concerns and merchants having their place of business within the Commonwealth and which give employment to residents of Pennsylvania and be it further

Resolved, That copies of this resolution be sent to the Governor and the Secretary of the Department of Property and Supplies.

HOUSE RESOLUTION No. 24

Mr. McCANN. Mr. Speaker, I call up House resolution No. 24.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 1, 1961.

The Commonwealth of Pennsylvania is presently facing one of the most critical periods in its history. The decline of certain of our basic industries combined with increased automation and a general recession throughout industry have brought about critical unemployment particularly in certain areas. This mass unemployment has imposed severe hardship and suffering upon countless numbers of our fellow citizens and has rendered their very existence perilous.

Thousands of our men living in depresed areas are anxious and able to work if only they are given the opportunity to do so therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby declares its intent to do everything within its power to remedy this severe unemployment problem and with that objective in mind and be it further

Resolved, That all agencies of Federal State and local government anyone holding contracts with such agencies and all other persons in any way connected with the building of highways flood control projects or any other propects in the distresed areas of our Commonwealth are hereby urgently requested to exclusively utilize local labor and materials unless otherwise restricted by law and be it further

Resolved, That copies of this resolution be transmitted to the Governor of this Commonwealth the Secretary of Property and Supplies the Secretary of Highways the Secretary of Forests and Waters the Secretary of Mines and Mineral Industries the Pennsylvania Turnpike Commission the General State Authority the State Public School Building Authority the State Highway and Bridge Authority the Fish and Game Commissions and such other agencies and authorities within the Commonwealth which in any way purchase use or contract for labor or materials and be it further

Resolved, That all public officials at all levels consider this urgent request of the General Asembly and strenuously endeavor to cooperate with it and make its request known to all concerned especially those with whom they do business.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I am going to vote for House Resolution No. 24 because we are almost in a position where we cannot vote against laws, but I want to call the attention of the House to the fact that his resolution asks this General Assembly to urge, or urgently requests, all agencies to utilize labor and materials to alleviate unemployment in the distresed areas.

Now you, in effect, are saying this when you do this—and I am for helping out the depressed areas. But you are saying to those who might not be a depressed area in the State of Pennsylvania, we do not care to recognize you on the question of unemployment. We do not care to recognize you in the question of awarding contracts.

I think you are being unfair in asking that this be done only in depressed areas. I think it should be done generally throughout the State of Pennsylvania and not planned to discriminate against various geographical sections just because they are not depressed.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

Mr. AGNEW. Mr. Speaker, we request the majority leader to hold the rest of the resolutions. If he wants to, we can vote on them tomorrow.

Mr. McCANN. Mr. Speaker, I, of course, would like to inform the membership that there will be many committee meetings announced from the floor here for meetings tomorrow morning and I would ask that everyone please record the committee meetings as announced.

I would also like to say that tomorrow we will be in a position to vote on bills 355, 356, 387, on page 6. These bills were on second reading today and will move to third reading. We would like to make arrangements for a very brief caucus to caucus on eight bills, the most important would be the library bill which was amended, House bill 132. The amendments to the bill have now been placed in the bill and the bill will be printed, Mr. Tompkins and Mr. Polen, following the conferences, and I believe the bill will be in postition to be voted on at tomorrow's session.

I would like to recommend that tomorrow we take a very brief caucus for the purpose of covering nine bills and vote on them in tomorrow's session.

Mr. AGNEW. I make a formal request of the majority leader, if he can, to hold House bill 132 until next week. If he insists on running it tomorrow, we will insist on a caucus. We have many members of our caucus who would like a little more time to analyze the bill. It is a complex bill, a comprehensive bill, We are generally for the principles outlined in the bill, but we would like to be able to digest and analyze the forty-some pages of provisions that the bill contains.

Now it has been on the calendar a couple of weeks, I will admit, but it was amended rather extensively today. We would like the right, the privilege, to hold the bill over until next week and we promise you we will be prepared to vote on it then. If you insist on rolling it tomorrow, I do not know what position our caucus will take. It may be that we will provide no votes for the bill this week. It may be that our members will be on their own, but I would request, because so many members of our caucus have asked me to, that the bill be held

over until next week. That is in the light of the bill and the amendments that were submitted today.

Mr. McCANN. Mr. Speaker, would the gentleman consent to caucus on the bill tomorrow, because in the amended version it gives you an opportunity to raise the question should it still have to be held over for any reason to find some answers? I do know that this bill was placed on the calendar for the express purpose of putting the bill before the membership so they could work on amendments to the bill. Of course, I, in the end, will be guided by the decision that you people may make in your caucus. I feel that the amendments placed in the bill today make the bill more satisfactory to a greater number of the members of this House, and I feel that a greater number will support the bill as it is amended.

Mr. AGNEW. Mr. Speaker, we will leave it on that basis. We will caucus on the bill and then we will notify the majority leader what the position of our caucus is.

Mr. McCANN. Mr. Speaker, could I ask the gentleman to consider in his caucus House bills 195, 276, 321, 326, 331, 346 and 416?

Mr. AGNEW. We will check those numbers with the majority leader and make sure that we have covered them all.

Mr. McCANN. Mr. Speaker, would it be appropriate at this time to offer the resolution that we did not have ready last week, but we would like to offer and enact in this House for immediate consideration.

The SPEAKER. Yes, this is a privileged resolution, I think.

The Chair recognizes the gentleman from Delaware.

Mr. LIPPINCOTT. Mr. Speaker, before proceeding on that subject—it is not clear to me—did the gentleman, the majority leader, indicate that if the Republican caucus wants House bill 132 held up for the week, then that would be done? Is that correct, or not?

Mr. McCANN. Mr. Speaker, I do not believe that would be correct.

Mr. LIPPINCOTT. That is why I wanted to know whether it was going to be held up. Mr. Speaker, I would like to interrogate the gentleman.

Will the gentleman indicate whether the members of this House have been furnished with figures indicating the impact of House bill 132 on their local libraries back home?

Mr. McCANN. Mr. Speaker, I do not believe that the members of this House have been given figures dealing with specific impact on the library in their communities. That would be correct.

Mr. LIPPINCOTT. Mr. Speaker, does the gentleman know whether or not such figures are available?

Mr. McCANN. Mr. Speaker, I do not have the figures available on an individual situation, but there has been a report prepared covering this. In addition, you have also received, I believe, as I have, the present state-wide cost of the present bill, the proposed or estimated cost of the bill in its full working order in future years. These figures have been finished and they are part of the Appropriations Committee hearings.

Mr. LIPPINCOTT. Mr. Speaker, I happen to know that there are figures available showing in each county which libraries are affected and how much they will receive, if anything. We have requested that those figures be made available to the Republican House members and I, therefore, in substantiation or in further answer to the minority leader's request, would request that the bill be held over for the week so we can discuss the impact with our constituents back home.

Mr. McCANN. I believe the request, Mr. Speaker, of course, has every indication of having a justifiable reason for being asked. I do not believe that the amendments offered by Mr. Polen and Mr. Tompkins will, in any way, change those figures from the amendments that were inserted into the bill. I am not very sure of Mr. Tompkins' complete amendment, but I do not believe they affect it in any manner. So, if you can caucus on this bill and discuss it and give us an opportunity to vote on it, we would vote. If you indicate that you want and desire, after your caucus that we hold the bill over, I, of course, will abide by your wishes, and then I hope you can clear it for the following Monday. But I would like to say again, that the time from adjournment this week, on Tuesday, will be a most opportune time to get the necessary questions or answers that you desire or want on any piece of legislation, so we would be in a position, the following week, to define those answers and immediately prepare the amendments to correct the situation, instead of waiting week after week.

Mr. LIPPINCOTT. I thank the gentleman. If he wants to furnish us with the figures, we will accept them from his side, too.

Mr. TOMPKINS. Mr. Speaker, the amendments which were placed in the bill today by the gentleman from Washington, Mr. Polen, and myself in no way change or alter the State subsidy formula or the amendments. Until last week we had no knowledge, at least I had no knowledge, that any breakdown figures of county by county were available. Last night we were told that and at only 3 o'clock this afternoon a few members on the Republican side were furnished with the breakdown sheet. We are going to have this reproduced and use them on Monday. So they will have it to take home with them this weekend to discuss the impact of this situation with their constituents. I think it is only fair, inasmuch as the information has only been available since as late as 3 o'clock this afternoon, that we did give consideration to holding this bill over until next Monday.

Mr. McCANN. Mr. Speaker, I will proceed to move then. We very likely will abide by their request. I, of course, received that same report, which I assume Mr. Tompkins is speaking about, and it was available. It covers every county in the Commonwealth.

Mr. TOMPKINS. Mr. Speaker, that may have been given to those who served on the Appropriations Committee, but copies were not passed out to the public to give to the members generally so they would have their information.

RESOLUTION

THANKS AND CONGRATULATIONS

Messrs. McCANN and AGNEW asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 27, 1961.

Whereas, The members of the Senate and House of Representatives met in joint session in the House cham-

bers to commemorate the visit of President-elect Lincoln to Harrisburg, on February 22, 1861.

Instead of the usual reading of appropriate resolutions, a pageant was held in which the historical occasion was reenacted by the present presiding officers of the Senate and of the House of Representatives, in welcoming Presidnt-elect Lincoln and in making forceful speeches promising the support of Pennsylvania in his efforts to save the Union from disruption; Then, followed the secretary of the Governor, Mr. Otis Morse, in the role of Lincoln who made the same speech which Lincoln made on that famous occasion. Since all of the presiding officers of the Senate and House of Representatives as well as other members of both Houses were dressed in the colorful costumes of the period of 1861, and our own speaker was seen taking a bit of snuff from a silver snuff box, the illusion was complete since we were indeed back in 1861.

It was a beautiful and inspiring pageant and Dr. Sylvester K. Stevens, Executive Director of the Pennsylvania Historical and Museum Commission is to be congratulated upon the successful achievement of the reenactment of one of Pennsylvania's great historical events; therefore be it

Resolved, That the House of Representatives extend to Dr. Sylvester K. Stevens, Executive Director of the Pennsylvania Historical and Museum Commission, its thanks and hearty congratulations upon the very successful pageantry depicting the visit of President-elect Lincoln to Harrisburg on February 22, 1861, and for giving our officers and others the opportunity to relive for a few brief hours, the lives of some of our great patriots of that day.

COMMITTEE MEETINGS

AGRICULTURE AND DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131-A Tuesday, February 28, at 10:00 a. m.

APPROPRIATIONS, Mr. Polen, Chairman, Room 245, Tuesday, February 28, at 10:45 a. m.

EDUCATION, Mrs. Reibman, Chairman, Senate Caucus Room, Joint Meeting with Senate Education Committee, Tuesday, February 28 at 9:00 a. m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, February 28, at 10:30 a. m.

GAME AND CONSERVATION, Mr. Curwood, Chairman, Room 323, Tuesday, February 28, at 10:00 a. m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Tuesday, February 28, at 10:30 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, February 28, at 10:00 a. m.

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131-G, Tuesday, February 28, at 9:30 a. m.

MINES AND MINERAL INDUSTRIES, Mr. Rovansek, Chairman, Room 131-A, Tuesday, February 28, at 10:30 a. m.

MOTOR VEHICLES, Mr. Limper, Chairman, Room 521, Tuesday, February 28, at 10:45 a. m.

PUBLIC UTILITIES AND CORPORATIONS, Mr. Mills, Chairman, Room 131-F, Tuesday, February 28, at 10:45 a. m.

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, Tuesday, February 28, at 10:30 a. m.

JOINT SENATE-HOUSE APPROPRIATION COMMITTEE HEARING on Public Utility Commission, Mr. Polen, Chairman, Room 245, Tuesday, February 28, at 10:00 a. m.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, there will not be a democratic caucus at the end of this session. There will not be a caucus.

BILL RE-REFERRED

Mr. CIOFFI from the Committee on Counties, returned with the recommendation that it be re-referred to the Committee on Judiciary, House Bill No. 395, entitled:

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

BILL SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 53.

An Act amending the act of October 27, 1955 (P. L. 744) entitled "Pennsylvania Fair Employment Practice Act" prohibiting discrimination in the selling leasing or financing of commercial housing and discrimination in places of public accommodation resort or amusement because of race color religious creed ancestry or national origin changing the name of the Pennsylvania Fair Employment Practice Commission to the Pennsylvania Human Relations Commission and qualifying the scope of the act.

Whereupon,

The SPEAKER, in the prescence of the House, signed the same.

ANNOUNCEMENTS

Mr. AGNEW. Under announcements, I have an announcement to make. We have been pretty late tonight but there will be no five-thirty caucus, so I think the members are ahead of the game if we adjourn now. It is my privilege to announce that the first five bills designed to implement and carry out the Republican legislative program are now prepared to be submitted in the House. We will submit them at this time each week for the next several weeks; additional bills will be submitted to carry out the entire program. Again, we request the majority to examine these bills and see wherein some areas we cannot perhaps agree and pass with bi-partisan support some of these measures into law of the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

ADJOURNMENT

Mr. KESSLER. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 28, 1961 at 11:00 a. m., e. s. t.

The motion was agreed to, and (at 6:37 p. m., e. s. t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, FEBRUARY 28, 1961. No. 23.

SENATE

TUESDAY, FEBRUARY 26, 1961.

The Senate met at 10:15 a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplan, Rev. ANSELM OBER, O. S. B., Assistant, St. Mary's Church, Patton, offered the following prayer:

Let us pray.

Almighty and eternal God, Who, in the seventh chapter of the Book of Ecclesiasticus, advises us thusly concerning conduct in public life:

"Sow not in the furrows of injustice, lest you harvest it sevenfold . . . . Seek not to become a judge if you have not strength to root out crime . . . . Be guilty of no evil before the city's populace and do not disgrace yourself before the assembly . . . ."

In Chapter 10, God advises us thusly:

"A wise magistrate lends stability to his people and the government of a prudent man is well ordered . . . ."

Grant, therefore, O Lord, to the Members of this Legislative Body of the Senate of the Commonwealth of Pennsylvania, the gift of prudence in both their public and especially in their legislative duties, so that the far-reaching affects of their decisions may be the best possible for the people of this Commonwealth, the prosperity of our beloved Country and Thy greater honor and glory. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. ROONEY, further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILLS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 136** and **137,** with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 63,** which was referred to the Committee on Constitutional Changes and Federal Relations.

He also presented for concurrence **HB 224,** which was referred to the Committee on State Government.

He also presented for concurrence **HB 306,** which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 332,** which was referred to the Committee on Public Health and Welfare.

HOUSE CONCURRENT RESOLUTIONS REFERRED TO COMMITTEES

He also presented for concurrence House Concurrent Resolution **No. 18,** which was referred to the Committee on Highways.

He also presented for concurrence House Concurrent Resolution **No. 24,** which was referred to the Committee on Labor and Industry.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 136** and **137.**

REPORTS FROM COMMITTEE

Mr. KROMER, from the Committee on Local Government, reported, as committed, **SB 174.**

Mr. HAYS, from the Committee on Local Government, reported, as committed, **SB 172.**

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 175.**

Mr. DEVLIN, from the Committee on Local Government, reported, as committed, **SB 173** and **HB 194.**

Mr. VAN SANT, from the Committee on Local Government, reported, as committed, **SB 139** and **177.**

Mr. RIPP, from the Committee on Local Government, reported, as committed, **SB 188** and **213.**

Mr. STEVENSON, from the Committee on Local Government, reported, as amended, **SB 212.**

BILL REREFERRED

Mr. STAISEY, from the Committee on Forests and Waters, Game and Fish, returned to the Senate, **HB 305,** which was rereferred to the Committee on Agriculture.

BILL INTRODUCED AND REFERRED

Mr. PROPERT presented to the Chair **SB 312,** entitled:

An Act amending the act of July 24, 1913 (P. L. 965), entitled "Commodities Weight and Measure Law," requiring additional markings on certain packages.

Which was committed to the Committee on Agriculture.

PERMISSION TO ADDRESS SENATE

Mr. MAHADY asked and obtained unanimous consent to address the Senate.

Mr. MAHADY. Mr. President, the bill which I am about to introduce would permit cities, boroughs, townships and other municipal subdivisions to use the money allocated under the fuels tax to repay an indebtdness to be entered into—both principal, interest and sinking fund—to build roads.

Under the present Act, they can only use the money from the gasoline fund to construct or maintain roads during the current year in which it is received. This will permit alleviation of the so-called recession. Also, by allowing it to be funded over a period of time, the new roads will decrease the maintenance cost of any municipality, city or borough.

BILLS INTRODUCED AND REFERRED

Messrs. MAHADY, HAYS, ROONEY, and KALMAN presented to the Chair **SB 313,** entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; . . . "authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

Which was committed to the Committee on Highways.

Messrs. DEVLIN and McCREESH presented to the Chair **SB 314,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," permitting unnaturalized foreign-born residents to possess or control dogs.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. DEVLIN, SESLER and CAMIEL presented to the Chair **SB 315,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," removing provisions relating to archery preserves.

Which was committed to the Committee on Forests and Waters, Game and Fish.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, a similar bill to the one which I am about to introduce has already been introduced by myself, Senator Fleming, I believe, and Senator Kromer, which has to do with the Justices of the Peace, as a constitutional amendment.

If I may say so, I think that my association with the Justices of the Peace in my county has led me to believe that this bill is perhaps a better bill than the one which I originally introduced. Therefore, I hope this bill will have clear sailing through the Senate.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN and KROMER presented to the Chair **SB 316,** entitled:

A Joint Resolution proposing an amendment to article five, section eleven of the Constitution of the Commonwealth of Pennsylvania, changing the justice of the peace and alderman system.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. CAMIEL, McCREESH and VAN SANT presented to the Chair **SB 317,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," prohibiting the refilling of any liquor bottle or other liquor container.

Which was committed to the Committee on Law and Order.

Messrs. CAMIEL, McCREESH, VAN SANT and DONOLOW presented to the Chair **SB 318,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," further regulating license fees and default in the payment of such fees.

Which was committed to the Committee on Law and Order.

Mr. VAN SANT presented to the Chair **SB 319,** entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania exempting personal taxes of retired persons over the age of sixty-five from the requirement of uniformity.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

He also presented to the Chair **SB 320,** entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to aid in the maintenance and operation of a shrine to house the replica of the Liberty Bell.

Which was committed to the Committee on Historical Preservation.

Messrs. YATRON, ROONEY, MURRAY and SILVERT presented to the Chair **SB 321,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "'Public School Code of 1949,' providing for architects' plans to be furnished by the Department of Public Instruction for elementary and secondary school buildings.

Which was committed to the Committee on Education.

CALENDAR

FINAL PASSAGE CALENDAR

BILL OVER IN ORDER TEMPORARILY

HB 98—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 3—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Yatron,

NAYS—1

Hawbaker,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 4—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I am constrained to vote against this bill only on the basis of principle. I am opposed to piecemeal constitutional amendments. I believe the time is at hand when the entire Constitution has to be revised in toto.

Furthermore, I do not see why we should limit the term of the Governor to one additional term to succeed himself and deprive him of service to the Commonwealth in case we have a very capable man. In the State of New York, the Governor can succeed himself as many times as he deems it necessary to run and the people elect him.

For this reason only, because of principle, I am against this bill. Governor Lawrence cannot benefit by this bill, as much as I would like to see him succeed himself. Therefore, I am going to vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—36

Berger,	Hawbaker,	Murray,	Shafer,
Camiel,	Hays,	Pechan,	Silvert,
Confair,	Kalman,	Propert,	Staisey,
Devlin,	Keller,	Ripp,	Taylor,
DiSilvestro,	Kromer,	Rooney,	Van Sant,
Donolow,	Lane,	Sarraf,	Wagner,
Ehrgood,	McGinnis,	Scott,	Ware, III,
Fleming,	McMenamin,	Sesler,	Weiner,
Haluska,	Miller,	Seyler,	Yatron,

NAYS—6

Madigan,	Stevenson,	Stroup,	Wade,
Mahady,	Stiefel,		

A majority of all the Senators having voted "aye," the Question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 98 CALLED UP

HB 98—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 1 of the Final Passage Calendar, by Mr. WEINER.

BILL ON FINAL PASSAGE

HB 98—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. PECHAN. Mr. President, I expect to vote for this bill. I do not know how my colleagues are going to vote on it, but I am doing it for these reasons. I have not had one letter or one telephone call opposing this bill from any of the people who are involved under this legislation.

We, in the past two weeks, have passed legislation which would accelerate the collection of taxes on industry and various other facets of our government, some of which I voted for and some of which I did not.

Now I feel this bill does not raise the tax. It only accelerates the payment of eight mills, which they are presently paying. I am afraid, unless this bill is passed, that some of the other bills which we did pass might be outlawed because they will not be in conformity with the trust companies and title companies.

For these reasons, I am going to vote for this bill. I feel, too, since some of the national banks are appealing the eight mills, that certainly they will drop their appeals and the State Government will collect the money that is in arrears.

For these reasons, Mr. President, I am going to vote for this bill.

Mr. STROUP. Mr. President, I intend to vote for this bill, without naming the issue at all, and assign as my reasons those so well explained by Senator Pechan.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Camiel,	Lane,	Murray,	Silvert,
Devlin,	Mahady,	Pechan,	Staisey,
DiSilvestro,	McCreesh,	Ripp,	Stiefel,
Donolow,	McGinnis,	Rooney,	Stroup,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Kalman,	Mullin,	Seyler,	

NAYS—19

Bell,	Hawbaker,	Propert,	Van Sant,
Berger,	Keller,	Scott,	Wade,
Confair,	Kessler,	Shafer,	Wagner,
Ehrgood,	Kromer,	Stevenson,	Ware, III,
Fleming,	Madigan,	Taylor,	

A majority of all the Senators having voted "aye," the Question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, on behalf of a number of my colleagues, I am about to introduce the bill which I referred to yesterday, defining the penalty to be inflicted upon persons convicted of the crime of murder or assault to ravish upon children, female or male, under a certain age.

I will not elaborate upon this. I understand that a

number of Senators might like to co-sponsor this bill, and I certainly have no objection to their signatures being affixed to the bill.

BILL INTRODUCED AND REFERRED

Messrs. BERGER, PROPERT, MALLERY, LANE, WADE and HAWBAKER, by unanimous consent, presented to the Chair **SB 322**, entitled:

An Act authorizing courts of common pleas to order the emasculation of persons convicted of certain crimes in certain cases.

Which was committed to the Committee on Judiciary General.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House.

The PRESIDENT. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable Joshua Eilberg.

The PRESIDENT. The Chair recognizes the Chairman of the Committee from the House, Mr. Eilberg.

Mr. EILBERG. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in Joint Session and to escort the Senators to the Hall of the House.

The PRESIDENT. Thank you, Mr. Eilberg.

RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms, and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

SENATE RETURNS FROM THE HOUSE

The President and Members of the Senate then returned to the Senate Chamber.

RECESS

Mr. WEINER. Mr. President, I request a thirty minute recess of the Senate for the purpose of the Senators recuperating from the long session and also refreshing themselves, after which we will return here to work on the remainder of the Calendar.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a thirty minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER (Joseph D. RIPP) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House, which was read by the Clerk as follows:

TRIBUTE TO THE LATE CONGRESSMAN WALTER M. MUMMA

In the House of Representatives, February 28, 1961.

The untimely death of Congressman Walter M. Mumma has deprived his constituents of an able and conscientious public servent who labored unceasingly and faithfully for his people and the principles in which he believed.

Long identified with and active in pubilc affairs both as a sucessful businessman and pubilc office holder, upon his election to Congress Mr. Mumma retired from business and devoted himself exclusively to the duties of that office.

Warm of personality, deeply concerned with the problems facing our Nation and with a devotion to service for his people exceeded by none, his death has created a deep sense of loss to all those he served; therefore be it

RESOLVED (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania pause in its deliberations in honor of the memory of Walter M. Mumma, a sincere devoted and courageous public servant of those whom he so ably represented, and be it further

RESOLVED, That a copy of this resolution be transmitted to his son, Robert M. Mumma, and members of his family residing at Wormleysburg, Pennsylvania, and that a copy be transmitted to his brother, Harold Mumma, of Allentown, Pennsylvania.

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. TAYLOR. Mr. President, I would like to have the privilege of moving for the immediate adoption of this resolution.

Pennsylvania has lost a capable and honorable citizen and I think, as a fitting tribute, we should pass this resolution unanimously and immediately.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leroy R. Weiner, 2626 North Jefferson Street, Ext., New Castle, Lawrence County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the

third Tuesday of January 1963, and until his successor is appointed and qualified, vice Dr. Joseph F. Novak, Pittsburgh, resigned.

DAVID L. LAWRENCE

SENATE RESOLUTION

COMMENDING THE SECRETARY OF HIGHWAYS, THE HONORABLE PARK H. MARTIN

Messrs. ROONEY, KALMAN and STIEFEL, by unanimous consent, offered the following resolution **(Serial No. 17)**, which was read as follows:

In the Senate, February 28, 1961.

WHEREAS: On January 30, 1961, the Honorable Park H. Martin, Secretary of Highways, appeared before the Joint Senate and House Appropriations Committee advocating the need for increased revenues by the Department of Highways to efficiently carry out a sound long range highway program;

WHEREAS: His forthright presentation of facts not only clearly demonstrated present inadequacies of the highway system, but also the urgent need for immediately adopting a long range highway construction program in order to develop an adequate network of highways throughout the State, meeting the needs of the Comonwealth;

WHEREAS: Since beginning his tenure as Secretary of Highways, Park H. Martin has demonstrated his encompassing knowledge of all facets of the highway problem and his ability to cope with these complex problems;

WHEREAS: This candor and forthrightness fully disclosed the true picture of the State highway system;

WHEREAS: Secretary Martin's presentation was unprecedented in the annals of committee hearings. The members of the committee were genuinely impressed with his sincerity and his knowledge of the needs of the highway system:

Therefore, be it resolved: The Senate of the Commonwealth of Pennsylvania does hereby commend the Honorable Park H. Martin for the exceptional wisdom and determination to carry forth a highway program commensurate with the growth of this Commonwealth of Pennsylvania.

"Give us a man to match our mountains."

Mr. BERGER. Mr. President, by and large, I would certainly agree with the noble sentiments expressed in this resolution. However, I think there may be one tiny area where there might have been some question raised, and possibly to discover that, we ought to have this resolution referred to committee.

The PRESIDING OFFICER. The resolution is referred to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I rise to introduce a resolution on behalf of the woman who was known, until her very recent death, as the greatest living American artist. These panels in this room were painted by this young lady, and you will also see her name on the panels in the Governor's office.

A few years ago, it was my pleasure, along with many of the Members who are here today, to hear this lady tell us how she painted these panels, the amount of work entailed, the sketches that she made, and the great detail that is involved in doing this type of mural and this type of work.

As you look around, you will not only see an artistic work, but I think you will see that she has tried to capture the spiritual values as we find them in our life and try to find them in our time.

In the murals in the Governor's Office,—one of which contains a dog which has been the subject of a great deal of discussion in this Body, the Great Dane—she has done a marvelous job in portraying, I believe, some of the scenes of Pennsylvania, some of the history of this State, some of the history of this Nation and also she has tried to capture, in visual form, some of the things we should prepare ourselves for or address ourselves to from time to time. She has left this life, but her work is a living monument that will be with us for some time. She has left a memorial to herself far greater than any words I or anyone else can say.

On behalf of myself and Senator Kessler, I am offering this resolution and request its immediate consideration and adoption.

SENATE RESOLUTION

TRIBUTE TO THE LATE VIOLET OAKLEY

Messrs. WEINER and KESSLER, by unanimous consent, offered the following resolution **(Serial No. 18)**, which was read as follows:

In the Senate, February 28, 1961.

It was with much sadness that we noted the death of Violet Oakley in a Philadelphia nursing home at the age of 86. We here in the Senate can never forget this great personage. Her murals which encircle us in this Chamber are a constant reminder of the remarkable person which she was. She was able to dig deep into the hearts and souls of such men as Washington, Franklin, Jefferson and Lincoln and bring out on canvas the true perspective of their character.

She was a true Pennsylvanian by adoption. She arose to her greatest heights as an artist and a painter as a citizen of this State. She was loved, admired and respected not only by her fellow citizens of the Commonwealth, but by the Nation as a whole, all of whom have benefited by her talents and her great love of painting; therefore be it

RESOLVED, That we as members of the Senate of the Commonwealth of Pennsylvania memoralize the memory of Violet Oakley as a truly great daughter of this great Commonwealth; and be it further

RESOLVED, That a copy of this resolution be presented to the Pennsylvania Historical and Museum Commission so that they may include the same in the archives.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, I heartily endorse this resolution. I would like to recall to some of the Members of the Senate who are present now, and who were present at the time of the visit of Violet Oakley to the Senate, when she was introduced from the rostrum and explained in some detail and with very great expression the allegories of the various paintings which were her creations around the Hall of this Senate Chamber.

We have, indeed, lost a very brilliant and warmhearted person in this great artist. Mr. President, I think all of the Members would second the motion for the immediate adoption of this resolution.

Mr. EHRGOOD. Mr. President, in seconding this motion, I would suggest also that it would be fitting that as a further memorial, the mural in the rotunda be attended to. Evidently a leak occurred, and anyone visiting the fourth floor of the Capitol—Where I have been these

days—is able to notice the damage. It is a shame and I hope it can be fixed quickly.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

BILLS INTRODUCED AND REFERRED

Messrs. SEYLER and WEINER, by unanimous consent, presented to the Chair **SB 323,** entitled:

An Act providing for the exclusion in criminal proceedings of illegally obtained evidence and establishing a procedure for the suppression and return of such evidence.

Which was committed to the Committee on Judiciary General.

Messrs. DELVIN, SARRAF, SCOTT, STAISEY and RIPP, by unanimous consent, presented to the Chair **SB 324,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the establishment of kindergartens.

Which was committed to the Committee on Education.

Mr. McCREESH, by unanimous consent, presented to the Chair **SB 325,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing permanent certification for certain persons teaching in private institutions.

Which was committed to the Committee on Education.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. LANE,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations placed on the table yesterday, with the exception of the nomination of John Bevec, for reappointment as a Member of the State Tax Equalization Board.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

SHERIFF IN AND FOR THE COUNTY OF McKEAN

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse Taylor, Indian Creek Road, Eldred, McKean County, for appointment as Sheriff in and for the County of McKean, until the first Monday of January 1962, vice Hon. William M. Reese, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE BUILDING AND LOAN BOARD

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John G. Rothermel, Secretary, New Hope Savings and Loan Association, 33 North Sixth Street, Reading, Befks County, for reappointment as a member of the Building and Loan Board, until September 1, 1967, and until his successor is duly appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John R. Davis, 2411 Eighth Avenue, Altoona, Blair County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF SELINSGROVE STATE SCHOOL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Selinsgrove State School, until the third Tuesday of January 1963, and until their successors are appointed and qualified:

William Lippman, 419 West Third Street, Mount Carmel, Northumberland County, vice Edward B. Freck, Island Park, whose term expired.

William Zurick, R. D. 1, Trevorton Road, Shamokin, Northumberland County. (Reappointment)

Robert J. Webb, 24 Helen Street, Shamokin Dam, Snyder County, vice Ira Swope, Hummels Wharf, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF THADDEUS STEVENS TRADE SCHOOL

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Thaddeus Stevens Trade School, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

George C. Crudden, Jr., 102 South Ann Street, Lancaster, Lancaster County.

Howard J. Hanlen, Jr., 729 Second Street, Lancaster, Lancaster County.

Paul R. Yarnall, 2514 Mayfair Drive, Lancaster, Lancaster County.

DAVID L. LAWRENCE.

JUSTICE OF PEACE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate Mrs. Hazel B. Ahearn, R. D. 1, Coudersport, Potter County, for appointment as Justice of the Peace in and for the Township of Allegany, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Dorismarie Rowe, Mohnton, from January 1, 1961, until December 31, 1963, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE ERIE COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Mary Harris, Erie, from November 15, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE YORK COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roland F. F. Roehner (Democrat), 2757 Clear Springs Boulevard, York, York County, for appointment as a member of the York County Board of Assistance, until December 31, 1961, and until his successor is duly appointed and qualified, vice Rev. C. M. Ankerbrand, York, resigned.

DAVID L. LAWRENCE

MEMBER OF THE LANCASTER COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Sarah R. Halperin, Lancaster, from December 28, 1960 until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ripp,
Haluska,	McMenamin,	Staisey,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

INTERROGATION

Mr. LANE. Mr. President, I observed in the report received from the Chairman of the Committee on Executive Nominations that the name of the Chairman of the Tax Equalization Board, Mr. John Bevec, was excluded.

Therefore, Mr. President, if I may, I desire to interrogate the Chairman of the Committee on Executive Nominations, Senator Devlin.

The PRESIDING OFFICER. Will the gentleman from Allegheny, Mr. Devlin, permit himself to be interrogated?

Mr. DEVLIN. I will, Mr. President.

Mr. LANE. Senator Devlin, I believe you will recall that I approved the confirmation of Mr. Bevec, as Chairman of the Tax Equalization Board. Is that correct?

Mr. DEVLIN. That is correct, Mr. President.

Mr. LANE. Could you inform me as to the reason his name was excluded from this particular group?

Mr. DEVLIN. His name was excluded because it was my understanding that we would not receive the necessary thirty-four votes needed for confirmation.

Mr. LANE. From whom did you receive this information?

Mr. DEVLIN. I received this information from the liaison man from the other side of the aisle who told me there were not enough votes on their side to give us confirmation. I, therefore, did not want to embarrass the nominee.

Mr. LANE. Thank you very much, sir.

INTERROGATION

Mr. LANE. Mr. President, I desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, I am wondering whether you could explain to the Members of the Senate and to me any reasons you may have for refusing confirmation of Mr. John Bevec, as Chairman of the Tax Equalization Board.

Mr. Berger. Mr. President, I think that I can qualify my answer to the interrogation, first, by saying that I am under no constraint, whatever, to answer it categorically. However, I will be glad to give the gentleman an answer.

You are dealing with a board, the duties of which effect every school district in the Commonwealth of Pennsylvania. We are very meticulous, on this side, to see that the people who are members of that board carry out those duties with fairness and discretion.

There is an element in this particular matter relating to the personnel of this board which is very significant; that is, there is serving on the board a member who has been twice rejected for confirmation for the office by this Senate. It is our feeling this situation should be cor-

rected before approval is given to members of the board who are presently before us for confirmation.

Mr. LANE. Senator Berger, you spoke of a certain individual who had been excluded and rejected several times. However, you were not speaking of Commissioner Bevec, were you?

Mr. BERGER. Mr. President, of course, the record will show exactly to whom I referred, and it was not Mr. Bevec.

Mr. LANE. Thank you very much.

Mr. President and Members of the Senate, I do not wish to take up the time of the Senate. I realize that quite a number of the Members would like to get away today and I am not a person to obstruct plans in any way, shape or form.

However, Mr. President, for the past several years it appears that one of the most able men in Pennsylvania, Mr. John Bevec, who is Chairman of the Tax Equalization Board, seems to be the victim of some circumstances. I do not believe any Member of this Senate, on either side of the aisle, can criticize Mr. Bevec's ability or the fact that he is a working member of this board and is a man who works every day of the week at his job. Nevertheless, it seems that the Minority Party still retains its old position. They do not wish to confirm Commissioner Bevec because they have some criticisms of other members.

Mr. President, I believe we should be fair in our operations. I have not heard any criticism of Commissioner Bevec in this Senate or anywhere else.

I have an interest in this gentleman and I have a wholesome respect for his ability. I would say that Commissioner Bevec is one of the ablest men in Pennsylvania. He is a man who is dedicated to his position. He is a man who is willing to appear before the Republican Caucus at any time. He is a man who tries to do a good job. You know, there is a reflection, in a way, when this man's name was excluded today because the necessary votes were not available. It is not because of his inability and it is not because of his incompetence. It is because of the fact that they dislike some other nominee.

Therefore, Mr. President, I think we should at least be a little bit fair about this. I know this is embarrassing to Mr. Bevec. I believe you gentlemen on the other side also realize that he is a good man and he does a good job. We are discouraging men of ability from accepting these positions when we oppose them for no other reason than the fact that we dislike other members of the board.

I wish to say to the Members on the other side, Mr. President, that if they can come up with any justifiable criticism against Mr. Bevec, I will sit down and keep my mouth shut. However, if they feel he can do the job, they should support him. I think the Members know he can. You know that Mr. Bevec is the backbone of that board over there. I believe, in all fairness, that you should permit us to bring his name out of committee and give him unanimous support. Mr. Bevec tries to do a good job and he is a specialist in this field. He is from my county and we respect him as one of the ablest public officials in the county.

The PRESIDING OFFICER. At this time, we will return to the consideration of today's Calendar, page 2, House Bill No. 5, Printer's No. 5.

THIRD READING CALENDAR

BILL OVER IN ORDER

HB 5—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

SB 75—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SCOTT. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. SCOTT. Senator Weiner, I am not too concerned with the amendments as we find them in Senate Bill No. 75, but I am a bit confused as to the existing law on this particular subject. I wonder if you would read on page two, from lines 12 to 17, and then interpret the meaning for me.

Mr. WEINER. The understanding that I have on this, Mr. President, is that the headlights should be lowered when you are following a car going in the same direction as you are going, so that your high beams do not hit his rear view mirror and project the beam into his eyes and cause him to lose vision or to destroy his night vision, as it were, so that he cannot see properly.

Mr. SCOTT. There are certain requirements in the existing law which you will find on lines 12 through 17.

Mr. WEINER. Yes, sir.

Mr. SCOTT. I have always been confused by this particular section of the Motor Vehicle Code, and those lines have been the ones that have perplexed me. I have never been able to understand whether they, themselves, if they are not met, are a violation of the particular section, or whether they are to be tied in with the first provisions of the paragraph as to the actual lowering of the lights.

Mr. WEINER. My own feeling on this, Senator,—and this is not the last word on the subject, by any means—is that I think what they are stating here between lines 12 to 17 is the standard they are trying to set. I think the violation occurs if you do not carry through line 5, down through line 11 or 12. I think the other is the standard they are trying to set up so the person will meet that standard either in inspection of the automobile or when the first setting or adjustment is made of the headlights.

Mr. SCOTT. Thank you very much, Senator Weiner.

Mr. President, I am convinced in my mind that if a person is to be in violation of the existing law of this particular provision of The Motor Vehicle Code, the State Policeman, who happens to be making the arrest for a failure to dim lights in the face of an approaching car, if he is to carry out fully the enforcement of this particular provision and to be in a position to get an indictment against the individual violator, must take the violator and his vehicle to a garage and have the car inspected to the point where he can testify as to whether that vehicle qualifies with these provisions as outlined here on lines 12 to 17. I am firmly convinced that the

existing law is unenforceable unless the State Policeman or the person who is making the arrest carries out those provisions.

I am not at quarrel with any amendment that is being attempted to be made to this provision. I am finding fault with the existing law.

I again would like to ask Senator Weiner whether he agrees with my contention or not.

Mr. WEINER. Mr. President, might I answer the gentleman's question in this fashion? When you read lines 12 through 17, you will see that they are setting up the standards. For example, you take your car in to be inspected. It is then inspected and you go out and do not meet the first requirement here, which is to dim your lights within 100 yards of the other car. If the car had an inspection sticker on it, it would be considered I think, by any reasonable person, that the car had met the inspection and some time between the inspection and the time the incident occurred, perhaps something had failed or gone wrong. It might also be necessary to check on the inspection station to determine if they are doing their job.

I think it might be subject to the interpretation you gave it, Senator. I would not object if there were a clarifying amendment added to this measure at some later time.

Mr. SCOTT. Mr. President, I started my remarks by saying that I am confused by this particular section, and I am. I do think it needs clarification.

I have had experience with taking a particular violator before a justice of the peace under this particular section, and having the particular justice of the peace so confused by what the violation actually is under the terms of this section that he, without any question in a number of instances, had to find the violator, even though he had not dimmed his lights and there was an admission of that,—even though he had not dimmed those lights—not guilty.

I would suggest, if there is no objection from the other side, that maybe the proper procedure might be to send this bill back to committee and have the Committee Chairman work on it so that we can have a workable and understandable bill come before this Legislature in order that we might be able to vote on it intelligently.

Mr. President, I would like to move that this bill be recommitted to the Committee on Highways for further study.

Mr. TAYLOR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I object to this bill going back to committee. This measure has been on the Calendar since last week. If we are going to complete our business and get away from here at an early date, this will militate against that; not that speed is the thing we are seeking. However, I think the basic problem we are trying to overcome is the first part of this bill. Of course, it is subject to the interpretation that people want to give it but if there is some confusion, I would suggest to the Senator that he prepare such an amendment—after discussing it with the people who have to enforce it, which would be the department, and also with the Chairman of the Highways Committee—and introduce the amendment and let us follow it through.

I think this measure, in itself, is pretty clear on this point of what is intended. It might be there is some difficulty in interpretation. I think we ought to move these measures and pass them along, because we will be just delaying this one more week, one more week and one more week.

Mr. SCOTT. Mr. President, the Majority Leader speaks as though I were attempting to delay a particular measure for some reason or other. I do not have that motive in mind, by any means. However, I do think if we are going to pass legislation here in the legislative halls of our Commonwealth, at least the legislation we do adopt should be understood by the citizens of Pennsylvania.

I do feel this particular piece of existing legislation—not the amendments, but the existing legislation—is confusing. I think the best way that the confusion can be done away with is to send it back to committee, have the Committee Chairman and the Committee work on it and bring it back in a fashion which can be understood by the citizens of Pennsylvania.

I am not making my motion to delay in any way, shape or form passage of this legislation because I think it is good. I think it is needed and it is a must. However, I think we ought to at least know what it is all about.

Therefore, Mr. President, I insist upon my motion to recommit to the Committee on Highways.

The PRESIDING OFFICER. The motion has been duly seconded.

Mr. WEINER. Mr. President, I did not mean to in any way—and if I did, I want the record corrected— ascribe any motives to the Senator other than the ones he stated.

If understanding the bill is a serious problem, I have no objection to the bill going over in order and the gentleman preparing such amendments, after he has consulted with the proper people. Let us try to introduce them next Monday so we can put this bill in position for final passage next week.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative, and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, I request that Senate Bill No. 75, Printer's No. 286, go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING, AMENDMENTS OFFERED

SB 84—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. PROPERT, on behalf of Mr. MALLERY, by unanimous consent, offered the following amendments:

Amend Sec. 1 (Sec.1), page 3, line 12, by striking out "twelve (12)" and inserting: "ten (10)".

Amend Sec. 1 (Sec. 1), page 3, lines 14 to 17, by striking out all of said lines.

Amend Sec. 1 (Sec. 1), page 4, lines 1 and 2, by striking out "OR OTHER POLITICAL SUBDIVISION".

Amend Sec. 1 (Sec. 1), page 4, line 7, by inserting after "district": "In any political subdivision within a county where no market values of real estate have been determined by the board for the assessment and revision of

taxes or any similar board, the aggregate amount of all taxes imposed under this section and in effect during any fiscal year shall not exceed an amount equal to the product obtained by multiplying the latest total market valuation of real estate in such political subdivision as certified by the State Tax Equalization Board by ten (10) mills."

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, may we be at ease a moment so that we can properly evaluate the amendments?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendments?

AMENDMENTS WITHDRAWN

Mr. PROPERT. Mr. President, I would like to now withdraw the amendments which I offered on behalf of Senator Mallery.

The PRESIDING OFFICER. There being no objection, the amendments are withdrawn.

And the question recurring,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. WEINER. Mr. President, I now request that Senate Bill No. 84 go over in its order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 101—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hays,	Miller,	Stalsey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Yatron,
Hawbaker,	McMenamin,	Silvert,	Ripp,
			Presiding Officer

NAYS—1

Haluska,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 128—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stalsey,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler.	Weiner,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ripp,
Haluska,	McMenamin,	Stevenson,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 153—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ripp,
Haluska,	McMenamin,	Stalsey,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 79—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER. Mr. President, I request that this bill go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I would like to move Senate Bill No. 79, Printer's No. 79, up to third reading, with the thought in mind that amendments can be offered at that time. Also, there is a demonstration which will take place in regard to this measure and a number of other factors will take place.

However, I think we should move this bill into the position where we can finally move it or pass it when we decide to do so. I think there is nothing sacred about it being held on second reading as opposed to third reading, when we can accomplish the same purpose. The bill will not move until all the amendments have been introduced. There will also be a demonstration on it.

I am sorry that the Chairman of the Highways Committee is off the floor at the moment. However, had he been here, this is the announcement he would have made.

Mr. BERGER. Mr. President, I believe this bill should remain on second reading until after all the information, including the demonstration and the explanation on the use of this electronic device, can be given to the Members of the Senate. The bill is in position for amendment. I actually cannot state to the Senate my position on the bill, as it might be amended. However, I can tell you my position on it right now, in the form in which it is.

It is more orderly and proper to keep this bill here. There certainly can be no urgency in moving it one way or the other, although I can suggest one way. It can remain on second reading, where it properly belongs, because they are not going to pass it without amendment. To put it on third reading is simply wasted motion. For all I know, they might want to move to recommit this bill and it is easy to recommit it on second reading.

Mr. WEINER. Mr. President, I believe we have recommitted bills on occasion here on third reading and no injury was done to the bill or to the people who moved in that direction.

I believe we should move this bill to third reading in order for it to be before us, awaiting action. At such time when we decide to do nothing on it, we can so move it at that point.

I would like to clear the Second Reading Calendar as much as I possibly can. We moved quite a number of bills up to third reading and I think we should move in that direction in this case.

The PRESIDING OFFICER. Was there a motion made by Senator Berger?

Mr. BERGER. Mr. President, I did not make a motion. I merely suggested that this bill remain on second reading. I may make a motion, but I do not feel disposed to use up any more time than is necessary. However, Mr. President, a bill on second reading is subject to consideration of amendments at all times. Not long ago, I think we saw a demonstration of what can happen with a bill on third reading. We have to straighten out somebody's objection if someone wants to offer amendments on third reading.

Consequently, Mr. President, in addition to that, a number of people are pretty sensitive about this bill. The nearer it moves up to final passage on the Calendar, the more nervous these people become. As a consequence, I think its position here on the Second Reading Calendar is exactly the proper one, rather than third reading where we might have some of the hazards which I mentioned.

Mr. WEINER. Mr. President, I do not wish to be obstinate about moving this bill up to third reading. However, I would like the record to show, for those who are concerned or skittish about it, that I and the Members on this side will have no objection to any amendments being offered. I do not think we have ever objected. I think we have generally operated in that vein. I believe no one has ever been prevented from offering amendments. This will merely put it in the position where we can act on it the moment we decide to do so. This matter has not only been before us during this Session, but it has appeared before us for two or three Sessions before this one. I think we have covered all the ground, and I think we should decide whether we want it or do not want it at this time.

Therefore, Mr. President, I respectfully ask that we move the bill up to the Third Reading Calendar.

And the question recurring,

Will the Senate agree to the section?

A voice vote having been taken, the question was determined in the affirmative and the section was agreed to.

The title was read.

A voice vote having been taken, the question was determined in the affirmative and the title was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDING OFFICER. In view of the fact that the Lieutenant Governor has entered the Hall, I will turn the gavel over to him for further consideration of Bills on Second Reading, appearing on page 4 of today's Calendar.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

The PRESIDENT. Thank you, Senator Ripp. I appreciate the sterling way in which you conducted the Senate in my absence.

BILL ON SECOND READING

SB 86—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 88—Mr. WEINER. Mr. President, inasmuch as there are amendments being prepared, both by the department and the sponsors, which should be introduced next week, I request that Senate Bill No. 88 go over in its order.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 93 and **94**—Mr. BERGER. Mr. President, I request that Senate Bill No. 93 and Senate Bill No. 94 go over in their order.

Mr. President, it is quite possible, and even probable, that a great many of the Senators on this side will want to vote for these two bills. However, the thinking has not quite jelled on that.

For that reason, Mr. President, I would like for the bills to go over in their order today, thereby giving an opportunity to the Members on our side to caucus on them on Monday.

The PRESIDENT. There being no objection, the bills will go over in their order.

SB 99, 100, 104 and **105**—Mr. BERGER. Mr. President I request that Senate Bills Nos. 99, 100, 104 and 105 go over in their order for the reason I stated yesterday; namely, there are a number of amendments in the process of preparation.

The PRESIDENT. There being no objection, the bills will go over in their order.

BILL ON SECOND READING

SB 192—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 3, 4** and **98.**

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 139, 172, 173, 174, 175, 177, 188, 212, 213** and **HB 194.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Mr. MULLIN. Mr. President, I wish to announce there will be a meeting held by the Committee on State Government next Monday, at 11:00 a.m., in Room 435, E Floor.

The PRESIDENT. Is that Monday, March 6, Senator Mullin? What time is the meeting, sir?

Mr. MULLIN. The meeting will be held on Monday, March 6, at 11:00 a.m.

Mr. HAYS. Mr. President and Members of the Senate, I wish to call a continuation of the Joint Meeting of the House and Senate Education Committees. We only finished about half of our agenda this morning. Therefore, the second phase of this meeting will be held Tuesday morning, March 14, at 9:00 a.m.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
MONDAY, MARCH 6, 1961

Time	Committee	Room
11:00 A. M.	STATE GOVERNMENT	535
REPUBLICAN	CAUCUS	1:00 P. M.
DEMOCRATIC	CAUCUS	1:30 P. M.

COMMITTEE MEETINGS
TUESDAY, MARCH 7, 1961

Time	Committee	Room
10:00 A. M.	MILITARY AFFAIRS & AERONAUTICS	539

NOTICE

The Committee on Constitutional Changes and Federal Relations will hold a public hearing on Senate Bill 23, March 2, 1961 at 2:00 p.m., in the Pittsburgh State Office Building, and in Harrisburg, Monday, March 13th at 10:00 a.m., in the Senate Caucus Room.

There will be a continuation of the Joint Committee Meeting of the House and Senate Education Committee, Tuesday, March 14th, in the Senate Caucus Room at 9:00 a.m., to discuss with the Superintendent of Public Instruction important education matters.

ADJOURNMENT

Mr. RIPP. Mr. President, I move that the Senate do now adjourn until Monday, March 6, 1961, at 3:00 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:50 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, February 28, 1961.

The House met at 11:00 a.m., e.s.t.

Mr. HAMILTON IN THE CHAIR.

The SPEAKER pro tempore. The Speaker has appointed the present occupant of the Chair to preside this morning until his return.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, Thou who didst create our world and all there is therein; Thou who, through the efforts of Thy servants, dost create the advances which man presents to our world daily; we humbly pray that Thou wilt bless this assembly with Thy presence and guidance, so that working with Thee they may present the advances which will add to the progress of this great Commonwealth, enhance our opportunities in this Nation, and strengthen our leadership in world affairs: through Jesus Christ, Thy dear Son, our Lord, who liveth and reigneth with Thee and the Holy Ghost, ever one God, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, February 27, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. FINEMAN, KLEIN, McDEVITT and McNALLY. HOUSE BILL No. 637.

An Act authorizing the Governor to provide for disaster relief under certain circumstances; authorizing him to transfer certain funds to a special fund for that purpose; and making an appropriation.

Referred to the Committee on State Government.

By Messrs. HARTLEY, COOLEY, BACHMAN, and LAWSON. HOUSE BILL No. 638.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

Referred to the Committee on Education.

By Messrs. HANKINS, MORLEY, LAWSON, and DOUGHTEN. HOUSE BILL No. 639.

An Act amending the act of May 23, 1949 (P. L. 169) entitled as amended, "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties removing the Statute of Limitations in certain cases.

Referred to the Committee on Cities—Counties First Class.

By Messrs. TOMASCIK, MORLEY, CAULEY, and RUBIN. HOUSE BILL No. 640.

An Act repealing section 2511, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" relating to payments on account of closed schools.

Referred to the Committee on Education.

By Messrs. GUESMAN, JENKINS, M. H. GOLDSTEIN and SIMMONS. HOUSE BILL No. 641.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships and the regulation and maintenance thereof; * * *," further regulating payments to beneficiaries and their widows.

Referred to the Committee on Municipal Corporations.

By Messrs. RENWICK, FARABAUGH, ROVANSEK, and WOOD. HOUSE BILL No. 642.

An Act providing for a referendum to determine the will of the electorate of any city, borough, town or township with respect to the fluoridation of their water supply and prescribing the effect of such election.

Referred to the Committee on Public Health and Sanitation.

By Mr. AUKER. HOUSE BILL No. 643.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania excluding taxes upon the transfer of property from a decedent from requirement of uniformity.

Referred to the Committee on Judiciary.

By Mr. AUKER. HOUSE BILL No. 644.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

Referred to the Committee on Municipal Corporations.

By Mrs. REIBMAN, Messrs. DOWN and COOLEY and Mrs. HENZEL. HOUSE BILL No. 645.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for additional payments to certain school districts.

Referred to the Committee on Education.

The SPEAKER pro tempore. The Chair recognizes the sergeant-at-arms of the House.

The SERGEANT-AT-ARMS. Mr. Speaker, a committee escorting the Senate.

The SPEAKER pro tempore. The Chair recognizes the chairman of the committee of the House.

REPORT OF COMMITTEE ESCORTING SENATE

Mr. EILBERG. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER pro tempore. The committee is discharged with the thanks of the House.

The Lieutenant Governor, the Honorable John Morgan Davis, is invited to preside over the joint session of the General Assembly.

The President Pro Tempore of the Senate, the Honorable Anthony J. DiSilvestro, is invited to be seated on the rostrum. The members of the Senate will be seated.

It is my pleasure to present to the joint session of the General Assembly, the president of the Senate, The Honorable John Morgan Davis, who will preside.

JOINT SESSION

LIEUTENANT-GOVERNOR JOHN MORGAN DAVIS PRESIDING

The LIEUTENANT-GOVERNOR. The General Assembly will please come to order.

The Chair at this time invites to the rostrum Senator Charles R. Weiner and Colonel Truman H. Setliffe, District Engineer for the Philadelphia District of the Corps of Engineers.

I am now happy to turn this meeting over to Senator Weiner, who will make a few remarks and then introduce Colonel Setliffe.

SENATOR WEINER. Mr. President, ladies and gentlemen of the General Assembly, one of the most serious problems facing our country today is the problem of water and our water resources. We in Pennsylvania are very fortunate in having adequate water supply at the present moment, but our neighbors who surround us, the States of New Jersey, Delaware, and New York, are having problems with their expanding communities and the population explosion that is going on all around us.

It is this problem that concerns us, not only as members of the General Assembly, but as citizens of this Commonwealth, who are anxious to see our State grow and live in an expanded economy that we are hoping will continue through the next ten years. It is for that reason that we have to make plans today for things that are to come, as we see them and as are being portrayed to us. That is the reason we have invited here some of the people who have been doing a lot of work in this area and dealing with this important problem.

We have the honor today to present to the General Assembly Colonel Truman H. Setliffe. Colonel Setliffe is the District Engineer for the Philadelphia District of the United States Army Corps of Engineers. His office is responsible for the Corps' activities in all of Eastern Pennsylvania. They have just completed a $2 million study of the Delaware River. He is here today to give us a report on that study, both in visual form and by discussion with this aid. He will also be available to answer any question you might have when this discussion and this visual aid he has used are presented to you, and he has made his entire report available to you. Colonel Setliffe is a graduate of the Louisiana State University. He holds a master's degree in civil engineering from the University of Illinois. He has been a combat commander in many theaters and most recently has served with the Military Assistance Advisory Group in Indo-China and on the staff at Engineering School at Fort Belvoir, Virginia. Without any further ado, I would like to present to you, Colonel Truman H. Setliffe.

PRESENTATION BY COLONEL T. H. SETLIFFE

COLONEL TRUMAN H. SETLIFFE. Governor Davis, Gentlemen: You are faced with study and deliberation required as prelude to your decision on the INTERSTATE-FEDERAL COMPACT for the Delaware River Basin. The Compact is undoubtedly a forerunner of other compacts for other basins.

ARTICLE 13 of the Compact states that the Basin Commission shall develop and adopt a comprehensive plan for the immediate and long range development. In executive session on 1, February, '61, the Governors of Delaware, New Jersey, New York and Pennsylvania—and the Mayors of New York and Philadelphia—were advised that the comprehensive survey submitted by the corps of engineers would become a principal guideline for the Basin Commission's work.

Questions arise as to how big is the water problem in the Delaware River. What is the nature of the problem?

Knowledge of the magnitude and nature of this problem will assist you to arrive at your decision concerning the Compact.

I am here today to tell you of the Comprehensive Survey of the Delaware River. My presentation will give you further background for your deliberations concerning the proposed Delaware Basin Compact. You will hear today, some for the second time, the briefing which I gave at public meetings in Phillipsburg, New Jersey.... Reading, Pennsylvania....Wilmington, Delaware....and Port Jervis, New York....during 1960. In telling you of the initial plan which the Compact would administer. I will cover 5 major topics.

My talk will be in five parts.....

First.....the origin of the study.....how we organized to do the job.....who participated.....and the assignment of specific tasks.

Second.....the projected growth of our basin and its relation to water resources.

Third.....the needs of the basin as determined by the cooperating agencies.

Fourth.....the water control plan under consideration and a logical sequence for its development.

Fifth.....how this plan satisfies the needs.

The comprehensive survey of the water resources of the Delaware River Basin was made because the people of the basin asked for it through Congress. Then Congress, by resolution, directed the United States Armys' Corps of Engineers to make the study. The initial request was enlarged by a series of resolutions until the study finally assumed its truly comprehensive approach to the water problem.

This study, in other words, projects the needs of the basin for 50 years, with a look also at the following 50 years. It studies all aspects of water use. It considers the economic aspects of each facet of the plan. It recommends a plan of development best suited to meet the needs.

By letter to the Secretary of the Army dated 22 October, 1956, the President asked that we take full advantage of the technical resources of the Federal, State and local agencies having an interest in the water problem. This request was carried out.

The contributions of these agencies were indispensable to us in preparing our report. Who were these agencies.

The Department of Commerce
  office of business economics
  bureau of public roads

Department of Health, Education and Welfare
  public health service

Department of Agriculture
  soil conservation service
  forest service
  agriculture research service

U. S. Department of the Interior
  geological survey
  national park service
  fish and wildlife service

Federal Power Commission.

A great deal of help was also received from the States of Delaware, New Jersey, New York, and the Commonwealth of Pennsylvania; from the cities of New York and Philadelphia, and also from such organizations as the Delaware River Basin Advisory Committee and INCODEL, the Interstate Commission on the Delaware River

Basin. The Philadelphia District Engineer established the Delaware Basin Survey Coordinating Committee to insure coordination with the Federal, State, and municipal agencies, as directed by the President. This group met 10 times during the past 3 years. It was a shirt-sleeve committee, a working committee. This pictures the group at work at the first meeting I attended at Trenton, N. J.

So much for our authorities and organization. Next let's consider the projected growth of the basin and its relation to water resources. Exactly what and where is the Delaware River Basin, and why are water resources so important?

The basin contains 12,765 square miles in portions of the four States already mentioned.

The water resources of the basin contribute to the economic and social well being of over 21 million people who live within the area that is or can be serviced wholly or in part by water from the Delaware River Basin. Today this service area is among the most important regions economically in the nation.

Now why is this so?

Because this 1% of the continental United States contains 14% of the population and generates 17% of the national personal income. Keep in mind that this area contains one of the greatest concentrations of heavy industry in the world today—huge steel mills, sprawling chemical plants, great oil refineries, ship building yards, hundreds of manufacturing plants, and an unparalleled diversification of trade and service industries.

Manufacturing is the largest employer of labor in the area, followed by the trade and service industries. The water resources of the basin supply some 3.5 billion gallons of water each day, water used in homes, factories, for irrigation.

The waters of the basin support the transportation of some 100 million tons of goods into and out of the ports of the Delaware River and Bay each year and provide outdoor recreation from the headwaters in the Catskill Mountains to the Capes. Lack of control of these waters has been disastrous. In July and August of 1955 much of the Delaware Valley was suffering from one of the worst droughts ever to strike the area, a case of too little water. Then within 7 days, two hurricanes lashed the area. Suddenly there was too much water. Normally gentle streams and rivers became raging torrents, leaving a trail of death and destruction unequalled in the history of the valley. This was Easton in August of '55. The strange paradox of the water problem—too little water and too much water—had happened again.

And what about tomorrow! During the next 50 years both population and employment in the service area will more than double. These trends, projected into the future, provide the basis for estimating the water resources development need to sustain and nourish this future growth.

Let's examine in more detail now some of the water needs of the basin as determined by the participating agencies.

The amount of water withdrawn from the Delaware River basin will increase to more than four times the present rate during the next 50 years, or to a total of some 14 billion gallons a day; by another measurement, 21,000 cubic feet per second, by the year 2010. Ground water, surface flows, and the brackish water of Delaware Bay will supply some 8.5 billion gallons per day, or 13,150 cubic feet per second.

The residual need of the basin then is reduced to 5.5 billion gallons per day, or 8,500 cubic feet per second. The distribution of this need throughout the basin and repetitive use of water in successive downstream order, reduces the specific need for augmentation of surface flows to 1.4 billion gallons per day, or 2,100 cubic feet per second. It is this additional 1.4 billion gallons per day, then, that represents the major water supply need of the Delaware River basin and certain related areas.

How much water is 1.4 billion gallons? In terms of railroad tank cars holding 20,000 gallons each this means that 70,000 of these tanks cars would have to be delivered to the basin every day. This is water supply.

Now let's consider Flood Control. Major floods in the Delaware River basin are the result of heavy rainstorms generally augmented by hurricanes. The floods of August 1955 triggered by Hurricane "Diane" were the most damaging floods of record throughout the basin.

In defining the flood control needs of the basin, consideration was given to all types of damage associated with rainfall and runoff, beginning where the rain falls on the land until it finds its way by creeks, and main streams, to the sea.

In general, "average annual damage" best expresses the need for flood control. What is average annual damage? In essence, it is the payment for flood damages on the familiar installment plan basis over many many years. The following charts show the annual damage occurring in the basin. First, the Intermediate Tributary streams.

Total annual damage on the Intermediate tributaries has been estimated at over $1,700,000 per year.

Next, the Delaware River and principal tributaries.

Note the annual damage for each of the major tributaries.

The total flood damage is over six million dollars annually. Adding the two totals together, our annual payment is 7½ million dollars each year for damage caused by flood. We've considered water supply and flood control.

Now . . . Recreation . . . which is rapidly assuming tremendous importance in our contemporary society, and particularly in our State of Pennsylvania. More of us are going swimming, picnicking, boating, hunting and fishing than ever before.

In 1955 there were 33,500,000 annual visits recorded in the service area. The number of visits would rise to 56,-500,000 by 1965, 99,500,000 by 1980, and 228,000,000 by 2010 if facilities were provided. Pennsylvania and Philadelphia particularly recognize the needs as evidenced by the progressive programs in your Department of Forests & Waters.

But if we don't start planning and doing more now, this is the kind of mess, pollution potential, we are going to be in at all recreational areas.

Now, appropriately a few words about pollution of our streams.

The headwaters of the Delaware basin and the waters in the area from Port Jervis, New York, to approximately Easton, Pennsylvania, in general, are of excellent quality in all respects. Occasional local problems exist but have little effect on the area as a whole. Increased population densities and industrialization in the vicinity of Easton and in the Lehigh River Valley result in a slight but acceptable degradation in the quality of the Delaware River below the junction of the Lehigh River. With the Delaware, however, the stream characteristics indicate that the reach of the main stream from Easton to Trenton is presently of good quality and capable of supporting a variety of water uses. Thus it is concluded that no improvement in the present water quality of the Delaware system above Trenton is required. But remember—more population,—more industrialization! The combination will bring increased pollution loads. Higher degrees of treatment are technically practicable. To keep apace with this problem and recognizing the fine work done by various agencies and organizations in this field, there is a need for local and State government action to insure that this treatment program is carried out, but there is not a requirement for increasing stream flow for this purpose.

Below Trenton the water quality is at present satisfactory except for the reach from Lehigh Avenue in Philadelphia, Pennsylvania, to Marcus Hook, Pa., next to Chester, Pa. where observations indicate that the water quality is, at times, below desirable levels. Due to the major effect of tides on the currents in the reach it is not practicable to restore water quality through increased flows. Here, again, the growth in population and industry will substantially increase the pollution load to the sewage treatment plants. An expanded basic data program is required to furnish adequate and accurate basis for future prediction of water use and stream quality. Such data would permit accurate assessment of the needs for increased waste disposal occasioned by future industrial

and municipal expansion. Sufficient treatment plants can remove anticipated additional loads by increasing the efficiency of treatment from present levels of waste removal to the higher degress of treatment that are technically practicable. Establishment and maintenance of adequate water quality will result primarily through maximum interception and treatment of wastes before discharge in this reach now and in the future.

Next, electrical power requirements. The requriements for power in the Delaware River basin have increased rapidly in the past and large additions in generating capacity will be required to meet future loads.

The 1957 Delaware River Service Area peak demand amounted to approximately 11,000,000 kw. It is estimated that the utility peak demands of the area will increase to a total of 17.5 million KW in 1965, 34,000,000 kw. by 1980 and to about 96,000,000 kw. by 2010.

So far I have discussed
The origin of the study
Projected growth of the basin
Needs of the basin
Now . . . our plan of development to meet the needs of the basin.

Basin needs can be met, partly, or wholly, by improvements to control the uneven flows of the Delaware River and its tributaries. These needs can be expressed in terms of planned flows . . . .

Across the top of the chart are five separate points within the basin. Various flows in terms of cubic feet per second are indicated in each column they are . . . flood stage . . . measured flood peaks . . . required minimum flows . . . and average present minimum flows. For example . . . consider the Lehigh River at Bethlehem, Pa.

Flood conditions begin when discharges reach 42,000 cfs. Bethlehem has experienced flood peaks at 92,000 cfs. There is an excess of 50,000 cfs . . . clearly a case of too much water.

The required discharge to meet surface withdrawal needs for various years are indicated here . . . all are above the present average minimum flow shown here. A case of too little water.

The same story exists on the Christina at Wilmington, Delaware, and other areas. Simply said, our problem is really one of too much and too little But there is a solution.

On this chart we will show the action of a typical stream in our basin during the actual period of flood and low flows. During flood conditions the flow in a stream increases rapidly. By means of an impoundment or dam we will store this water, releasing the excesses downstream but keeping the flow below flood stage—storing the remaining water for later release to augment the stream during low-flow periods.

We studied over 576 sites; we considered alternative structures and measures. These studies showed that none of the alternatives and no combination of them could wholly or economically replace water control by reservoirs.

It was also apparent from the beginning that no feasible system of reservoirs could, of itself, completely satisfy all of the needs of the basin. As mentioned earlier, a great deal can and must be done by the local people to remove or limit some flood problems through supplemental programs. These programs are:

(1) to control the use and occupancy of all parts of the flood plain through land use and zoning arrangements;

(2) to regulate the construction of buildings and developments in the flood plain through urban renewals;

(3) to evacuate the flood plains either permanently by purchase of lands for open park areas or temporarily by flood warning systems for emergency evacuation during flood periods; and

(4) other local protection measures. These supplemental programs are an integral part of the overall plan for the development of the water resources of the basin and while they must be initiated and administered by local governmental agencies, a great amount of information, data and help in their development is available from State and Federal sources.

Let's turn now to the recommended control plan now under consideration for the Delaware River basin.

Our plan includes 11 major water control projects with provision for water supply . . . flood control . . . power . . . and recreation. They are shown here.

Only Hawk Mountain and Tocks Island have power.
All have water supply.
All have recreation.
All except Hawk Mountain, Newark and Christiana have flood control.

Eight other sites have been selected for partial development . . . their initial development being for recreation . . . with use for water supply when needed. They are PAULINA, HACKETTSTOWN, PEQUEST, NEW HAMPTON, TOHICKON, NEWTOWN, EVANSBURG, FRENCH CREEK.

Regarding these eight sites, I should add that in recent years the Corps of Engineers has become increasingly aware of the fact that before many authorized projects can be constructed, industries and communities spring up in the inpounding areas and the projects become uneconomical. As you know, the Corps of Engineers has recommended disapproval on many more projects than it has approved. Where industries and communities spring up, costs increase. Where costs exceed benefits, no project.

There are also 39 projects which have been selected for sub-basin development . . . all with the main purpose of flood control.

And finally, there are 7 unique and historical sites selected for further recreational development.

A logical sequence of development of the major control structures is shown here.

The horizontal line represents time, from 1965 through 2010. The vertical line shows the needs measured in billions of gallons. The diagonal black line represents the increased needs as we look to the future. From this chart then we can see that.

	NEEDED BY
Beltzville	1965
Blue Marsh	1968
Trexler	1973
Prompton	1974
Tocks Island	1975
Newark	1978
Christiana	1980
Aquashicola	1981
Maiden Creek	1982
Bear Creek	1989
Hawk Mountain	2001

We gave you the years by which projects are needed. However, I'd like to point out also that, on the average, getting the money and building the project may take from 5 to 10 years, so some of the projects are needed now.

We have defined the needs and the plan to meet those needs. What of COSTS?

In general, the cost of providing flood control benefits is the responsibility of the Federal Government, while water supply is the responsibility of state and local interests. Recreation benefits may be provided by the Federal Government if they have wide regional significance, otherwise they become the responsibility of state and/or local interests.

For our 11 major control projects the total cost is about 332 million dollars (without pumped storage hydroelectric feature at Tocks Island) between now and 2010, say 6½ million dollars per year, if started now. Pumped storage power at Tocks Island will add about 55 million dollars to the cost of that project. The 39 small projects for subbasin development under Public Laws 685 and 566 are estimated to cost 10 million dollars. The 8 projects to preserve sites with use initially for recreation, cost about 119 million dollars.

BENEFITS

We have talked needs and how we would meet these needs, Now, what are the benefits to be derived from our plan?

How does this plan satisfy the needs of the basin?

The 11 major reservoirs in the plan will impound excess

water during periods of high flow for low flow augmentation of stream flows at specific areas.

That there are definite benefits derived from the control of minimum stream flows cannot be denied. At present the Select Committee on National Water Resources is considering a recommendation made by many Senators and others that the Corps of Engineers be allowed to include the specific benefits of low flow augmentation in the preparation of benefit-cost ratios.

Bethlehem and Pottstown need more than their present average minimum flows. There is significance for the Philadelphia-Trenton area too.

In this metropolitan area the combined effects of 9 major projects in the plan will give a sustained minimum flow of 5,290 c.f.s.

This will satisfy requirements of the Philadelphia-Trenton area to 2010. Note I have talked on 9 of the 11 major projects.

By a unified system operation an additional 570 c.f.s. can be added to the 5,290 c.f.s., making a total of 5,860 c.f.s. available. 570 c.f.s still available for use elsewhere within the basin

CONSIDER FLOOR CONTROL BENEFITS—

The alleviation of flood problems in the uppermost headwater areas of the basin would be provided by land treatment measures under existing programs of the Department of Agriculture.

The 39 projects selected for inclusion in the plan of development as sub basin projects will reduce the annual damages for these areas significantly. For example, the 25 small dam and reservoir projects in the Brodhead, Pocono, McMichaels Creek basin would reduce the annual flood damages from $581,000 to only $171,000, a saving of some $410,000.

For the major reaches above Trenton, existing flood control projects, projects under construction, and projects proposed in the water control plan would have reduced the total damages of the August '55 flood from nearly $102,000,000 to only $3,000,000, a saving of some $99,000-000. Reduction of flood damages is also evident in other areas.

And now, Recreation Benefits.

The plan of development would provide State park type facilities to satisfy an attendance of 38,000,000 recreation visitors annually. These projects would increase the acreage of waters usable for recreation in the basin by about 38,300 acres. Total acreage of lands and waters that would be made available for recreation use would be about 112,000 acres. This doesn't meet the total need, but it helps.

Now, briefly, hydroelectric power benefits—feasibility for production of hydroelectric power at two of the major control projects included in the comprehensive plan has been proved. The two hydroelectric projects contemplated for the basin would have an installed capacity of about 67,000 kw and would be capable of generating about 31,000 kw of dependable capacity to meet peak power demands that prevail about 5 hours daily. The total average annual generation would be about 385 million kw-hr.

And now, the complete report, which after the sustained application of heat and pressure has been distilled to a final weight of 30 pounds per copy in its final form. From a monetary standpoint, when balanced against the overall study cost of more than 2 million dollars, each pound of report figures to be worth nearly $67,000 dollars. So much for statistics. Where is the report? The answer . . . it is now being reviewed by the Chief of Engineers. When the Chief has completed his review, which also includes an independent review by the Board of Engineers for Rivers and Harbors, a public notice will be issued. The report will be sent to the Governors of the States affected and the Federal Agencies involved for their comments. I feel there will be no surprise to your representative and his staff who have lived with it and know it.

In the normal course of events, the report could be submitted to Congress late in 1961, authorized in an omnibus bill in 1962, and first appropriations under the authorization might be made in mid 1964, so that land acquisition could begin in 1965 and the first projects operational before 1970.

So far I have discussed our recommended plan for meeting the water needs of the Delaware River Basin and the current status of that plan. The next question then is, what sort of Governmental organization would be necessary to implement and administer our plan? You are considering the compact consisting of the Federal Government and the States of New York, New Jersey, Delaware, and the Commonwealth of Pennsylvania. Compact background is contained in a study made by the Maxwell Graduate School of Public Administration of Syracuse University, which has sole responsibility for its research, findings, and recommendations under a contract with the Water Research Foundation.

The Corps' position in regard to the Syracuse Study on organization was established by the Chief of Engineers in 1956 and included in the procedural Plan the guide lines we used in making the comprehensive survey. It states, and I quote:

> The report will present, but will not necessarily endorse, such findings and recommendations on the organizational structure and means best fitted to accomplish the control and conservation of the water resources of the Delaware River Basin as local advisory groups may furnish to the District Engineer.

Consequently, the abbreviated version of the Syracuse Report released by the Water Research Foundation has been included in appendix 'X' to our main report and printed without comment. The Compact also is outside my official purview. However, it is interesting to note that Section 11.1 of the Compact provides, and I quote, "Each Federal agency otherwise authorized by law to plan, design, construct and operate or maintain any project or facility in or for the basin shall continue to have, exercise and discharge such authority," which means that the Corps of Engineers will still be in business to support State and local efforts to meet water problems.

This has been a brief description of our study and the recommended plan for the control and utilization of the uneven flows of the Delaware River and its tributaries. I touched briefly on how the study started, the organization, and the responsibility of each participating agency. I outlined the needs and then summed up our water control plan and the benefits to be derived from implementing such a plan. The preparation of the plan for submission to Congress is an Engineer function, my field. Gaining the authorizations and the funds and developing the means to run the program are political functions, your field.

SENATOR WEINER. On behalf of the members of the General Assembly we want to thank Colonel Setliffe for an excellent job in such a short period of time on a very difficult subject.

I would like to introduce to the members of the General Asembly, Colonel Warren Johnson, who is sitting at the rear of the room. He is District Engineer of the Baltimore District of the United States Corps of Engineers and is in charge of the Susquehanna Basin.
Colonel Johnson.

We only have a few more minutes and we are going to adjourn this session, but I think we would be remiss in our duty if we did not, before we left here, discuss a little the compact that is going to grow out of this report that you have heard. I would like to call on Mr. William Miller, who is counsel for the Delaware River Basin Advisory Committee. He is a professor of law at the New York University School of Law and has been involved in government for many, many years. If Mr. William Miller will come to the podium we will be glad to hear from him.

He is just going to make a short presentation in re-

gard to the compact which he has been concerned with and involved with for some time. If, while he is doing that, I may be allowed a short commercial at this time, this has been the joint effort of Secretary Goddard and his staff and also of the Commission on Interstate Cooperation in bringing this material to you. We thought this was an easier way of doing it than presenting copious forms of this report to you. We thought this would be a little easier, and you may ask any question you like of the gentlemen who are here, upon the completion of Mr. Miller's presentation.

Mr. William Miller.

Mr. WILLIAM MILLER. Thank you.

Lieutenant Governor Davis, Senator Weiner, members of the General Assembly, first let me say that we certainly greatly appreciate this opportunity to speak to you, however briefly, about the legislative implementation of the very inspiring plan outlined by Colonel Setliffe. This is, indeed, a mark of the importance you attach to the great problems of the basin, and certainly we could not cover it otherwise as you would want it covered in the brief time allotted.

I would like only to emphasize a few of the highlights of the compact draft which you either now have before you or will shortly have in hand. It represents about a year and a half's work by a committee representing the four States and the two great cities that are depending upon the basin. The draft has gone through a number of phases. It has had a complete review by the legal, engineering, and conservation departments of the various States and cities. It has had a tremendous amount of assistance, of course, from those people. Your own Dr. Maurice Goddard and his staff participated closely throughout the committee's deliberation, and it represents, of course, an effort to provide within the basin a governmental agency which can take up the Corps of Engineers' plans and provide for its activation with a full participation of the States. In fact, this is one of the key features of the proposed draft, namely, a partnership among the States and the Federal Government to effectuate in a cooperative way this comprehensive river basin development.

In the past there have been interstate compacts, of course, but I do not believe there has been any compact which has taken on this entire comprehensive view of the river basin, nor has there been any compact in which the State and the Federal Government have been equal and full partners. Thus, the document you have represents a genuine effort to preserve State interests, State participation in river basin development at the same time as it preserves the far-reaching Federal influences and the Federal interest as evidenced by this very fine river basin survey.

How is the agency to be formed? The importance of the agency is illustrated perhaps best by the composition of its governing body. It will be made up of the Governors of each of the four States and a representative to be appointed by the President of the United States. The basin agency so governed would thus create a regional administrative body and it would be responsible for the planning, development and control of the waters of the basin. It would start, as Colonel Setliffe pointed out, with the requirement that there would be a comprehensive plan and that all the activity of the basin agency and others interested in the river conform to the comprehensive plan, because without the Corps of Engineers' survey the basin agency would not be in position to start very soon. With the survey, which in effect, is the comprehensive plan, the agency is in a position and would be in a position to begin promptly.

Its jurisdiction would be limited to the basin which you saw outlined on the chart. It could sell or dispose of water resources outside the basin, however, as the need appears and as it was decided by the needs of the communities lying outside the basin.

The compact has a time limit. Its life is fixed at 100 years, but it may automatically be renewed for additional periods of 100 years unless one of the States gives notice at least 20 years and not more than 25 years prior to the expiration of the period that it wishes to terminate the compact.

The Congress of the United States would, because of major Constitutional principles, preserve the right to withdraw at any time.

The function of the basin agency would be to carry out the comprehensive plan. It is not expected, of course, that the agency would construct, finance and develop the major improvements which you saw portrayed a few moments ago. Quite the other way around, it would provide for the coordination through a single body of what the States and cities involved have been unable to do themselves. It would cover all the facets of flood damage reduction, water quality improvement, municipal, industrial and agricultural water supply, recreation, fish and wildlife improvement, hydroelectric power, soil conversation, forestation and watershed management as the agency to bring the States and the cities and their resources together with those of the Federal Government to bear on each of these problems.

Now you might say, what about the allocation of water resources? Most of you are familiar with the fact that the United States Supreme Court, in its major decision affecting the basin area in 1954, in the case of New Jersey against New York, did provide for an allocation, or at least for the time being, of certain waters of the basin. The compact would provide that the parties would lose none of their rights under that Supreme Court decree and, in addition, that the Court's reservation of the rights of any party to come into the Court and ask that the decree be changed would be suspended for the duration of the compact. This would mean, for example, that the lower basin area would continue to be guaranteed of the releases of water from the New York City reservoir system which takes, it is estimated, approximately one-third of the capacity of the reservoirs to produce.

This means the lower-basin river flow is sustained in times of need by the investment of the City of New York and under the compact provisions, the city would not be in a position to go back to the Court and ask to be relieved of those release requirements. On the other hand, the lower basin gives up the right, under the compact language, to go back to the Court and ask that the city of New York's right to divert some 800 m.g.d. should be reduced for the life of the contract.

This give and take seems to be of major benefit to the development of the basin, and of course it is hoped that with a competent agency in being and with the

development that Colonel Setliffe outlined there will be ample water for all purposes and there will be no need to consider any change in the prior allocations.

Whatever may be the action of the basin agency, therefore, it is primarily concerned with the future. The agency would be given power to apportion and allocate the waters of the basin according to the very same rules used by the Supreme Court, namely, the doctrine of equitable apportionment. Any party that felt aggrieved by action of the basin agency would have full recourse to the courts of the United States for judicial review. This briefly, it would seem, is the key area of control of water supply. That is a major interest in terms of the development of the rest. The basin agency also has substantial functions, I pointed out, in all the other facets of river basin development.

Now, you might say, next, how will this be financed? Several points are important to keep in mind. The first is, the basin agency has no powers of taxation. It may sell water which it develops, if it develops water. But, its capital financing, under the terms of the proposed compact, would have to be determined for each project separately and presumably according to the benefits provided by the project. This means that the Federal Government, the State and the cities, at the time they are interested in the project, would then make the arrangements and agree to capital financing as that particular project shows the need and the benefits. There is no commitment in the contract to any particular project or any particular finance.

As far as the operating budget of the basin agency is concerned, provision is included in the compact for the development of a budget by unanimous agreement of the basin agency commissioners, that is, the four Governors and the Federal representatives, and for the certification of that budget in respect to signatory parties, that is, their legislative bodies, and for the processing of that request in the same way that we process requests of State departments for appropriations.

Again, there is no fixed commitment and there is no binding effect of the compact for any particular sum or appropriation.

In the long run, of course, it is hoped that the basin agency may find itself liquidated. The history of water resources development throughout the Nation indicates that, given the time, water can be made self-liquidating. When that day comes, the compact would permit the basin agency to issue revenue bonds on its own credit for the development of various phases of the comprehensive plan which is acceptable to that type of financing.

In general, as you heard Colonel Setliffe say, while the agency has full powers and is intended to be a competent and fully equipped agency to do the job, it does retain each of the resources that the four States and two cities now have and the Federal government now possesses. The compact expressly provides that wherever feasible it is the purpose of the signatory parties, and I am reading from section 1.5 of the compact "to preserve and utilize the functions, powers and duties of existing offices and agencies of government to the extent not inconsistent with the compact, and the commission is authorized and directed to utilize and employ such offices and agencies for the purpose of this compact to the fullest extent it finds feasible and advantageous."

That is a very thumbnailish sketch of a substantial document. I might add just a word as to where it now stands in Congress and among the other State legislatures. A compact bill has been introduced in the New York legislature, one has been introduced in the New Jersey legislature, with some 28 sponsors, bills have been introduced in both Houses of Congress, and, of course, the process of committee hearings, examinations, legislative consideration are now adding some pressure.

Obviously, there are problems when ten legislative bodies and five chief executives are being asked to agree on a single document. You all, I think, are familiar with this problem, however, and every effort is being made to coordinate the views and the procedures of each of the bodies with the hope of the earliest possible action.

Thank you very much.

The LIEUTENANT-GOVERNOR. Thank you, Mr. William Miller.

The very informative session has been completed and we of the Senate wish to thank you of the House for inviting us here.

The Chair would ask that members of the House and visitors remain seated for just a moment while the members of the Senate leave the hall of the House. The members of the Senate will please reassemble immediately in the Senate Chambers.

The business for which the joint session has been assembled having been transacted, the session is now adjourned.

Mr. HAMILTON IN THE CHAIR.

PROCEEDINGS OF JOINT SESSION TO BE PRINTED IN JOURNAL

Mr. POLEN. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Mrs. HENZEL, Messrs. DENGLER and HAMILTON and Mrs. S. A. ANDERSON. HOUSE BILL No. 646.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), making mandatory a lunch or rest period free of supervisory duties for all professional employes.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 647.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employes of county boards of school directors, regulating the employment, dismissal, suspension and demolition of such employes, and providing for their rights and obligations.

Referred to the Committee on Education.

By Messrs. FINEMAN and HOLLIDAY. HOUSE BILL No. 648.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and

convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres, respectively, situate in Woodbury Township, Blair County.

Referred to the Committee on State Government.

By Messrs. CLARKE, KRAMER, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 649.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payment of regular employes in order to be credited for service for pension.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. BOWMAN and OGILVIE. HOUSE BILL No. 650.

An Act amending the act of April 17, 1893 (P. L. 21), entitled, as amended, "An act to facilitate the labors of the judges of the court of common pleas and orphans' court of the county in which the seat of government is or may be located, in the disposition of the business of the Commonwealth, by providing suitable clerical assistance," further providing for the salaries of stenographers and clerks.

Referred to the Committee on Judiciary.

By Messrs. BOWMAN, OGILVIE, ANDREWS and FULMER. HOUSE BILL No. 651.

An Act authorizing local taxing authorities in certain cases and to a limited extent to require the payment of and to collect from the Commonwealth and its agencies, boards, commissions and authorities created by the Commonwealth payments in lieu of taxes for real estate owned by them.

Referred to the Committee on State Government.

By Messrs. BOWMAN and OGILVIE. HOUSE BILL No. 652.

An Act authorizing local taxing authorities in certain cases, and to a limited extent to levy, assess and collect a tax upon real estate owned by the Commonwealth, or by any of its agencies, boards, commissions or authorities created by it, and providing for the payment of the same.

Referred to the Committee on State Government.

By Messrs. BOWMAN and OGILVIE. HOUSE BILL No. 653.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), taxing real estate owned by the Commonwealth or any of its commissions and authorities for local purposes.

Referred to the Committee on State Government.

By Messrs. BOWMAN and OGILVIE. HOUSE BILL No. 654.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853) taxing real estate owned by the Commonwealth or any of its commissions and authorities for local purposes.

Referred to the Committee on State Government.

By Messrs. BOWMAN and OGILVIE. HOUSE BILL No. 655.

An Act making an appropriation to the City of Harrisburg in lieu of taxes on property acquired for State purposes.

Referred to the Committee on State Government.

By Messrs. ESHBACK, MANBECK and CAPITOLO. HOUSE BILL No. 656.

An Act amending the "Local Tax Enabling Law," approved June 25, 1947 (P. L. 1145), limiting the levy of the tax in certain instances.

Referred to the Committee on State Government.

By Mr. MORLEY. HOUSE BILL No. 657.

An Act amending the act of August 26, 1953 (P. L. 1476) entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, approved April 21, 1949 (P. L. 665), by vesting in the Council of the City of Philadelphia * * * including the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission within the provisions of section 2 of the act.

Referred to the Committee on Cities—Counties First Class.

By Messrs. CAPANO, HAMILTON, Mrs. HENZEL and Mr. ESHLEMAN. HOUSE BILL No. 658.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employes' Retirement Board, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. MEHOLCHICK, CURWOOD, WYND, and K. B. LEE. HOUSE BILL No. 659.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

Referred to the Committee on Game and Conservation.

By Messrs. SNARE, ESHBACK and VERONA. HOUSE BILL No. 660.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), allowing plans to be submitted to the Department of Public Instruction and providing for the payment of fees.

Referred to the Committee on Education.

By Messrs. POLEN, WOOD, RUDISILL and RUTHERFORD. HOUSE BILL No. 661.

An Act amending the act of July 8, 1957 (P. L. 579), entitled "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens Trade School, and imposing duties on the Board of Trustees of such school and the Superintendent of Public Instruction," changing the salaries and increments of teachers and supervisors and providing for payment on a monthly basis.

Referred to the Committee on Education.

By Messrs. CAULEY, SCHUSTER, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 662.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. KORNICK, ROVANSEK, DENNISON and HELM. HOUSE BILL No. 663.

An Act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; * * * authorizing rules and regulations and providing penalties for violations thereof, and making an appropriation.

Referred to the Committee on Highways.

By Messrs. CURWOOD, MEHOLCHICK, WILLARD and MUSTO. HOUSE BILL No. 664.

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779), further providing for a closed season for five days after a stream is stocked and notice is given.

Referred to the Committee on Fisheries.

By Messrs. SCARCELLI, CAPITOLO, GALLAGHER and ESHBACK. HOUSE BILL No. 665.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licensees, manufacturers and their employes and agents to sponsor, support or contribute to certain fund raising drives or solicitations.

Referred to the Committee on Rules.

By Messrs. SCARCELLI and CAPITOLO. HOUSE BILL No. 666.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday.

Referred to the Committee on Rules.

By Messrs. MURPHY and WILLIAM JOSEPH LONG. HOUSE BILL No. 667.

An Act requiring the Department of Forests and Waters to issue camping permits for camping in State parks and providing for the term thereof.

Referred to the Committee on State Government.

By Messrs. CAPANO, HAMILTON, KORNS and FULMER. HOUSE BILL No. 668.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) increasing the amount of the approved building construction cost for the construction or improvement of school buildings.

Referred to the Committee on Education.

By Messrs. HORST, FILO, ELVEY and SELTZER. HOUSE BILL No. 669.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), providing for the appointment of special school police; defining their powers and duties; and providing for their compensation by the school district.

Referred to the Committee on Boroughs.

By Messrs. HORST, FILO, ELVEY and SELTZER. HOUSE BILL No. 670.

A Supplement to "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing for the payment of compensation to special school police appointed by boroughs, or the dependents of such special school police.

Referred to the Committee on Workmen's Compensation.

By Messrs. A. M. LEE, WEIDNER, SELTZER and KISTLER. HOUSE BILL No. 671.

A Joint Resolution proposing an amendment to article eight, section fourteen of the Constitution of the Commonwealth of Pennsylvania, providing for district election officers to be selected in the manner provided by law.

Referred to the Committee on Judiciary.

By Messrs. STONE, SHELTON, KELLY and KRAMER. HOUSE BILL No. 672.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Public Welfare and deleting certain powers and duties from the Department of Public Assistance.

Referred to the Committee on State Government.

By Messrs. STIMMEL, DONALDSON, HELM and HOLMAN. HOUSE BILL No. 673.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the Commonwealth to create debt and issue bonds for park, conservation or recreational purposes.

Referred to the Committee on Judiciary.

By Messrs. FETTEROLF, BACKENSTOE, RUTHERFORD and WILT. HOUSE BILL No. 674.

An Act amending the act of August 26, 1953 (P. L. 1476), entitled "An act to carry out the intent and purpose of Article XV, Section 1 and Article XIV, Section 8 of the Constitution of Pennsylvania, and to supplement the First Class City Home Rule Act, * * *," removing the exclusion of the Sheriff, City Commissioners, Board of Revision of Taxes and Registration Commission from the provision of section 2, * * *.

Referred to the Committee on Cities—Counties First Class.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. STONE asked and obtained permission for the Committee on Welfare to meet during the session of the House.

Mrs. REIBMAN asked and obtained permission for the Committee on Education to meet during the session of the House.

RESOLUTION

CONDOLENCE

Messrs. BOWMAN, SELTZER, MANBECK, KEISER,

OGILVIE, HOCKER and HOLMAN offered a resolution which was read by the clerk as follows:

In the House of Representatives, February 28, 1961.

The untimely death of Congressman Walter M. Mumma has deprived his constituents of an able and conscientious public servant who labored unceasingly and faithfully for his people and the principles in which he believed.

Long identified with and active in public affairs both as a successful businessman and public office holder, upon his election to Congress Mr. Mumma retired from business and devoted himself exclusively to the duties of that office.

Warm of personality, deeply concerned with the problems facing our Nation and with a devotion to service for his people exceeded by none, his death has created a deep sense of loss to all those he served; therfore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania pause in its deliberations in honor of the memory of Walter M. Mumma, a sincere devoted and courageous public servant of those whom he so ably represented, and be it further

Resolved, That a copy of this resolution be transmitted to his son, Robert M. Mumma and members of his family residing at Wormleysburg, Pennsylvania and that a copy be transmitted to his brother, Harold Mumma of Allentown, Pennsylvania.

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

Ordered, That the Clerk present the same to the Senate for its concurrence.

BILLS INTRODUCED AND REFERRED

By Messrs. M. H. GOLDSTEIN, HEFFNER, FOOR and ESHLEMAN. HOUSE BILL No. 675.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Secretary of Property and Supplies to transact business as an insurance broker for the purpose of contracting insurance and surety bonds for any department, board, agency or commission of this Commonwealth, and for any State authority established by law.

Referred to the Committee on Rules.

By Messrs. A. M. LEE, SELTZER, KISTLER and K. B. LEE. HOUSE BILL No. 676.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), changing residence requirements for watchers.

Referred to the Committee on Elections.

By Messrs. GRAMLICH, MAGEE and DAVIS. HOUSE BILL No. 677.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), excepting from the tax transfers of certain property interests in and income therefrom to cemetery companies, corporations or associations operated exclusively for the benefit of its members and not operated for profit.

Referred to the Committee on Judiciary.

By Messrs. CROSSIN, WARGO, McDONALD and DAVIS. HOUSE BILL No. 678.

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines, and making money heretofore appropriated available for those purposes.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. TRUSIO, HORST, RENWICK and RUDISILL. HOUSE BILL No. 679.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), requiring the department to designate or lay out detours over the shortest available route on existing public highways.

Referred to the Committee on Highways.

By Messrs. FLYNN, CAPANO, HORST and RENWICK. HOUSE BILL No. 680.

An Act amending "The Second Township Code," approved May 1, 1933 (P. L. 103), authorizing disturbing the peace to be defined and penalized, and providing for disposition of such penalties.

Referred to the Committee on Judiciary.

By Messrs. POLEN, WOOD, MIHM and BOWER. HOUSE BILL No. 681.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further defining compensation and final average salary in the case of certain members of the General Assembly.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, MIHM and BOWER. HOUSE BILL No. 682.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further providing for retirement of members of the General Assembly.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 683.

An Act amending the act of June 1, 1959 (P. L. 30), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," further providing for multiple service credit in the case of certain members.

Referred to the Committee on Appropriations.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Resolution for concurrence Serial No. 108.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 3.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the granting of electors of President and Vice-President to the District of Columbia.

HOUSE BILL No. 4.

A Joint Resolution proposing an amendment to article four section three of the Commonwealth of Pennsylvania making the Governor eligible to succeed himself for one additional term.

HOUSE BILL No. 98.

An Act amending the act of June 13, 1907 (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. FOERSTER from the Committee on State Government, reported as amended, House bill No. 37, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey to the Borough of Bristol certain real property located in the borough.

Mr. STONE from the Committee on Judiciary, reported as amended, House bill No. 160, entitled:

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgments confessed on written instruments, * * *," providing defenses in any county in which an execution, bill of discovery or attachment is issued on a judgment.

Mr. McNALLY from the Committee on Agriculture and Dairy Industries, reported as amended, House bill No. 303, entitled:

An Act amending the act of April 30, 1929 (P. L. 885), entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; * * * further providing for the annulling, vacating and forfeiting of the articles of associations and letters patent issued to such associations; and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

Mr. McNALLY from the Committee on Agriculture and Dairy Industries, reported as amended, House bill No. 304, entitled:

An Act amending the act of June 12, 1919 (P. L. 466), entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, * * * further providing for the annulling, vacating and forfeiting of the articles of associations and letters patent issued to such associations; * * *.

Mr. COOLEY from the Committee on Agriculture and Dairy Industries, reported sa amended, House bill No. 337, entitled:

An Act providing for the issuing, administration, enforcement and termination of marketing orders on agricultural commodities; imposing powers and duties on the Secretary of Agriculture; providing for the creation and operation of an advisory board; prescribing the contents of orders; and providing for the imposition and collection of fees.

Mr. BOWMAN from the Committee on Judiciary, reported as amended, House bill No. 393, entitled:

An Act changing and making uniform the time in which appeals may be allowed from courts of record of inferior jurisdiction; limiting the time when such appeals shall operate as supersedeas and repealing inconsistent acts and parts of acts inconsistent herewith.

Mrs. HENZEL from the Committee on Education, reported as amended, House bill No. 425, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for alternates to serve on the joint school committee.

Mr. GALLAGHER from the Committee on Public Utilities and Corporations, reported as committed, House bill No. 140, entitled:

An Act amending the act of June 13, 1883 (P. L. 122), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporatoins,' approved April twenty-ninth, one thousand eight hundred and seventy-four, providing for the improvement, amendment and alteration of the charters of corporations of the second class, * * *" removing a provision relating to construction of the act.

Mr. WOOD from the Committee on Apprporiations, reported as committed, House bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1535) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College * * *" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 262, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), extending provisions of out-of-state services.

Mrs. S. A. ANDERSON from the Committee on Welfare, reported as committed, House bill No. 263, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to Adoption," authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

Mr. PRICE from the Committee on State Government, reported as committed, House bill No. 297, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the appointment of personnel in institutions within the Department of Public Welfare.

Mr. GRAY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 310, entitled:

An Act repealing section 6 of the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

Mr. KORNS from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 336, entitled:

An Act repealing the act of May 24, 1917 (P. L. 266), entitled "An act regulating the packing of apples, pro-

viding penalties for violations, and imposing certain duties upon the Department of Agriculture."

Mr. BRANCA from the Committee on Labor Relations, reported as committed, House bill No. 340, entitled:

A Supplement to the "Pennsylvania Labor Relations," approved June 1, 1937 (P. L. 1168), extending the provisions of the act to govern the rights, duties, and obligations of nonprofit hospital and other health care employers and their employees; * * *.

Mr. FINEMAN from the Committee on Education, reported as committed, House bill No. 341, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), granting credit for prior school service upon certain additional payments into the fund.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 365, entitled:

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission, in connection with the employment of personnel for civil defense purposes.

Mr. GOODRICH from the Committee on Game and Conservation, reported as committed, House bill No. 366, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the bag limit in certain cases.

Mr. RUTHERFORD from the Committee on Labor Relations, reported as committed, House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

Mr. SHELTON from the Committee on Fisheries, reported as committed, House bill No. 376, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 388, entitled:

An Act amending the Act of May 29, 1945 (P. L. 1134), entitled, "An Act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin * * *", providing for the appointment of alternate members and conferring additional powers upon the Commission.

Mr. STANK from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 390, entitled:

An Act repealing the act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; * * *."

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 395, entitled:

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof.

Mr. TAYLOR from the Committee on Motor Vehicles, reported as committed, House bill No. 428, entitled:

An Act amending "The Vehicle Code: approved April 29, 1959 (P. L. 58), redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing; providing for the designation of inspection stations for trucks and truck tractors; permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren; prohibiting parking in certain additional places; extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

Mr. ROVANSEK from the Committee on Labor Relations, reported as committed, Houe bill No. 442, entitled:

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286) permitting certain minors to be employed as caddies.

Mr. FOERSTER from the Committee on State Government, reported as committed, House bill No. 450, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Forests and Waters and the Governor, to grant and convey a certain tract of land to the Borough of Ebensburg.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 451, entitled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township, Juniata County, for State forest administrative purposes.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 452, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 461, entitled:

An Act authorizing the conveyance of certain lands in Leidy Township, Clinton County, to the government of the United States.

Mr. WILLAREDT from the Committee on Insurance, reported as committed, House bill No. 480, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), by continuing the provisions of section 211.1 in effect for a further period.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 529, entitled:

An Act amending the act of March 15, 1899 (P. L. 8), entitled "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," further providing for reversion of unexpended balances of sums appropriated for specific purposes.

Mrs. MUNLEY from the Committee on Appropriations, reported as committed, House bill No. 568, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing for the payment of expenses related to investments from interest earnings of the fund, providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth; and providing for annual crediting of certain funds to the contingent reserve account.

Mrs. MUNLEY from the Committee on Appropriations, reported as committed, House bill No. 569, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing certain duties on the Governor, the Department of Forests and Waters adn the Department of Property and Supplies with reference to annual appropriations.

Mr. GELFAND from the Committee on Appropriations, reported as committed, House bill No. 570, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), requiring the Board of Finance and Revenue to make and certify certain annual reports to the Governor.

Mrs. PASHLEY from the Committee on State Government, reported as committed Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code" authorizing occupation taxes to levied and collected and limiting the levy and collection of certain taxes.

BILLS ON FIRST READING

Agreeably to Order,

The House proceeded to the first reading and consideration of House bill No. 140, entitled:

An Act amending the act of June 13, 1883 (P. L. 122), entitled "A supplement to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, providing for the improvement, amendment and alteration of the charters of corporations of the second class, * * *" removing a provision relating to construction of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1535) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College * * *" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 262, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), extending provisions to out-of-state services.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 263, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to Adoption," authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 297, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the appointment of personnel in institutions within the Department of Public Welfare.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 310, entitled:

An Act repealing section 6 of the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 336, entitled:

An Act repealing the act of May 24, 1917 (P. L. 266), entitled "An act regulating the packing of apples, providing penalties for violations, and imposing certain duties upon the Department of Agriculture."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 340, entitled:

A Supplement to the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168), extending the provisions of the act to govern the rights, duties, and obligations of nonprofit hospital and other health care employers and their employees; * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 341, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), granting credit for prior school service upon certain additional payments into the fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 365, entitled:

An Act authorizing political subdivisions of the Com-

monwealth to avail themselves of services offered by the State Civil Service Commission, in connection with the employment of personnel for civil defense purposes.

And said bill having been read at length the first time, Orderd, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 366, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing the bag limit in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 376, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 388, entitled:

An Act amending the Act of May 29, 1945 (P. L. 1134), entitled, "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland, the Commonwealth of Virginia and the District of Columbia, which, together with three members to be appointed by the President of the United States, shall constitute the Interstate Commission on the Potomac River Basin * * *," providing for the appointment of alternate members and conferring additional powers upon the Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 390, entitled:

An Act repealing the act of July 29, 1953 (P. L. 996), entitled, as amended, "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study, investigation and legislative recommendations relating to the drainage of anthracite mines; * * *."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 395, entitled:

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor, and fixing fees for the recording thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 428, entitled:

An Act amending "The Vehicle Code: approved April 29, 1959 (P. L. 58), redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing; providing for the designation of inspection stations for trucks and truck tractors; permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren; prohibiting parking in certain additional places; extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 442, entitled:

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286) permitting certain minors to be employed as caddies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 450, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Secretary of Forests and Waters and the Governor, to grant and convey a certain tract of land to the Borough of Ebensburg.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 451, entitled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township, Juniata Count, for State forest administrative purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 452, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 461, entitled:

An Act authorizing the conveyance of certain lands in

Leidy Township, Clinton County, to the government of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 480, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), by continuing the provisions of section 211.1 in effect for a further period.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 529, entitled:

An Act amending the act of March 15, 1899 (P. L. 8), entitled "An act to regulate the manner in which appropriations to educational, penal, reformatory, charitable, benevolent, or eleemosynary institutions shall be paid," further providing for reversion of unexpended balances of sums approprpiated for specific purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 568, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing for the payment of expenses related to investments from interest earnings of the fund; providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth; and providing for annual crediting of certain funds to the contingent reserve account.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 569, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing certain duties on the Governor, the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 570, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), requiring the Board of Finance and Revenue to make and certify certain annual reports to the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code," authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 115, entitled:

An Act amending the "Bedding and Upholstery Law," approved May 27, 1937 (P. L. 926), by extending the coverage to stuffed toys.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 189, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring immunization against poliomyelitis and imposing duties on school directors, superintendents, principals and other persons in charge of public, private, parochial and other schools.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be referred to the Committee on Public Health and Sanitation, House Bill No. 196, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prohibiting unprotected, abandoned or operative quarries or drainage ditches as determined by the Department of Labor and Industry in places accessible to children.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 199, entitled:

An Act providing group hospitalization contracts and benefits for State employes, the cost thereof to be divided between the Commonwealth and such employes, and requiring the Executive Board to enter into the necessary contracts for such purpose.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 231, entitled:

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), authorizing cities, boroughs and townships to regulate and supervise the use of explosives for blasting.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Elections, House Bill No. 284, entitled:

An Act amending "The Permanent Registration Act of Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), authorizing registrars to visit the residence of certain ill, aged and disabled persons.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Elections.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Elections, House Bill No. 285, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), further regulating places of registration.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Elections.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 316, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines and prescribing permit fees; and providing penalties," prohibiting the sale or delivery of explosives to persons not complying with this act and imposing penalties and imposing additional duties on manufacturers.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 342, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting trade in decorations, paper wearing apparel, leis, hats and noise makers with paper fringe that are not of fire-resistant material and labeled as such.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FARABAUGH from the Committee on Agriculture and Dairy Industries, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 353, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), prohibiting the use of chemicals or other methods which kill the trees, grasses, shrubs or vines with which they come in contact along State highways.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 429, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the use of fire extinguishers containing carbon tetrachloride in fire apparatus providing penalties.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 466, entitled:

An Act regulating the manufacture of stuffed toys intended for sale, gifts, or use in Pennsylvania; * * *; providing for a disinfection of such material containing products of animal origin; providing penalties.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

Mr. RUDISILL from the Committee on Judiciary General, returned with the recommendation that it be re-referred to the Committee on Public Health and Sanitation, House Bill No. 505, entitled:

An Act proposing an amendment to article three, section eighteen of the Constitution of the Commonwealth of Pennsylvania, providing for grants to mentally and physically handicapped persons incapable of self-support.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Public Health and Sanitation.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, I would like to bring to attention of the Legislative Reference Bureau that on page 62 in the History of House Bills, under House bill No. 325, the record shows that the bill is moving on the calendar. That bill has never come out of committee. Will the House History please be corrected for next week?

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. A magnificient job has just been done by the Speaker pro tempore.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 3.

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States relative to the granting of electors of President and Vice-President to the District of Columbia.

HOUSE BILL No. 4.

A Joint Resolution proposing an amendment to article four section three of the Commonwealth of Pennsylvania making the Governor eligible to succeed himself for one additional term.

HOUSE BILL No. 98.

An Act amending the act of June 13, 1907 (P. L. 640) entitled An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled An act to provide for the incorporation and regulation of certain corporations' * * *" increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax.

SENATE BILL No. 136.

An Act amending the act of March 10, 1949 (P. L. 30) entitled Public School Code of 1949" increasing the debt limit of school districts of the first class.

SENATE BILL No. 137.

An Act amending the act of June 25, 1941 (P. L. 159) entitled "Municipal Borrowing Law" increasing the debt limit of school districts of the first class.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 218, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) requiring operators to drive on the right side of multiple lane divided highways and providing penalties.

The first section was read.

On the question,
Will the House agree to the section?
Mr. GAILEY offered the following amendment:

Amend Sec. 1 (Sec. 1004), page 2, line 8, by inserting after "highway" "or unless the proper authorities have designated a different part of the highway as the proper lane of travel.

It was agreed to.
The section was agreed to as amended.
The title was read.

On the question,
Will the House agree to the title?
Mr. GAILEY offered the following amendment:

Amend Title, page 1, last two lines of Title, by striking out 'requiring operators to drive on the right side of multiple lane divided highways" and inserting: "changing provisions requiring operators to drive on the right side of the highway."

It was agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 279, entitled:

An Act providing for the destruction of certain records and papers upon petition in townships of the first class.

The first section was read.

On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. LIPPINCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships for the purpose of further study.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 573, entitled:

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228) further regulating the time of making returns.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

The first section was read.

On the question,
Will the House agree to the section?
Mr. FINEMAN offered the following amendment:

Amend bill, page 2, by inserting after line 17:
"Section 2. This act shall take effect immediately."

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, at this point I would like to ask for a 30-minute caucus and ask the House members to take their calendars with them. To answer the question many people have asked, we will not break for lunch, going right through from our caucus back on the floor and completing the votes on the bills here today. I will, therefore, ask for a recess of 30 minutes at the proper time for a Democratic caucus and ask the membership to bring their House calendars with them.

REPUBLICAN CAUCUS

Mr AGNEW. I ask for a Republican caucus for the same length of time, to start in a very few minutes after we recess.

RECESS

The SPEAKER. The Chair, at the request of the respective floor leaders, declares a 30-minute recess.

The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. LUTTY for today because of illness.

Mr. Eilberg for Mr. DOUGHERTY for today because of illness.

Mr. Tompkins for Mr. HOCKER for today to attend funeral.

Mr. Tompkins for Mr. BOWMAN for today to attend funeral.

Mr. Tompkins for Mr. SELTZER for today to attend funeral.

Mr. Tompkins for Mr. ZIMMERMAN for today to attend funeral.

Mr. Tompkins for Mr. OGILVIE for today to attend funeral.

BILLS ON FINAL PASSAGE

Agreeably to order

The House proceeded to the consideration on final passage of House bill No. 20, entitled:

An Act providing for the determination of the date of injury damage or death in tort actions and requiring the prothonotary to add interest to awards and verdicts.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SHERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SHERMAN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, first two lines of Title, by striking out all of first and "in tort actions and requiring" in second line, and inserting: Requiring.

Amend Title, page 1, last line of Title, by inserting after "verdicts" in tort actions.

Amend Sec. 1, page 1, lines 1 to 3, page 2, lines 1 and 2, by striking out all of said lines.

Amend Sec. 2, page 2, line 3, by striking out "2" and inserting: 1.

Amend Sec. 2, page 2, line 4, by inserting after "awards" recovered in actions for death, personal injuries or damage to property caused by unlawful violence or negligence.

Amend Sec. 3, page 2, line 8, by striking out "3" and inserting: 2.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection,

House Bill No. 29, Printer's No. 654 and

House Bill No. 184, Printer's No. 518,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 302, entitled:

An Act amending the "Pennsylvania Fertilizer Law of 1956" approved May 29, 2956 (P. L. 1795) providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Adams,	Frascella,	Kramer,	Reidenbach,
Agnew,	Fulmer,	Lamb,	Renwick,
Anderson, J. H.,	Gailey,	Lawson,	Riley,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rovansek,
Arlene,	Gelfand,	Leonard,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibbons,	Lippincott,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Boles,	Gramlich,	Manbeck,	Shelton,
Bonner,	Gray,	Markley,	Sherman,
Bossert,	Gremminger,	Marsh,	Shupnik,
Bower,	Gross,	Maxwell,	Simmons,
Branca,	Guesman,	May,	Slack,
Breth,	Guthrie,	McCandless,	Snare,
Bush,	Hamilton,	McCann,	Stank,
Capano,	Hankins,	McCormack,	Steckel,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Clarke,	Henzel,	McNally,	Taylor,
Comer,	Holman,	Meholchick,	Thompson,
Cooley,	Horst,	Merry,	Tomascik,
Crossin,	Irvis,	Miller,	Tompkins,
Curwood,	Isaacs,	Monroe,	Trusio,
Davis,	Jenkins,	Morley,	Verona,
Dengler,	Jim,	Munley,	Wall,
Donaldson,	Johnson, R. P.,	Murphy,	Wargo,
Doughten,	Jones,	Musto,	Weidner,
Down,	Kamyk,	O'Donnell, J. A.,	Welsh,
Edwards,	Keiser,	Parlante,	Wescott,
Eilberg,	Kelly,	Pashley,	Whittaker,
Elvey,	Kernaghan,	Perry,	Willard,
Eshleman,	Kessler,	Petrosky,	Willaredt,
Farabaugh,	King,	Piper,	Williams, A. D.,
Fetterolf,	Kistler,	Polaski,	Wilt,
Filo,	Klein,	Polen,	Wood,
Fineman,	Knecht,	Prendergast,	Wynd,
Flynn,	Kooker,	Price,	Yetter,
Foor,	Kornick,	Pursley,	Zember,
Fox,	Korns,	Reibman,	Andrews, Speaker

NAYS—0

NOT VOTING—40

Blair,	Goodrich,	Mills,	Schuster,
Bowman,	Heffner,	Mullen,	Seltzer,
Buchanan,	Hocker,	Murray,	Strausser,
Dennison,	Holliday,	Needham,	Sullivan, T. F.,
Dougherty,	Johnson, A. W.,	O'Dell,	Ujobai,
Eshback,	Lee, K. B.,	O'Donnell, J. P.,	Varner,
Ewing,	Lutty,	Odorisio,	Walsh,
Foerster,	Magee,	Ogilvie,	Williams, E. S.,
Fry,	McDonald,	Royer,	Worley,
Gibb,	Mihm,	Rutherford,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I would like to interrogate the Minority leader.

The SPEAKER. Will the minority leader permit himself to be interrogated?

Mr. AGNEW. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. McCANN. Mr. Speaker, will the gentleman inform the House as to the position of the Republican caucus on House bill 132, printer's No. 686?

Mr. AGNEW. Mr. Speaker, the Republican House caucus requests that House bill 132, the library code bill, be held over until next week for a vote. We make this request of the majority leader.

Mr. McCANN. Will the gentleman agree that House bill 132, printer's No. 686, if held over, can be voted on Monday and will there be some votes for the bill?

Mr. AGNEW. We agree to vote on the bill Monday, but I cannot in good conscience commit any member of the minority to vote for the bill. The Republican members will be on their own. I understand that there is perhaps some sentiment for the bill and some against the bill, but I am in no position to inform the majority leader how many votes the bill may have on this side of the aisle, if any, but we will not make any postponing motion to a vote on the bill this coming Monday.

Mr. McCANN. Mr. Speaker, with the understanding, I believe, that there are some Republican votes for the bill on Monday, I will consent to pass the bill over so I will have those votes on Monday for the passage of the library bill which many members are for.

Mr. AGNEW. We sincerely thank the majority leader and assure him that the Republican members will be on their own in voting on House bill No. 132.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 132, Printer's No. 686

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 195, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing appropriations for mosquito control programs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Adams,	Fox,	Kornick,	Reibman,
Agnew,	Frascella,	Korns,	Reidenbach,
Anderson, J. H.,	Fulmer,	Kramer,	Renwick,
Anderson, S. A.,	Gailey,	Lamb,	Riley,
Ashton,	Gallagher,	Lawson,	Rovansek,
Auker,	Gelfand,	Lee, A. M.,	Rubin,
Bachman,	George,	Limper,	Rudisill,
Backenstoe,	Gibbons,	Lippincott,	Sakulsky,
Boles,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Bonner,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Branca,	Gremminger,	Maxwell,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Bush,	Guesman,	McCann,	Slack,
Capano,	Guthrie,	McCormack,	Snare,
Capitolo,	Hamilton,	McDevitt,	Stank,
Cauley,	Hankins,	McKeever,	Steckel,
Cianfrani,	Hartley,	McLaughlin,	Stiteler,
Clarke,	Haudenshield,	McNally,	Stone,
Comer,	Heavey,	Meholchick,	Sullivan, J. A.,
Cooley,	Helm,	Merry,	Taylor,
Crossin,	Henzel,	Miller,	Thompson,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvis,	Mullen,	Verona,
Donaldson,	Isaacs,	Munley,	Wall,
Doughten,	Jenkins,	Murphy,	Wargo,
Down,	Jim,	Musto,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Parlante,	Whittaker,
Eshback,	Keiser,	Pashley,	Willard,
Eshleman,	Kelly,	Perry,	Willaredt,
Farabaugh,	Kernaghan,	Petrosky,	Williams, A. D.,
Fetterolf,	Kessler,	Piper,	Wilt,
Filo,	King,	Polaski,	Wood,
Fineman,	Kistler,	Polen,	Wynd,
Flynn,	Klein,	Prendergast,	Yetter,
Foerster,	Knecht,	Price,	Zember,
Foor,	Kooker,	Pursley,	Andrews,
			Speaker

NAYS—0

NOT VOTING—44

Arlene,	Heffner,	McInroy,	Seltzer,
Blair,	Hocker,	Mihm,	Stimmel,
Bowman,	Holliday,	Mills,	Strausser,
Buchanan,	Johnson, A. W.,	Murray,	Sullivan, T. F.,
Cioffi,	Lee, K. B.,	Needham,	Tomascik,
Dennison,	Leonard,	O'Dell,	Ujobai,
Dougherty,	Lutty,	Odorisio,	Varner,
Ewing,	Magee,	Ogilvie,	Walsh,
Fry,	Markley,	Royer,	Williams, E. S.,
Gibb,	May,	Rutherford,	Worley,
Goodrich,	McDonald,	Schuster,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 276, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) further providing for the accepting of bids and the awarding of contracts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Adams,	Foor,	Kornick,	Pursley,
Agnew,	Fox,	Korns,	Reibman,
Anderson, J. H.,	Frascella,	Kramer,	Reidenbach,
Anderson, S. A.,	Fulmer,	Lamb,	Riley,
Arlene,	Gailey,	Lawson,	Rubin,
Ashton,	Gallagher,	Lee, A. M.,	Rudisill,
Bachman,	Gelfand,	Limper,	Sakulsky,
Backenstoe,	George,	Lippincott,	Scarcelli,
Boles,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Shelton,
Bossert,	Goldstein, M. H.,	Manbeck,	Sherman,
Bower,	Gramlich,	Marsh,	Shupnik,
Branca,	Gray,	Maxwell,	Simmons,
Breth,	Gremminger,	McCandless,	Slack,
Bush,	Gross,	McCann,	Snare,
Capano,	Guesman,	McCormack,	Stank,
Capitolo,	Guthrie,	McDevitt,	Steckel,
Cauley,	Hamilton,	McKeever,	Stiteler,
Cianfrani,	Hankins,	McLaughlin,	Stone,
Cioffi,	Hartley,	McNally,	Sullivan, J. A.,
Clarke,	Haudenshield,	Meholchick,	Taylor,
Comer,	Heavey,	Merry,	Thompson,
Cooley,	Helm,	Miller,	Tomascik,
Crossin,	Henzel,	Monroe,	Trusio,
Curwood,	Holman,	Morley,	Verona,
Davis,	Horst,	Mullen,	Wall,
Dengler,	Irvis,	Munley,	Wargo,
Donaldson,	Isaacs,	Murphy,	Weidner,
Doughten,	Jim,	Musto,	Welsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Edwards,	Jones,	O'Donnell, J. P.,	Whittaker,
Eilberg,	Kamyk,	Parlante,	Willard,
Elvey,	Keiser,	Pashley,	Willaredt,
Eshback,	Kelly,	Perry,	Williams, A. D.,
Eshleman,	Kernaghan,	Petrosky,	Wilt,
Farabaugh,	Kessler,	Piper,	Wood,
Fetterolf,	King,	Polaski,	Wynd,
Filo,	Kistler,	Polen,	Yetter,
Fineman,	Klein,	Prendergast,	Zember,
Flynn,	Knecht,	Price,	Andrews,
Foerster,	Kooker,		Speaker

NAYS—1

Auker,

NOT VOTING—45

Blair,	Jenkins,	Mills,	Seltzer,
Bowman,	Johnson, A. W.,	Murray,	Stimmel,
Buchanan,	Lee, K. B.,	Needham,	Strausser,
Dennison,	Leonard,	O'Dell,	Sullivan, T. F.,
Dougherty,	Lutty,	Odorisio,	Tompkins,
Ewing,	Magee,	Ogilvie,	Ujobai,
Fry,	Markley,	Renwick,	Varner,
Gibb,	May,	Rovansek,	Walsh,
Goodrich,	McDonald,	Royer,	Williams, E. S.,
Heffner,	McInroy,	Rutherford,	Worley,
Hocker,	Mihm,	Schuster,	Zimmerman,
Holliday,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 309, entitled:

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) defining certain terms.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority leader.

Mr. AGNEW. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Cambria, Mr. Farabaugh.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. FARABAUGH. I shall, Mr. Speaker.

The SPEAKER. The minority leader will proceed.

Mr. AGNEW. Mr. Speaker, I would ask the gentleman what is the purpose of this bill?

Mr. FARABAUGH. Mr. Speaker, the purpose of this bill is simply to include, or I should say, spell out in the present law what is actually being done now. The restrictions on page 2, line 4, are to prohibit the sale, possession, and use thereof in certain cases, and it goes on and spells out the cases where the use of it is prohibited. In addition to hotels, restaurants, dining rooms, boarding houses, it shall mean any public restaurant, lunch room, public institution and it has included clubs, schools and other institutions. In other words, the Department has understood the law in the past to mean such places and they have been enforcing the law on these schools and institutions because of the statement of public restaurants was considered the same and they have been enforcing it until now, but it was not in the law and it is in here for that purpose, to clarify it.

Mr. AGNEW. In other words, Mr. Speaker, you are merely amending the law to comply with departmental regulation?

Mr. FARABAUGH. Not necessarily, Mr. Speaker. The intent of the law was to do this, but it was not specified.

Mr. AGNEW. Mr. Speaker, would this bill increase the number of establishments in the Commonwealth that could not use oleomargarine colored?

Mr. FARABAUGH. Mr. Speaker, I would say no to that question, because the department has considered they were included now, but it has not been specified in there.

Mr. AGNEW. In other words, Mr. Speaker, this bill is merely to establish clearly what places cannot use colored margarine at the present time; is that right?

Mr. FARABAUGH. That is right.

Mr. AGNEW. In your opinion, Mr. Speaker, this bill would not increase the number of establishments that could not use colored margarine; is that correct?

Mr. FARABAUGH. That is correct.

Mr. AGNEW. I thank the gentleman.

The SPEAKER. For what purpose does the gentleman from York, Mr. Gross rise?

Mr. GROSS. I would like to interrogate the gentleman from Cambria, Mr. Farabaugh, Mr. Speaker.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. FARABAUGH. I shall, Mr. Speaker.

The SPEAKER. The gentleman from York will proceed.

Mr. GROSS. Mr. Speaker, May the public schools of Pennsylvania today use oleo?

Mr. FARABAUGH. Not to my knowledge, Mr. Speaker.

Mr. GROSS. Under this bill, may they use oleo?

Mr. FARABAUGH. No, not colored oleo.

Mr. GROSS. I beg to disagree with Mr. Farabaugh, Mr. Speaker. Today the public schools of Pennsylvania

are using colored oleo. The Federal Government appropriates and the free food bill grant covers oleo. It is being used. What I am interested in, Mr. Speaker, is will this bill change that in any way?

Mr. FARABAUGH. Mr. Speaker, I would say if they are using colored oleo at the present time they are violating the law because I believe under the intent of the law, where it said public restaurants or lunch places, that could be considered as a public lunch place.

Mr. GROSS. Mr. Speaker, I cannot agree with the gentleman, Mr. Farabaugh.

The SPEAKER. The gentleman is from Cambria. Neither can I.

Mr. FARABAUGH. My answer was, Mr. Speaker, that I believed if they were using it in public schools they were in violation of the present law because of—what is now in the law stating public restaurants and lunch places, and that could be considered as a public place in a public school.

Mr. GROSS. Mr. Speaker, I am a member of the school board in York County, Manchester School District, and in our school district oleo is being used in our schools today. What I want to know is, Mr. Speaker, will this bill in any way change that law, or change the procedure as used today?

Mr. FARABAUGH. Mr. Speaker, I would say it would change it if they have been using it as in the bill, schools or other institutions. I say further that they have been violating the law in using it at the present time.

Mr. GROSS. Mr. Speaker, the gentleman claims the law is now being violated. Under this bill do I have the assurance that there will be no oleo used in the public schools? Do I have that assurance?

Mr. FARABAUGH. Mr. Speaker, I do not believe I got that question.

Mr. GROSS. I am sorry. Mr. Speaker. Today there is oleo used in public school caferterias. Do I have the assurance that if I vote for this bill and this bill passes and becomes law there will be no oleo used in the public school cafeterias today?

Mr. FARABAUGH. Mr. Speaker, that is my opinion and the gentleman is right. I also believe they are violating the intent of the law by using it at the present time; that is, I speak of colored oleo.

Mr. GROSS. Thank you, Mr. Speaker.

The SPEAKER. The Chair also has to vote on this bill and will someone tell me so I can vote whether this bill continues present restrictions of whether it liberalizes restrictions as far as oleo is concerned?

On the question recurring,
Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 313, entitled:

An Act amending the "Soil Conservation Law" approved May 15, 1945 (P. L. 547) creating the State Soil and Water Conservation Commission and districts imposing powers and duties thereon * * * and making editorial corrections.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McNALLY. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for the purpose of further study.

The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 321, entitled:

An Act amending the act of March 22, 1907 (P. L. 31) entitled "An act to provide for the assignment of counsel in murder cases and for the allowance of expenses and compensation in such cases" extending the benefits of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—152

Agnew,	Fox,	Kooker,	Pursley,
Anderson, J. H.,	Frascella,	Kornick,	Reibman,
Anderson, S. A.,	Fulmer,	Kramer,	Reidenbach,
Ashton,	Gailey,	Lamb,	Riley,
Auker,	Gallagher,	Lawson,	Rovansek,
Bachman,	Gelfand,	Lee, A. M.,	Rubin,
Backenstoe,	George,	Limper,	Rudisill,
Boies,	Gibbons,	Lippincott,	Sakulsky,
Bossert,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Bower,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Branca,	Gramlich,	Manbeck,	Shelton,
Breth,	Gray,	Marsh,	Sherman,
Bush,	Gremminger,	Maxwell,	Simmons,
Capano,	Gross,	McCandless,	Snare,
Capitolo,	Guesman,	McCann,	Stank,
Cauley,	Guthrie,	McCormack,	Steckel,
Cianfrani,	Hamilton,	McDevitt,	Stone,
Clarke,	Hankins,	McInroy,	Sullivan, J. A.,
Comer,	Hartley,	McKeever,	Taylor,
Cooley,	Haudenshield,	McLaughlin,	Tomascik,
Crossin,	Heavey,	McNally,	Trusio,
Curwood,	Helm,	Meholchick,	Verona,
Davis,	Henzel,	Merry,	Wall,
Dengler,	Holman,	Miller,	Walsh,
Donaldson,	Horst,	Monroe,	Wargo,
Doughten,	Irvis,	Morley,	Weidner,
Down,	Isaacs,	Mullen,	Welsh,
Edwards,	Jim,	Musto,	Wescott,
Ellberg,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,
Elvey,	Jones,	O'Donnell, J. P.,	Willard,
Eshback,	Kamyk,	Parlante,	Willaredt,
Eshleman,	Keiser,	Pashley,	Williams, A. D.,
Farabaugh,	Kelly,	Perry,	Wilt,
Fetterolf,	Kernaghan,	Petrosky,	Wood,
Filo,	Kessler,	Piper,	Wynd,
Fineman,	King,	Polaski,	Yetter,
Flynn,	Kistler,	Polen,	Zember,
Foerster,	Klein,	Price,	Andrews, Speaker

NAYS—8

Foor,	Murphy,	Slack,	Thompson,
Korns,	Renwick,	Stiteler,	Tompkins,

NOT VOTING—48

Adams,	Goodrich,	May,	Rutherford,
Arlene,	Heffner,	McDonald,	Schuster,
Blair,	Hocker,	Mihm,	Seltzer,
Bonner,	Holliday,	Mills,	Shupnik,
Bowman,	Jenkins,	Munley,	Stimmel,

Buchanan,	Johnson, A. W.,	Murray,	Strausser,
Cioffi,	Knecht,	Needham,	Sullivan, T. F.,
Dennison,	Lee, K. B.,	O'Dell,	Ujobai,
Dougherty,	Leonard,	Odorisio,	Varner,
Ewing,	Lutty,	Ogilvie,	Williams, E. S.,
Fry,	Magee,	Prendergast,	Worley,
Gibb,	Markley,	Royer,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 326, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the annual vacation of police officers.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AGNEW. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Sakulsky.

The SPEAKER. Will the gentleman from Westmoreland, Mr. Sakulsky, permit himself to be interrogated?

Mr. SAKULSKY. I will, Mr. Speaker.

Mr. AGNEW. Mr. Speaker, there is a suspicion that this would give a three-week vacation instead of a two-week vacation to police officers in cities of the third class. Will the gentleman answer that question and, as briefly as possible, explain the purpose of the bill?

Mr. SAKULSKY. The purpose of the bill is to give the policemen 15 working days. At prseent they are getting 14 working days as a vacation. This is to add an additional working day to their vacation. The police work eight hours a day, five days a week, which is not more than 40 hours a week. At present they are getting 14 working days as a vacation.

Mr. AGNEW. Mr. Speaker, I refer the gentleman to page 2 of the bill. At the top of page 2, it says "14 days to 15 working days." I think the gentleman is in error. It does not merely add one working day. It is a matter of interpretation, is it not?

Mr. SAKULSKY. Mr. Speaker, it was 14 working days, and this bill gives them an additional working day on 15 working days. If you will look on page 3 you will see there "vacation of not less than fourteen." Then it is amended to 15 days working days.

Mr. AGNEW. If the gentleman will look at that language, the present law says "fourteen days." "Fourteen" is stricken out and "fifteen working" is substituted, so what we are doing is changing the !aw from 14 days to 15 working days. Are we not, in effect, going from a two-calendar week to 15 working days, or a three-calendar week?

Mr. SAKULSKY. That is correct.

Mr. AGNEW. We are giving the police officers an extra week's vacation?

Mr. SAKULSKY. We are not giving them an extra week's vacation; we are giving them an extra day's vacation.

Mr. AGNEW. Is the gentleman stating that the present interpretation of the act is 14 working days?

Mr. SAKULSKY. No, the present act takes 14 days.

Mr. AGNEW. Well, is that 14 calendar days or 14 working days?

Mr. SAKULSKY. Fourteen working days is what the police are getting at present. This will add an additional working day. At present the following cities are giving 15 working days to the police: Williamsport, Altoona, Harrisburg, York, Erie, McKeesport, and Chester.

Mr. AGNEW. In other words then, under the present law, 14 days is universally interpreted as 14 working days?

Mr. SAKULSKY. That is correct.

Mr. AGNEW. And the purpose of this bill is to add one more working day so they can have a full three weeks' vacation; is that correct?

Mr. SAKULSKY. That is correct.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—151

Adams,	Foor,	Kornick,	Prendergast,
Agnew,	Fox,	Korns,	Price,
Anderson, J. H.,	Frascella,	Kramer,	Reibman,
Anderson, S. A.,	Fulmer,	Lamb,	Reidenbach,
Arlene,	Gailey,	Lawson,	Renwick,
Ashton,	Gallagher,	Lee, A. M.,	Riley,
Auker,	Gelfand,	Limper,	Rovansek,
Bachman,	George,	Lippincott,	Rubin,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Rudisill,
Boies,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Gray,	Manbeck,	Scarcelli,
Bossert,	Gremminger,	Marsh,	Shelton,
Bower,	Gross,	Maxwell,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Slack,
Capano,	Hamilton,	McCormack,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McInroy,	Steckel,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Clarke,	Holman,	McNally,	Taylor,
Comer,	Horst,	Meholchick,	Tomascik,
Cooley,	Irvis,	Merry,	Trusio,
Crossin,	Isaacs,	Miller,	Verona,
Curwood,	Jenkins,	Monroe,	Wall,
Dengler,	Jim,	Mullen,	Walsh,
Donaldson,	Johnson, R. P.,	Munley,	Wargo,
Doughten,	Jones,	Murphy,	Weidner,
Down,	Kamyk,	Musto,	Welsh,
Eilberg,	Keiser,	O'Donnell, J. A.,	Whittaker,
Elvey,	Kelly,	O'Donnell, J. P.,	Willard,
Eshback,	Kernaghan,	Parlante,	Willaredt,
Eshleman,	Kessler,	Pashley,	Wood,
Farabaugh,	King,	Perry,	Wynd,
Filo,	Kistler,	Petrosky,	Yetter,
Fineman,	Klein,	Piper,	Zember,
Flynn,	Knecht,	Polaski,	Andrews,
Foerster,	Kooker,	Polen,	Speaker

NAYS—9

Davis,	Gibbons,	Pursley,	Wescott,
Edwards,	Gramlich,	Tompkins,	Williams, A. D.,
Fetterolf,			

NOT VOTING—48

Blair,	Henzel,	Mills,	Simmons,
Bowman,	Hocker,	Morley,	Stimmel,
Buchanan,	Holliday,	Murray,	Stiteler,
Bush,	Johnson, A. W.,	Needham,	Strausser,
Dennison,	Lee, K. B.,	O'Dell,	Sullivan, T. F.,
Dougherty,	Leonard,	Odorisio,	Thompson,
Ewing,	Lutty,	Ogilvie,	Ujobai,
Fry,	Magee,	Royer,	Varner,
Gibb,	Markley,	Rutherford,	Williams, E. S.,
Goodrich,	May,	Schaaf,	Wilt,
Haudenshield,	McDonald,	Schuster,	Worley,
Heffner,	Mihm,	Seltzer,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Schaaf, arise?

Mr. SHAAF. Mr. Speaker, although I am not recorded on the last roll call, I would like the record to show that I am present in the hall of the House.

Thank you.

The SPEAKER. It is shown that way in the record.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 331, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145), authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—160

Adams,	Flynn,	Kooker,	Pursley,
Agnew,	Foerster,	Kornick,	Reibman,
Anderson, J. H.,	Foor,	Korns,	Reidenbach,
Anderson, S. A.,	Fox,	Kramer,	Renwick,
Arlene,	Frascella,	Lamb,	Riley,
Ashton,	Fulmer,	Lawson,	Rubin,
Auker,	Gailey,	Lee, A. M.,	Rudisill,
Bachman,	Gallagher,	Limper,	Sakulsky,
Backenstoe,	Gelfand,	Lippincott,	Scarcelli,
Boles,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Bonner,	Goldstein, J. H.,	Long, Wm. Jos.,	Shelton,
Bossert,	Goldstein, M. H.,	Manbeck,	Sherman,
Bower,	Gramlich,	Marsh,	Shupnik,
Branca,	Gray,	Maxwell,	Slack,
Breth,	Gremminger,	McCandless,	Snare,
Bush,	Gross,	McCann,	Stank,
Capano,	Guesman,	McDevitt,	Steckel,
Capitolo,	Guthrie,	McInroy,	Stone,
Cauley,	Hamilton,	McKeever,	Sullivan, J. A.,
Cianfrani,	Hankins,	McLaughlin,	Taylor,
Cioffi,	Hartley,	McNally,	Tomascik,
Clarke,	Heavey,	Meholchick,	Tompkins,
Comer,	Helm,	Merry,	Trusio,
Cooley,	Holman,	Miller,	Verona,
Crossin,	Horst,	Monroe,	Wall,
Curwood,	Irvis,	Morley,	Walsh,
Davis,	Isaacs,	Mullen,	Wargo,
Dengler,	Jenkins,	Munley,	Weidner,
Donaldson,	Jim,	Murphy,	Welsh,
Doughten,	Johnson, R. P.,	Musto,	Wescott,
Down,	Jones,	O'Donnell, J. A.,	Whittaker,
Edwards,	Kamyk,	O'Donnell, J. P.,	Willard,
Eilberg,	Keiser,	Parlante,	Willaredt,
Elvey,	Kelly,	Pashley,	Williams, A. D.,
Eshback,	Kernaghan,	Perry,	Wilt,
Eshleman,	Kessler,	Petrosky,	Wood,
Farabaugh,	King,	Piper,	Wynd,
Fetterolf,	Kistler,	Polaski,	Yetter,
Filo,	Klein,	Polen,	Zember,
Fineman,	Knecht,	Price,	Andrews, Speaker

NAYS—1

Prendergast,

NOT VOTING—47

Blair,	Henzel,	Mihm,	Simmons,
Bowman,	Hocker,	Mills,	Stimmel,
Buchanan,	Holliday,	Murray,	Stiteler,
Dennison,	Johnson, A. W.,	Needham,	Strausser,
Dougherty,	Lee, K. B.,	O'Dell,	Sullivan, T. F.,
Ewing,	Leonard,	Odorisio,	Thompson,
Fry,	Lutty,	Ogilvie,	Ujobai,
George,	Magee,	Rovansek,	Varner,
Gibb,	Markley,	Royer,	Williams, E. S.,
Goodrich,	May,	Rutherford,	Worley,
Haudenshield,	McCormack,	Schuster,	Zimmerman,
Heffner,	McDonald,	Seltzer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. For what purpose does the gentleman from Cambria rise?

Mr. ROVANSEK. Twice I pressed my button on voting "aye" and it kicked off and voted "no."

I would like to be recorded as voting "aye" on that bill.

The gentleman will be so recorded and the journal will so note.

BILL PASSED OVER

There being no objection

House Bill No. 343, Printer's No. 372

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 346, entitled:

An Act amending the "Intangible Personal Property Tax Law" approved June 17, 1913 (P. L. 507), authorizing assessment of decedent's property for five years prior to the date in which death occurs.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—156

Adams,	Foerster,	Knecht,	Polen,
Agnew,	Foor,	Kooker,	Price,
Anderson, J. H.,	Fox,	Kornick,	Pursley,
Anderson, S. A.,	Frascella,	Korns,	Reidenbach,
Arlene,	Fulmer,	Kramer,	Riley,
Ashton,	Gailey,	Lamb,	Rovansek,
Auker,	Gallagher,	Lawson,	Rubin,
Bachman,	Gelfand,	Lee, A. M.,	Rudisill,
Backenstoe,	George,	Limper,	Sakulsky,
Boles,	Gibbons,	Lippincott,	Scarcelli,
Bonner,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Bossert,	Goldstein, M. H.,	Long, Wm. Jos.,	Shelton,
Bower,	Gramlich,	Manbeck,	Sherman,
Branca,	Gray,	Marsh,	Shupnik,
Breth,	Gremminger,	Maxwell,	Slack,
Bush,	Gross,	McCandless,	Snare,
Capano,	Guesman,	McCann,	Stank,
Capitolo,	Guthrie,	McCormack,	Stiteler,
Cauley,	Hamilton,	McDevitt,	Stone,
Cianfrani,	Hankins,	McInroy,	Sullivan, J. A.,
Cioffi,	Hartley,	McKeever,	Taylor,
Clarke,	Heavey,	McLaughlin,	Tomascik,
Comer,	Helm,	Meholchick,	Tompkins,
Cooley,	Holman,	Merry,	Trusio,
Crossin,	Horst,	Miller,	Verona,
Curwood,	Irvis,	Monroe,	Wall,
Dengler,	Isaacs,	Morley,	Walsh,
Donaldson,	Jenkins,	Mullen,	Wargo,
Doughten,	Jim,	Munley,	Weidner,
Down,	Johnson, R. P.,	Murphy,	Welsh,
Edwards,	Jones,	Musto,	Whittaker,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Willard,
Elvey,	Keiser,	O'Donnell, J. P.,	Willaredt,
Eshback,	Kelly,	Parlante,	Williams, A. D.,

Eshleman,	Kernaghan,	Pashley,	Wilt,
Fetterolf,	Kessler,	Perry,	Wood,
Filo,	King,	Petrosky,	Wynd,
Fineman,	Kistler,	Piper,	Zember,
Flynn,	Klein,	Polaski,	Andrews, Speaker

NAYS—5

Farabaugh,	Prendergast,	Renwick,	Yetter,
McNally,			

NOT VOTING—47

Blair,	Henzel,	Mills,	Steckel,
Bowman,	Hocker,	Murray,	Stimmel,
Buchanan,	Holliday,	Needham,	Strausser,
Davis,	Johnson, A. W.,	O'Dell,	Sullivan, T. F.,
Dennison,	Lee, K. B.,	Odorisio,	Thompson,
Dougherty,	Leonard,	Ogilvie,	Ujobai,
Ewing,	Lutty,	Reibman,	Varner,
Fry,	Magee,	Royer,	Wescott,
Gibb,	Markley,	Rutherford,	Williams, E. S.,
Goodrich,	May,	Schuster,	Worley,
Haudenshield,	McDonald,	Seltzer,	Zimmerman,
Heffner,	Mihm,	Simmons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, I rise to make an announcement. Perhaps I should wait for the announcement of the roll call.

Mr. Speaker, I understand there is only one other piece of business to be conducted and that is the adding of amendments to correct an amendment that was made yesterday.

For the information of the members who desire to go to Philadelphia by train, the train is being held and will be held until 3 o'clock. So you have about nine minutes to get to the railroad station.

Mr. McCANN. A free ride to Philadelphia!

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 355, Printer's No. 477,
House Bill No. 356, Printer's No. 478,
House Bill No. 387, Printer's No. 424,
House Bill No. 400, Printer's No. 437 and
House Bill No. 416, Printer's No. 453

were passed over at the request of the SPEAKER.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House Bill No. 53, Printer's No. 53, on page 6 of today's calendar, bills on third reading postponed.

BILL ON SECOND READING

Mr. McCANN. Mr. Speaker, I call up on page 2 of today's calendar, bills on second reading, Senate Bill No. 178 for reconsideration and amendment.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. Kornick offered the following amendments:

Amend Sec. 1 (Sec. 35), page 2, by inserting between lines 13 and 14: The respective taxing authorities shall meet at the call of the county commissioners at a time prior to the last day permitted by law for the fixing of the tax collectors' commisions and shall severally agree at that time to the commission, salary or wages to be paid the tax collector.

Amend Bill, page 2, by inserting after line 17:

Section 2. Section 36.1 of the act, added May 16, 1951 (P. L. 314), is amended to read:

Section 36.1. When any taxing district or taxing authorities propose to either raise or reduce the compensation or salary for the office of an elected tax collector, such action shall be by ordinance or resolution, finally passed or adopted at least [ten] two days prior to the last day fixed by law for candidates to withdraw their names from nomination previous to the day of the municipal election.

Section 3. This act shall take effect immediately.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. McCORMACK from the Committee on State Government, reported as committed, House Bill No. 249, entitled:

An Act amending the act of May 24, 1893 (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," authorizing an increase in the minimum pensions of policemen in cities of the first class in certain cases.

Mr. McCORMACK from the Committee on Judiciary, reported as committed, House Bill No. 394, entitled:

An Act amending the "Uniform Acknowledgment Act," approved July 24, 1941 (P. L. 490), deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgments of written instruments may be made before certain officers * * *.

Mr. McCORMACK from the Committee on Appropriations, reported as committed, House Bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current

and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, * * *" authorizing powers conferred by the act to be done on a fiscal period basis, and changing the amount of money which may be borrowed, and providing two additional methods of borrowing money.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 249, entitled:

An Act amending the act of May 24, 1893 (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," authorizing an increase in the minimum pensions of policemen in cities of the first class in certain cases.

And said bill having been read at length the first time.

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 394, entitled:

An Act amending the "Uniform Acknowledgement Act," approved July 24, 1941 (P. L. 490), deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowlegements of written instruments may be made before certain officers * * *.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes, * * *" authorizing powers conferred by the act to be done on a fiscal period basis, and changing the amount of money which may be borrowed, and providing two additional methods of borrowing money.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, February 28, 1961.

The untimely death of Congressman Walter M. Mumma has deprived his constituents of an able and conscientious public servant who labored unceasingly and faithfully for his people and the principles in which he believed.

Long identified with and active in public affairs both as a successful businessman and public office holder, upon his election to Congress Mr. Mumma retired from business and devoted himself exclusively to the duties of that office.

Warm of personality, deeply concerned with the problems facing our Nation and with a devotion to service for his people exceeded by none, his death has created a deep sense of loss to all those he served; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania pause in its deliberations in honor of the memory of Walter M. Mumma, a sincere devoted and courageous public servant of those whom he so ably represented, and be it further

Resolved, That a copy of this resolution be transmitted to his son, Robert M. Mumma and members of his family residing at Wormleysburg, Pennsylvania and that a copy be transmitted to his brother, Harold Mumma of Allentown, Pennsylvania.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 101, 128 and 153.

Mr. McCANN. Mr. Speaker, I would like to file the following statement for the record:

Although this Chamber has grown accustomed to the usual amount of demagoguery in its time, I think we would have to go back a long way to top the performance of the minority leader yesterday.

Through his complete failure to understand the duties of the chief executive of this State, the minority leader has succeeded in twisting the facts to suit his imagination.

I do not object to constructive criticism on the part of the minority leader. It would be helpful, however, if he would make at least an attempt to understand his subject before he starts talking.

The minority leader yesterday launched an attack on the man who now occupies the Governor's chair. It was an ill-considered attack, most notable for its misinformation.

First of all, the minority leader seems to think that the Governor of Pennsylvania, once elected, should imprison himself in the office next door to this chamber. He is wrong.

I believe—and I am sure all of us here in this House believe—that a man is elected Governor of Pennsylvania to serve all of the people. He is not elected Governor of Harrisburg or Pittsburgh or Philadelphia, or any other single community.

It seems perfectly logical to me that a good Governor should try to meet and talk with the people instead of cooping himself up in his office or in a mansion far-removed from them.

Let the record show that this is the kind of Governor David L. Lawrence has been and will continue to be.

No other Governor in the history of this Commonwealth has worked harder, spent longer days, met with more of the people he is representing or visited more of Pennsylvania's communities. The dedication and high sense of purpose Governor Lawrence has brought to his office are well known to all of us. More important, they are well known to the people in every county of this State.

Governor Lawrence is not the kind of man who is satisfied to manage the affairs of State government without knowing, first hand, what the Commonwealth's problems are. It is because of this that he has traveled to so many of our communities, talked before so many local groups and listened to the ideas of so many local citizens.

David Lawrence has taken the Governor's Office where it is needed and where it really belongs—back to the people. He has tried, in every way possible, to tell the story of our State government—what it has done, is doing

and must do—in our local communities. He has made it his business to find out what is happening in State agencies at the local level. Through visits to mental hospitals, vocational rehabilitation centers, our depressed areas, the redevelopment projects of our cities and towns, he has gained a personal knowledge of Pennsylvania unparalleled by any man who has previously held this office.

In December of last year, the Associated Press carried a story—written by Richard L. Graves, a distinguished reporter, well known to the members of this House—which presented, very clearly, the facts about Governor Lawrence's many appearances in local communities. That article said, and I quote:

"In the 23 months he has been in office, Lawrence has made a total of 353 speeches in 135 cities. Most of the appearances have been in Pennsylvania; 21 have been in other States or foreign countries. The totals do not count brief appearances at such things as political rallies or as a guest at civic affairs."

I anticipate that the esteemed minority leader may seize this opportunity to make one of his usual sarcastic remarks about speech-making. I would remind him, therefore, that in each of those 353 appearances, Governor Lawrence was attempting to bring the people of one community closer to their government. In many of them he was taking an active part in helping the people of a community to help themselves—through their local welfare drives, through the dedication of new public facilities, through the establishment of industrial development organizations.

I believe that this is a vital function of an effective Governor. He must direct the affairs of the Commonwealth, of course. But there is far more to this leadership than sitting in an office here in Harrisburg.

This Commonwealth needs a dynamic man in the Governor's Office; a man who is willing to sacrifice endless amounts of time and energy to solve the many problems with which we are confronted. Pennsylvania has such a man, right now, in David L. Lawrence.

I was somewhat shocked by the minority leader's pious announcement that he intends to "keep a record" of what the Governor is doing. I was even more shocked by the deliberately misleading comment in his attack that the people would be "shocked" to discover how little time our Governor has spent in Harrisburg during the first two months of this year."

If the minority leader is really interested in what the Governor has done since the first of the year, and I have little reason to believe that this was a sincere call for information, then I am sure he will find these figures revealing.

Since January 1, 1961, the record shows that Governor Lawrence has spent 31 working days in Harrisburg, 9 days in the Governor's office at Pittsburgh, 6 days in our Nation's Capitol, and one day each in Philadelphia, Detroit and Charleston, West Virginia.

In addition to the many meetings he has held, during daytime hours, in his office, the Governor has added many hours at night—sometimes working a 16-hour day—for visits to adjoining communities such as Lebanon and Mechanicsburg.

It should be obvious—even to the most petty partisan—that the Governor has spent most of his time, by far, in his office here in Harrisburg. During those days he was here he has met with hundreds of people. He has taken part in dozens of conferences, ranging from the presentation of farm safety awards to vital conferences on industrial development.

He has held seven conferences with the members of the working press. He has called three special conferences—for explanation of the budget, to set up an emergency program for Civil Defense and other agencies in the event of Spring floods on our streams and rivers, and in an effort to prevent the loss of the Ford plant in Chester.

I have not, incidentally, included Sundays in these totals. I have assumed—correctly, I hope—that even such a zealous time-study man as the esteemed minority leader will grant a Governor the right to spend some hours with his family and friends.

During the days and months ahead, I hope that the minority leader will come to a greater understanding of the role public servants must play in their relationship to the people. The days have long since passed us by when we could think of a Governor—or a lawmaker, either, for that matter, as someone completely removed from the public.

There is a distinct political philosophy involved here—a philosophy on the part of this Governor, at least, that the people deserve to know about their government, what it is doing and what it hopes to accomplish.

The best way to communicate with people is still on a personal basis. Obviously, no governor can ever hope to fulfill that ideal completely—but in David Lawrence the people of Pennsylvania have a Governor who is willing to expend all his energy trying.

HOUSE RESOLUTION No. 13

Mr. McCANN. Mr. Speaker, I call up on page 7 of today's calendar, House resolution No. 13.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 16, 1961.

The "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), specified two groups of State employes having membership in the Pennsylvania State Employes' Retirement System and/or the Federal Social Security System as follows:

(1) Joint coverage group having integrated membership in the retirement system and the Federal Social Security System with reduced retirement contributions and consequent reduced retirement benefits.

(2) Single coverage group having membership in the retirement system only.

There are members of the single coverage group who are not excluded from social security coverage under the provisions of the Federal Social Security Act together with various members presently in the joint coverage group who would elect to enter a dual coverage group defined as having separate and complete membership in the retirement system and the Federal Social Security System with full contributions to both and without reductions in benefits from either system if such optional group were created therefore be it.

Resolved, That the Joint State Government Commission be directed to ascertain with the assistance and cooperation of all the departments, boards and commissions of the State government, the individual choice of each and every State employe if such options were granted.

HOUSE RESOLUTION No. 19

Mr. McCANN. Mr. Speaker, I call up House resolution No. 19.

The resolution was read, considered and adopted as follows:

In the House of Representatives, January 30, 1961.

Whereas, A considerable amount of inconvenience is occasioned by the tests being given by the State Police in compliance with the Governor's Safety Program in the Johnstown area. The main portion of this inconvenience stems from the fact that only a portion of these tests take place in State Police offices. In many instances these offices are inadequately equipped and their facilities limited to complete the tests therefore be it.

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Governor to establish centrally located stations with a physician in attendance qualified to complete the physical test. TESTS necessary to obtaining a drivers license and be it further:

Resolved, That these stations be equipped with the necessary facilities and adequate personnel to facilitate the completion of these tests AND THAT ONE OF THESE STATIONS BE LOCATED IN THE AREA OF THE CITY OF JOHNSTOWN and be it further:

Resolved, That a copy of this resolution be sent to the Governor.

HOUSE RESOLUTION No. 29

Mr. McCANN. Mr. Speaker, I call up House Resolution No. 29.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 14, 1961.

The last codifications of the insurance laws of this Commonwealth were enacted in 1921. Many laws on the subject of insurance have been enacted since that time. It is of great importance that the insurance laws be recodified and modernized therefore be it.

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study, investigate and recodify the insurance laws of this Commonwealth and be it further.

Resolved, That the Joint State Government Commission report to the 1963 session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

Ordered, That the Clerk present the same to the Senate for its concurrence.

RESOLUTIONS

Mr. J. A. O'DONNELL offered a resolution which was filed with the Clerk under the rules.

Mr. GAILEY offered a resolution.

The SPEAKER. Mr. Gailey, the Chair thinks that this particular resolution should be acted upon with a full House.

Mr. GAILEY. I regret, Mr. Speaker, that I had not called it to the attention of the Chair earlier in today's session. If the Chair so feels, of course, it shall lie over until the following week.

The SPEAKER. The resolution will be returned to the sponsor.

ADJOURNMENT

Mr. MANBECK. Mr. Speaker, I move that this House do now adjourn until Monday, March 6, 1961 at 3:30 p. m. e. s. t.

The motion was agreed to, and (at 3:02 p. m. e. s. t.) the House adjourned.

HOUSE SUPPLEMENT

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Farabaugh, Chairman, Prendergast, Vice Chairman, Yetter, Secretary, Cooley, Gray, Hamilton, Kamyk, McNally, Musto, Perry, Reibman, Rubin, Wargo, Ashton, Fox, Korns, Manbeck, McCandless, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Munley, Secretary, Boies, Eilberg, Gelfand, Hamilton, McCormack, Mihm, Mullen, Musto, Reidenbach, Wargo, Bower, Hocker, Johnson, A. W., Seltzer, Willaredt, Wilt, Wood.

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Parlante, Chairman, Clarke, Vice Chairman, Comer, Secretary, Bachman, Curwood, Gelfand, Guesman, Lutty, Mills, O'Donnell, J. A., Rubin, Sherman, Buchanan, Bush, Dengler, Goldstein, J. H., Gramlich, Keiser, Varner.

BOROUGHS

Filo, Chairman, Murphy, Vice Chairman, Klein, Secretary, Cooley, Farabaugh, Jenkins, Lawson, Long, Wm. James, Reibman, Sakulsky, Sullivan, J. A., Sullivan, T. F., Verona, Gross, Kernaghan, Kistler, Knecht Kooker, Simmons, Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Dougherty, Chairman, Mullen, Vice Chairman, Kelly, Secretary, Arlene, Branca, Comer, Doughten, Frascella, Limper, Rubin, Shelton, Sullivan, J. A., Anderson, J. H., Davis, Holman, Lee, A. M., Pursley, Williams, A. D., Zember.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

Lutty, Chairman, Jenkins, Vice Chairman, Cauley, Secretary, Clarke, Foerster, Irvis, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, M. H., Haudenshield, Kessler, King, Thompson.

CITIES—THIRD CLASS

Walsh, Chairman, Sakulsky, Vice Chairman, Verona, Secretary, Boies, Cioffi, Gailey, Gremminger, McDevitt, McDonald, Polaski, Tomascik, Trusio, (one vacancy—Majority), Down, Magee, Marsh, Miller, H. G., Ogilvie, Rutherford, Slack.

CONGRESSIONAL APPORTIONMENT

Sherman, Chairman, Lamb, Vice Chairman, Fry, Secretary, Comer, Frascella, Gremminger, Limper, O'Donnell, J. P., Reidenbach, Rovansek, Rudisill, Trusio, Bower, Henzel, Holliday, Horst, Johnson, A. W., Kernaghan, Weidner.

COUNTIES

Cioffi, Chairman, McDonald, Vice Chairman, McNally, Secretary, Farabaugh, Flynn, Foerster, Hankins, O'Donnell, J. A., Prendergast, Rovansek, Sakulsky, Scarcelli, (one vacancy—Majority), Down, Eshelman, Gibbons, Holliday, McCandless, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, S. A., Hamilton, Secretary, Capano, Eilberg, Fineman, Gailey, Irvis, Morley, Murray, Musto, Reidenbach, Sherman, Dengler, Eshleman, Fulmer, Goldstein, M. H., Helm, Henzel, Lee, A. M.

ELECTIONS

Eilberg, Chairman, Murray, Vice Chairman, Prendergast, Secretary, Capano, Gray, Klein, McDevitt, Monroe, Murphy, Pashley, Sullivan, J. A., Sullivan, T. F., Walsh,

Bowman, Dengler, Dennison, Edwards, Varner, Wall, Zember.

FISHERIES

Jim, Chairman, Schaaf, Vice Chairman, Gremminger, Secretary, Curwood, Kelly, Long, Wm. James, Meholchick, O'Donnell, J. A., Riley, Schuster, Shelton, Shupnik, Yetter, Edwards, Gramlich, Merry, O'Dell, Stimmel, Willard, Zimmerman.

GAME AND CONSERVATION

Curwood, Chairman, Renwick, Vice Chairman, Cooley, Secretary, Doughten, Fry, Guesman, Hartley, Jim, Long, Wm. Joseph, Meholchick, Riley, Shupnik, Yetter, Ashton, Auker, Goodrich, Lee, K. B., McInroy, Snare, Willard.

HIGHWAYS

Comer, Chairman, Yetter, Vice Chairman, Cioffi, Secretary, Curwood, Filo, Fry, Heavey, Kornick, McNally, Munley, Murray, Stank, Stone, Walsh, Davis, Down, Eshleman, Fulmer, Lee, K. B., Merry, Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Heavey, Vice Chairman, Guesman, Secretary, Crossin, Doughten, Gremminger, Hankins, Hartley, Kelly, Kornick, Prendergast, Sakulsky, Shelton, Foor, Horst, Odorisio, Pursley, Stimmel, Stiteler, Willaredt.

JUDICIARY

Rudisill, Chairman, McCormack, Vice Chairman, Gelfand, Secretary, Eilberg, Fineman, Gailey, Irvis, Lamb, Murphy, Reibman, Schaaf, Sherman, Stone, Auker, Bowman, Donaldson, Heffner, Isaacs, Magee, Steckel.

JUDICIARY—SPECIAL

Leonard, Chairman, Branca, Vice Chairman, Clarke, Secretary, Cauley, Gray, Kramer, Mills, Riley, Tomascik, Welsh, Backenstoe, Bower, Holman, Johnson, R. P., Worley.

LABOR RELATIONS

Wargo, Chairman, McKeever, Vice Chairman, Sullivan, T. F., Secretary, Bonner, Branca, Flynn, Hartley, Lawson, Leonard, McLaughlin, Polaski, Rovansek, Welsh, Adams, Edwards, George Gramlich, Gross, Marsh, Rutherford.

LAW AND ORDER

Welsh, Chairman, Gailey, Vice Chairman, Hankins, Secretary, Hartley, Jenkins, Kramer, Long, Wm. James, Mills, Monroe, Mullen, Munley, Murray, Scarcelli, Foor, George, Gibb, Kessler, Strausser, Ujobai.

LEGISLATIVE APPORTIONMENT

Kornick, Chairman, Gelfand, Vice Chairman, Crossin, Secretary, Arlene, Cioffi, Filo, Gallagher, McKeever, Morley, Needham, Parlante, Schaaf, Stone, Ashton, Blair, Goldstein, M. H., Weidner, Willaredt, Williams, A. D., Williams, E. S.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Flynn, Secretary, Boies, Capitolo, Maxwell, Mills, Rubin, Schuster, Stank, Taylor, Trusio, Wargo, Anderson, J. H., Bossert, Elvey, Eshback, Manbeck, Piper, Steckel.

MILITARY AFFAIRS

Needham, Chairman, Arlene, Vice Chairman, Anderson, S. A., Secretary, Capitolo, Crossin, Kamyk, Limper, Long, Wm. Jos., McKeever, Meholchick, Mihm, Scarcelli, Shupnik, Adams, George, May, Ogilvie, Price, Snare, Stiteler.

MINES AND MINERAL INDUSTRIES

Rovansek, Chairman, Bonner, Vice Secretary, Murphy, Secretary, Crossin, Kornick, McDonald, Meholchick, Needham, Stank, Verona, Buchanan, Dennison Ewing, Knecht, Varner.

MOTOR VEHICLES

Limper, Chairman, McLaughlin, Vice Chairman, Cianfrani, Secretary, Bachman, Capitolo, Cauley, Filo, Frascella, Kelly, Lawson, McNally, Renwick, Taylor, Dennison, Ewing, Gibb, Guthrie, Lippincott, Markley, O'Dell.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Gallagher, Vice Chairman, Capitolo, Secretary, Cauley, Cianfrani, Hankins, Jim, Jones, Klein, Long, Wm. James, McDonald, Riley, (one vacancy—Majority), Blair, Bowman, Bush, Fetterolf, Gibbons, Isaacs, May.

PROFESSIONAL LICENSURE

Boies, Chairman, Pashley, Vice Chairman, Shupnik, Secretary, Clarke, Fineman, Jones, Klein, Maxwell, McCormack, O'Donnell, J. P., Parlante, Perry, Schaaf, Haudenshield, King, Kooker, Piper, Simmons, Slack, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Monroe, Vice Chairman, Jones, Secretary, Bachman, Gray, Lawson, O'Donnell, J. A., O'Donnell, J. P., Polen, Sullivan, T. F., Backenstoe, Fox, Henzel, Kistler, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Mills, Chairman, Cianfrani, Vice Chairman, Kramer, Secretary, Gallagher, Hamilton, Heavey, Lutty, Maxwell, O'Donnell, J. A., Pashley, Taylor, Tomascik, Bossert, Guthrie, Heffner, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Gallagher, Secretary, Arlene, Boies, Guesman, Long, Wm. Joseph, McDivitt, Shelton, one vacancy—Majority), Isaacs, McInroy, Miller, H. G., Wall, Worley.

RULES

McCann, Chairman, Agnew, Andrews, Eilberg, Helm, Kamyk, Dougherty, Musto, Petrosky, Tompkins.

STATE GOVERNMENT

Fineman, Chairman, Foerster, Vice Chairman, Pashley, Secretary, Anderson, S. A., Kramer, Lutty, McCormack, Perry, Polaski, Polen, Reidenbah, Renwick, Rudisill, Donaldson, Price, Royer, Stimmel, Strausser, Williams, E. S., Wood.

TOWNSHIPS

Flynn, Chairman, Trusio, Vice Chairman, Farabaugh, Secretary, Bachman, Cooley, Fry, Jim, Jones, Kornick, Morley, Renwick, Rudisill, Verona, Eshback, Goodrich, Horst, Johnson, R. P., Korns, Odorisio, Wescott.

WAYS AND MEANS

Kamyk, Chairman, Frascella, Vice Chairman, McLaughlin, Secretary, Foerster, Heavey, Mihm, Morley, Munley, Musto, O'Donnell, J. P., Perry, Polen, Wargo, Davis, Ewing, Guthrie, Johnson, A. W., Ogilvie, Price, Royer.

WELFARE

Stone, Chairman, Munley, Vice Chairman, Bonner, Secretary, Anderson, S. A., Capano, Doughten, Kamyk, Lamb, Leonard, Long, Wm. Jos., Monroe, Mullen, Musto, Auker, Elvey, Markley, Miller, Ujobai, Weidner, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Irvis, Vice Chairman, Sullivan, J. A., Secretary, Bonner, Branca, Cianfrani, Jenkins, Limper, McDevitt, McKeever, Rovensek, Tomascik, Welsh, Blair, Buchanan, Goldstein, J. H., Keiser, McInroy, Wescott, Zember.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA. MONDAY, MARCH 6, 1961. No. 24.

SENATE

MONDAY, MARCH 6, 1961.

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (W. J. Lane) in the Chair.

PRAYER

The Chaplain, DOCTOR A. DIXON ROLLIT, D. D., Rector of The Church of the Ascension, Pittsburgh, offered the following prayer:

Almighty God, in Whom we live and move and have our being, Thou Who alone gavest us the breath of life and alone canst keep alive in us all holy desires, be present we beseech Thee at this Session of the Senate. Touch our minds that we may be freed from all thoughts of weakness, fear and defeat, and be filled with Thy gift of peace. Touch our hearts that we may be filled with new love of Thee and of this Nation and, in particular, those who have entrusted us with the responsibility of government. Touch our souls and so refresh them that we may, in drawing nearer to Thee, draw near also to one another and be sensitive to the kinship which we have with one another as Thy servants.

As we enter upon the tasks of this week, make us patient in argument, charitable in judgment and slow to wrath; that always guided by Thy spirit of wisdom, we may be saved from all false choices; that in Thy light we may see light and in Thy straight path, may we not stumble.

Thus in tune with Thee and in peace and harmony, one with another, may all that we say and do strengthen our faith in Thee and in Thy will and purpose for the peoples of this Commonwealth and Nation. We ask it in Thy name. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. BERGER and Mr. McGINNIS, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, due to illness.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILLS

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, advising that the following Senate Bills had been approved and signed by the Governor: **SB 53, 136** and **137.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

BANKING BOARD

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Francis B. Nimick, Jr., President, Dollar Savings Bank, Pittsburgh, Allegheny County, for appointment as a member of the Banking Board, until September 1, 1965, and until his successor is duly appointed and qualified, vice Francis P. Burns, Melrose Park, deceased.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF YOUTH DEVELOPMENT CENTER AT CANONSBURG

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. Dardanell, 625 Burton Drive, Pittsburgh 35, Allegheny County, for reappointment as a member of the Board of Trustees of Youth Development Center at Canonsburg, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Helen Guthrie Krause, 821 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the

Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert E. Lynn, 486 Revere Terrace, Warminster, Bucks County, for appointment as Justice of the Peace in and for the Township of Warminster, Bucks County, to serve until the first Monday of January 1962, vice Claude L. Kern, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford V. Groy, 1023 Weiss Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Mrs. Dorothy E. Ditzler, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas M. DiNunzio, 907 Kiner Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Herbert E. Ditzler, resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 195, 276, 326** and **331,** which were referred to the Committee on Local Government.

He also presented for concurrence **HB 302,** which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 321** and **346,** which were referred to the Committee on Judiciary General.

HOUSE CONCURRENT RESOLUTION REFERRED TO COMMITTEE

He also presented for concurrence House Concurrent Resolution **No. 29,** which was referred to the Committee on Insurance.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, one of the tremendous problems facing this Legislature today, the Legislatures of every State and the Federal Government, is the cost of education.

Thousands of young boys and girls throughout this Commonwealth are looking forward daily with eagerness to the development of their minds, the betterment of their economic standing in life and a secure and happy future in this State. In order to bring about the fine hopes of these young people, Mr. President, we, as, Legislators, must do all in our power to economically keep down the soaring costs of education while providing the greatest number of our youngsters with the finest educational tools that we can provide.

While glancing over the appropriations to the State-aided institutions in the area of West Philadelphia, I was amazed at the amount of the taxpayers' money appropriated to the University of Pennsylvania in relation to the high rate of tuition charged there for the children of Pennsylvania citizens. During the past ten years, approximately forty million of taxpayers' dollars have been expended for this private corporation, while its tuition rate has glaringly risen out of proportion to the point where it now costs a Pennsylvania student on the average of $1,500 per year to attend this university.

Moreover, and economically more important, Mr. President, is the fact that thirteen million more taxpayers' dollars have been channeled to this institution by the General State Authority during the past two years.

This university has also made the request for an additional $35,000,000 in General State Authority aid during the next four years, which is a grand total, Mr. President, of approximately eighty-eight million of Pennsylvania taxpayers' dollars that will flow into this private corporation.

I do not feel that this money, Mr. President, is being judiciously or wisely appropriated. Very few boys and girls in West Philadelphia can afford to go to this university. Very few boys and girls in Philadelphia can afford to pay this high rate of tuition, and very few Pennsylvanians will be able to attend this institution in the future.

My question to this Legislative Body, Mr. President, is: Can this money be more wisely used? My answer is yes. Some of this money could be put to far better use. In this regard, I am reading in place and presenting to the Chair a bill for a State College to be located in West Philadelphia as a fine addition to that redevelopment project in Philadelphia, known as University City. Such a college would permit lower-cost education to the taxpayers; would permit thousands of boys and girls—Pennsylvania's future leaders—to gain an education with less concern and worry over skyrocketing tuition costs; and would permit mothers and fathers of large families to rest easier in their growing concern as to how they can provide their children with the necessary education of today.

BILLS INTRODUCED AND REFERRED

Mr. McCREESH presented to the Chair **SB 326,** entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," bringing State colleges within the scope of the act and increasing the powers and the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 327,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," creating a Fourteenth State College District in Philadelphia County and making editorial changes.

Which was committed to the Committee on State Government.

He also presented to the Chair **SB 328,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for a board of trustees for the West Philadelphia State College.

Which was committed to the Committee on State Government.

Messrs. PECHAN and KROMER presented to the Chair **SB 329,** entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "Bituminous Coal Open Pit Mining Conservation Act," providing that forfeitures for failure or refusal to comply with requirements for back-filling and planting shall, upon request, be made available to county commissioners for performance of such acts, subject to rules and regulations of the Department of Mines and Mineral Industries.

Which was committed to the Committee on Mines and Mineral Industries.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President, during the past very bad snowy, icy weather, there was a situation in the Commonwealth that showed a need for correction. I am specifically referring to the fact that under the State highway laws, it is legal and mandatory for the State Highways Department to clear the roads and to apply abrasive materials to highways in first and second class townships and boroughs, but not in third class cities.

Many of our first class townships are much larger than our third class cities. Accordingly, I am going to introduce a bill today—and I hope it comes to this floor for debate and I hope we can pass it—to direct the Secretary of Highways to plow the roads of snow in third class cities. These are State Highways. I cannot see why a snowplow comes up to the boundary of a third class city, raises its plow, proceeds through the third class city, and then commences plowing again on the other side.

Mr. President, at this time I present to the Senate this bill and other bills.

BILLS INTRODUCED AND REFERRED

Messrs. BELL and WARE presented to the Chair **SB 330,** entitled:

An Act amending the act of June 1, 1945 (P. L. 1242), entitled "State Highway Law," placing responsibility upon the department for the plowing and removal of snow from and application of anti-skid material on streets designated as State highways within third class cities.

Which was committed to the Committee on Highways.

Messrs. BELL, WARE and HAWBAKER presented to the Chair **SB 331,** entitled:

A Joint Resolution proposing an amendment to article fourteen, section two of the Constitution of the Commonwealth of Pennsylvania, providing for the filling of vacancies in county offices by the court of common pleas of the county in which the vacancy occurs.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. BELL, WARE and KELLER presented to the Chair **SB 332,** entitled:

An Act prohibiting the civil arrest of any person for the failure to pay a tax, a penalty for a tax, or file a tax return.

Which was committed to the Committee on Judiciary General.

Mr. BELL presented to the Chair **SB 333,** entitled:

An Act prescribing the courts in which actions against officers or agencies of the Commonwealth may be instituted.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 334,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitlde "Liquor Code," excepting certain clubs from the quota limitations.

Which was committed to the Committee on Law and Order.

Messrs. SEYLER and VAN SANT presented to the Chair **SB 335,** entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," providing for the allowance of handling and storage losses to dealers and extending certain provisions relating to the sale of liquid fuels to include dealers.

Which was committed to the Committee on Finance.

Mr. KROMER presented to the **Chair SB 336,** entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough, Indiana County.

Which was committed to the Committee on State Government.

Messrs. MURRAY, HALUSKA and CAMIEL presented to the Chair **SB 337,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," changing voting procedure for salary boards.

Which was committed to the Committee on Local Government.

Mr. FLACK presented to the Chair **SB 338,** entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; . . .," increasing the period of time during which a contributor may be reinstated.

Which was committed to the Committee on Local Government.

Mr. DONOLOW presented to the Chair **SB 339,** entitled:

An Act making an appropriation to the Academy of Vocal Arts, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. McCREESH presented to the Chair **SB 340,** entitled:

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employes' Retirement Board, and making an appropriation.

Which was committed to the Committee on Education.

Messrs. SARRAF and DEVLIN presented to the Chair **SB 341,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing licensees, manufacturers and their employes and agents to sponsor certain public relations activities.

Which was committed to the Committee on Law and Order.

Messrs. SARRAF, DEVLIN, PECHAN, CAMIEL and DONOLOW presented to the Chair **SB 342,** entitled:

An Act providing for the certification by the Secretary of Health of operators in responsible charge of water supply systems and water treatment plants; specifying the classifications of water supply systems and water treatments plants and the grades of certificates for operators thereof; requiring that only certified operators may operate certain plants and systems; providing for revocation and suspension of certificates; and providing for penalties and civil relief.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SARRAF, CAMIEL, PECHAN and DONOLOW presented to the Chair **SB 343,** entitled:

An Act amending the act of September 26, 1951 (P. L. 1539), entitled "The Analytical-Biochemical-Biological Laboratory Act," removing certain exemptions and providing for rules and regulations.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SARRAF, DEVLIN, PECHAN and DONOLOW presented to the Chair **SB 344,** entitled:

An Act providing for the certification by the Sanitary Water Board of operators in responsible charge of sewage treatment plants, specifying the classifications of sewage treatment plants and the grades of certificates for operators thereof, requiring that only certified operators may operate certain plants, providing for revocation and suspension of certificates, and providing for penalties and civil relief.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SARRAF, PECHAN and DONOLOW presented to the Chair **SB 345,** entitled:

An Act regulating sewage disposal systems and private water supplies in the interest of preserving the health of the people of the Commonwealth; requiring permits to be issued to persons installing sewage disposal systems or private water supplies; imposing certain duties on the Department of Health and on municipalities; and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. SARRAF presented to the Chair **SB 346,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," specifying more accurately the duties of coroners in issuing certificates of cause of death.

Which was committed to the Committee on Local Government.

Messrs. MURRAY, HAYS and KALMAN presented to the Chair **SB 347,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," by further defining distressed school districts.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, last week I introduced a bill, on behalf of myself and several other Senators, providing certain penalties relating to persons who had been either convicted or had been determined to be prone to the commission of certain sex crimes. At that time, Mr. President, I stated there was a law on the statute books of Pennsylvania, which there is, providing that the courts may sentence such an offender to life imprisonment. I understand, from interested persons, that many of these people who are sentenced for such crimes are paroled.

The bill which I am about to introduce, on behalf of myself, Senator Propert, Senator Kalman, Senator Lane and Senator Wade, would limit the power of the Parole Board to grant a parole in certain cases to such offenders.

BILLS INTRODUCED AND REFERRED

Messrs. BERGER, PROPERT, KALMAN, LANE and WADE presented to the Chair **SB 348,** entitled:

An Act amending the act of January 8, 1952 (P. L. 1851), entitled "An act providing for the sentencing of persons convicted of certain crimes to an indeterminate sentence having a minimum of one day and a maximum of life in certain cases; . . .," limiting the power of the Pennsylvania Board of Parole to parole or reparole persons sentenced under the act.

Which was committed to the Committee on Judiciary General.

Messrs. BERGER and WEINER presented to the Chair **SB 349,** entitled:

An Act making an appropriation to the Trustees of The Academy of Natural Sciences of Philadelphia to be used for salaries, supplies and equipment, and in providing certain services and facilities to the public and to students at all levels interested in scientific studies and research.

Which was committed to the Committee on Appropriations.

Messrs. WEINER, BERGER, SCOTT, VAN SANT, MURRAY, DiSILVESTRO, DONOLOW, KELLER, MULLIN and ROONEY presented to the Chair **SB 350,** entitled:

An Act to create a regional agency by intergovernmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin, for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat and public recreational facilities, and other purposes, and defining the functions, powers and duties of such agency.

Which was committed to the Committee on Forests and Waters, Game and Fish.

COMMUNICATION FROM THE GOVERNOR

REPORTED FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN. Mr. President, I would like to request unanimous consent to revert to the order of business of Reports from Committees.

The PRESIDING OFFICER. There being no objection, the gentleman may proceed.

Mr. DEVLIN. Mr. President, I report at this time, from the Committee on Executive Nominations, a communication from His Excellency, the Governor of the Commonwealth, recalling the nomination of Mrs. Elizabeth B. Wylam as a member of The Air Pollution Commission.

The Clerk read the communication as follows:

RECALLING THE NOMINATION OF MRS. ELIZABETH B. WYLAM AS A MEMBER OF THE AIR POLLUTION COMMISSION

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In accordance with the power and authority vested in me as Governor of the Commonwealth, I do hereby recall my nomination, dated January 3, 1961, for the confirmation of the appointment of Mrs. Elizabeth B. Wylam Wyndmoor, as a member of The Air Pollution Commission, from November 15, 1960, for a term of four years or until a successor is duly appointed.

I respectfully request the return to me of the message of nomination in the premises.

DAVID L. LAWRENCE.

NOMINATION BY THE GOVERNOR REPORTED FROM COMMITTEE

Mr. DEVLIN. Mr. President, I further report, from the Committee on Executive Nominations, the nomination of Mrs. Elizabeth B. Wylam and ask that it be read by the Clerk.

The Clerk read the nomination as follows:

MEMBER OF THE AIR POLLUTION COMMISSION

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate the following person:

(Mrs.) Elizabeth B. Wylam, Wyndmoor, from November 15, 1960, for a term of four years or until a successor is duly appointed.

DAVID L. LAWRENCE.

NOMINATION RETURNED TO THE GOVERNOR

Mr. DEVLIN. Mr. President, I move that the nomination just read by the Clerk be returned to His Excellency, the Governor of the Commonwealth.

Mr. MURRAY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. The nomination will be returned to the Governor.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President and Members of the Senate, I have already directed the attention of this Body to a condition which, in my opinion, does not appear to be conducive to good government.

There was a time when Senator Shapiro was the Secretary of Public Welfare. At that time, the Department undertook much to do. Now we are confronted with a whole empire. One of the component parts of this empire —and I do not want to now delve into whether that empire is being administered properly or not—deals with the problem of the aged. This matter, in forty other jurisdictions, is under the supervision of the Department of Public Health. Why, in Pennsylvania, it is under the Department of Public Welfare, I cannot comprehend. After all, it is not only a question of custodial care, but it is a question of medicine and geriatrics. When you have such a genius as Doctor Wilbar, then I believe he should be entrusted with that task.

Therefore, Mr. President, for this reason, I am presenting the following resolution, on behalf of myself and my colleague, Senator Kalman, for the Joint State Government Commission to undertake a study about the transfer of the Office for the Aging from the Department of Welfare to the capable, competent and learned hands of Doctor Wilbar.

Mr. President, I ask for the immediate consideration of this resolution.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO MAKE A STUDY OF NURSING HOMES AND HOMES FOR THE AGED

Messrs. STIEFEL and KALMAN offered the following resolution **(Serial No. 110),** which was read as follows:

In the Senate, March 6, 1961.

Whereas, There has been much discussion, more particularly during the last few years, on the problems facing the older portion of our population, especially in matters of health and of the most efficient method of meeting those problems.

There are only ten States at the present time, Pennsylvania included, that have old age homes and the attendant problems of the aging in the Department of Public Welfare. The question arises as to the feasibility of transferring these problems of the aged, including nursing homes and homes for the aged, from the Department of Public Welfare to the Department of Health, therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be instructed to make an immediate study of the problems of nursing homes, homes for the aged and all attendent problems now facing the Department of Public Welfare; also a study of the feasibility of transferring these prob-

lems, powers and duties to the Department of Health where they are located in the vast majority of states, and be it further

Resolved, That the Joint State Government Commission be instructed to complete its study as soon as possible and report to the General Assembly with its recommendations.

Mr. HAYS. Mr. President, I object to the immediate consideration of this resolution.

The PRESIDING OFFICER. The resolution is referred to the Committee on Public Health and Welfare.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, today funeral services were held for one of the best known men in Pennsylvania, who passed away at the great age of ninety-eight years. I am speaking of Senator Joseph R. Grundy, who has long been a public figure in the Commonwealth of Pennsylvania.

Although Senator Grundy was a controversial figure in Pennsylvania politics, I believe that no one will dispute the fact that he always had at heart the best interests of his community, his State and his Nation. It was his philosophy that what was good for Pennsylvania business, was good for Pennsylvania. He organized the Pennsylvania Manufacturers' Association for the protection of Pennsylvania business, its wages and its products.

I note, Mr. President, that in recent times I have received many communications from labor unions, endorsing the philosophy which was Senator Grundy's in the matter of protection by tariff against the encroachment of foreign products, produced at a low wage rate, in the United States.

Mr. President, it is not possible to spend a great deal of time in this Senate eulogizing a man whose career was such that many hours might be taken in so doing. However, I do believe that this Senate should take note of the passing of a great Pennsylvanian. Therefore, Mr. President, on behalf of Senator Taylor, Senator Keller and myself, I am offering this resolution.

SENATE RESOLUTION

TRIBUTE TO THE LATE SENATOR JOSEPH R. GRUNDY

Messrs. BERGER, TAYLOR and KELLER offered the following resolution **(Serial No. 19)**, which was read, considered and adopted:

In the Senate, March 6, 1961.

The death of Senator Joseph R. Grundy on March 3, 1961 brings to an end the life of one of the Commonwealth's outstanding citizens. Senator Grundy will long be remembered for his forceful and vigorous influence on the political history of this State.

His span of life covers almost a century of our State's history and his memory and influence will remain with us for many years to come. We do express our extreme regret in his passing. Many of us here knew him as a true friend. We knew him as a man always willing to lend a helping hand and do his share in any public service effort; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby expresses its extreme sorrow in the death of Senator Joseph R. Grundy and we hereby memoralize Senator Grundy for his many public services and his outstanding record as a citizen of this State.

BILLS INTRODUCED AND REFERRED

Messrs. McCREESH, WEINER, DONOLOW, McMENAMIN and SARRAF, by unanimous consent, presented to the Chair **SB 351**, entitled:

An Act amending the act of April 12, 19551 (P. L. 90), entitled "Liquor Code," authorizing licensed establishments to sell until two o'clock antemeridian on Sundays.

Which was committed to the Committee on Law and Order.

Messrs. RIPP, DEVLIN, SARRAF and STAISEY, by unanimous consent, presented to the Chair **SB 352**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," providing for payments into the county retirement fund by county employes for periods of employment by authorities created by counties of the second class.

Which was committed to the Committee on Local Government.

Messrs. DEVLIN, FLEMING and SARRAF, by unanimous consent, presented to the Chair **SB 353**, entitled:

An Act amending the act of April 14, 1949 (P. L. 482), entitled, as amended, "An act authorizing and requiring cities, boroughs, townships, municipal authorities and public utility companies engaged in the supplying of water, to shut off the supply of water for nonpayment of sewer, sewerage, or sewage treatment rentals, rates, or charges imposed by municipal authorities organized by counties of the second class, by cities of the second class, by cities of the second class A, by cities of the third class, by boroughs or by townships of the first or second class; . . .," clarifying the provisions for compensation to be paid to water supplying agencies for services performed by them.

Which was committed to the Committee on Local Government.

Mr. McMENAMIN, by unanimous consent, presented to the Chair **SB 354**, entitled:

An Act authorizing business corporations to amend their charters to be converted into nonprofit corporations with court approval and prescribing procedure.

Which was committed to the Committee on Corporations.

REPORTS FROM COMMITTEE

Mr. DEVLIN, by unanimous consent, from the Committee on State Government reported, as committed, **SB 113** and **258**, and **HB 44, 45, 46, 54** and **73.**

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, by unanimous consent, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

WORKMEN'S COMPENSATION REFEREE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Cartwright, 244 Center Street, Ridgway, Elk

County, for reappointment as a Workmen's Compensation Referee, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Fleckenstine, R. D. 2, Orangeville, Columbia County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Clarion State College:

Samuel N. Guiher, 246 Liberty Street, Clarion, Clarion County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

R. R. Whitmer, 6 North Eighth Avenue, Clarion, Clarion County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, St. Marys, Elk County, for reappointment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wesley Reitze, Mercer Pike, Meadville, Crawford County, for appointment as a member of the Board of Trustees of Edinboro State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Frank S. Holowach, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. O'Toole, 905 Alcoma Street, Sharon, Mercer County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick H. Fierro, Esq., 810 Rural Avenue, Williamsport, Lycoming County, for appointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Clarence B. Sholder, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lyle G. Hall, 602 Hyde Avenue, Ridgway, Elk County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 3, 1961.

Charles T. Douds, Samp Hill, from November 15, 1960, until July 1, 1962, and until his successor shall have been apponited and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jay Schroeder, Matamoras, Pike County, for appointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Harlan J. Crellin, Milford, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Polk State School:

Mrs. Esther Friel, R. D. 2, West Middlesex, Mercer County, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Mrs. Katherine H. Hinckley, Fredonia, whose term expired.

Edmund S. Finucane, 695 Fairfield Drive, Sharon, Mer-

cer County, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Peter J. Joyce, Sharpsville, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE CAMERON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Betty Moran (Democrat), R. D. 2, West Creek, Emporium, Cameron County, for appointment as a member of the Cameron County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Ellen Shafer, Sinnemahoning, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Virginia E. Heath, Osceola Mills, from December 29, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lee Andring (Democrat), Marienville, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Pearly Kifer, Marienville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Hamner Preston (Democrat), 920 High Street, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Helen McGowan, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda Werner (Democrat), 110 West Eighth Street, Watsontown, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Grace Best, Milton, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Mable E. Moran (Democrat), Dushore, Sullivan County, for appointment as a member of the Sullivan County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Stephen Chervak, Mildred, whose term expired.

DAVID L. LAWRENCE.

BILL INTRODUCED AND REFERRED

Mr. MULLIN, by unanimous consent, presented to the Chair **SB 355,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the issuance of special registration plates and providing additional fees.

Which was committed to the Committee on Highways.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. RIPP, that the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

WORKMEN'S COMPENSATION REFEREE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Cartwright, 244 Center Street, Ridgway, Elk County, for reappointment as a Workmen's Compensation Referee, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF BLOOMSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Carl H. Fleckenstine, R. D. 2, Orangeville, Columbia

County, for reappointment as a member of the Board of Trustees of Bloomsburg State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Clarion State College:

Samuel N. Guiher, 246 Liberty Street, Clarion, Clarion County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

R. R. Whitmer, 6 North Eighth Avenue, Clarion, Clarion County, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward J. Crowe, 502 Church Street, St. Marys, Elk County, for reappointment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF EDINBORO STATE COLLEGE

January 3, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wesley Reitze, Mercer Pike, Meadville, Crawford County, for appointment as a member of the Board of Trustees of Edinboro State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Frank S. Holowach, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James L. O'Toole, 905 Alcoma Street, Sharon, Mercer County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick H. Fierro, Esq., 810 Rural Avenue, Williamsport, Lycoming County, for appointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Clarence B. Sholder, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF LOCK HAVEN STATE COLLEGE

February 1, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lyle G. Hall, 602 Hyde Avenue, Ridgway, Elk County, for reappointment as a member of the Board of Trustees of Lock Haven State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF THE PENNSYLVANIA STATE UNIVERSITY

January 3, 1961.

Charles T. Douds, Camp Hill, from November 15, 1960, until July 1, 1962, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jay Schroeder, Matamoras, Pike County, for appointment as a member of the Board of Trustees of Farview State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Harlan J. Crellin, Milford, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of Polk State School:

Mrs. Esther Friel, R. D. 2, West Middlesex, Mercer County, until the third Tuesday of January 1963, and until her successor is appointed and qualified, vice Mrs. Katherine H. Hinckley, Fredonia, whose term expired.

Edmund S. Finucane, 695 Fairfield Drive, Sharon, Mercer County, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Peter J. Joyce, Sharpsville, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE CAMERON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate

Mrs. Betty Moran (Democrat), R. D. 2, West Creek, Emporium, Cameron County, for appointment as a member of the Cameron County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Ellen Shafer, Sinnemahoning, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE CLEARFIELD COUNTY BOARD OF ASSISTANCE

January 3, 1961.

(Mrs.) Virginia E. Heath, Osceola Mills, from December 29, 1960, until December 31, 1961, and until her successor is duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE FOREST COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Lee Andring (Democrat), Marienville, Forest County, for appointment as a member of the Forest County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Pearly Kifer, Marienville, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE LYCOMING COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Agnes Hamner Preston (Democrat), 920 High Street, Williamsport, Lycoming County, for appointment as a member of the Lycoming County Board of Assistance, until December 31, 1961, and until her successor is duly appointed and qualified, vice Mrs. Helen McGowan, Williamsport, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE NORTHUMBERLAND COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Hilda Werner (Democrat), 110 West Eighth Street, Watsontown, Northumberland County, for appointment as a member of the Northumberland County Board of Assistance until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Grace Best, Milton, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE SULLIVAN COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Mable E. Moran (Democrat), Dushore, Sullivan County, for appointment as a member of the Sullivan County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Stephen Chervak, Mildred, whose term expired.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.:

YEAS—49

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stevenson,
Camiel,	Keller,	Pechan,	Stiefel,
Chapman,	Kessler,	Propert,	Stroup,
Confair,	Kromer,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Lane,
Hawbaker,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILL RECOMMITTED

HB 5—Mr. WEINER. Mr. President, I move that House Bill No. 5 Printer's No. 5, be recommitted to the Committee on Constitutional Changes and Federal Relations. I now yield to the Chairman of the Committee, Senator Mahady, who will make a brief statement on this bill.

Mr. MAHADY. Mr. President, this Joint Resolution to amend the Constitution is a prime example of the dangers involved in piecemeal amendment of the Constitution.

Actually, the Constitutional Commission recommended this piece of legislation so as to amend Article IV, Section 21. This comprises the complete recommendation of that commission. However, by Senate Bill No. 1, which was a Joint Resolution to amend the Constitution, we extended the term of the Secretary of Internal Affairs. That bill passed this Body and it is now in the House on the Calendar. By the passage of Senate Bill No. 1, the term of the Secretary of Internal Affairs will begin in January rather than in May.

If we would pass House Bill No. 5, we would eliminate the constitutional provisions for the Secretary of Internal Affairs, while at the same time we are trying to amend the Constitution to change the date that she takes office.

Therefore, to relieve this inconsistency we have now moved that House Bill No. 5, Printer's No. 5, be sent back to the appropriate committee, and I wish to second this motion for recommital.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I desire to interogate the gentleman from Westmoreland, Senator Mahady.

The PRESIDING OFFICER. Will the gentleman from Westmoreland, Mr. Mahady, permit himself to be interrogated?

Mr. MAHADY. I will, Mr. President.

Mr. FLEMING. Mr. President, I would like to ask the gentleman—and he probably did adequately explain it but it was not clear to me—how the passage of the other amendment would affect this one.

Mr. MAHADY. Mr. President, the passage of the amendment, which is Senate Bill No. 1, would purport to change the beginning of the term of the Secretary of Internal Affairs in the Constitution from May to January 1st.

At the same time, we brought to the floor House Bill No. 5. It was as much my mistake as anyone else's, because the committee which you sat upon—the Constitutional Revision Commission—recommended House Bill No. 5, and the effect of House Bill No. 5 would be to remove the Secretary of Internal Affairs as a constitutional office and leave the Secretary of Internal Affairs as an office. The only legislation applicable to it would be fixed by the Act of May 11, 1874, P.L. 135, 71 Purdon's Statute, Section 901. All that does is define when she would take office. It presumes that she is an officer. Therefore, the result would be if you put both of these on the ballot, one would be to abolish the office of Secretary of Internal Affairs as a constitutional office and the other to amend the Constitution changing only the time that she took office, which, to me, appears to be completely inconsistent.

If you have your little book from the committee on which you served, you will notice —

Mr. FLEMING. May we be at ease for a minute, Mr. President?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. FLEMING. Mr. President, I have had it explained to me by a nonlawyer, Senator Seyler, whom I highly recommend to the rest of the Senate when they have questions on the Constitution.

I have no objection, Mr. President, to the motion.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to and the bill was recommitted.

BILL OVER IN ORDER

SB 75—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BERGER. Mr. President, last week Senator Scott discussed this bill and stated, I think correctly, that although this amendment is a very desirable amendment, nevertheless, the original section of the Act needed considerable clarification. I am inclined to agree with him.

I understand that the amendments have not yet been prepared which would clarify this bill and, therefore, I am asking that the bill go over in order until they can be produced.

Mr. WEINER. Mr. President, I would be very happy to deliver to Senator Scott and Senator Berger a copy of a letter which was sent to me, after our discussion here on the floor. I tell you, with all due modesty, that the letter upholds the position taken by me. This makes the fact even stronger that you can perfectly well listen to me on these matters, which might appear to be confusing. I do think, in the interest of good legislation, this should have been a matter of a separate section and should have been produced in that instance. I think it would make it easier to read and easier to understand.

If we may be at ease for one moment, I would like to present this letter to Senator Scott.

Mr. SCOTT. Mr. President, before the Senate becomes at ease, I think it is very necessary for Senator Weiner to tell the Membership of the Senate who the letter happens to be from.

Mr. WEINER. Mr. President, I am sorry that I did not state so, but the letter came from the department from which I inquired about this matter. I realize that Senator Scott will not have the opportunity to read or peruse this letter and, therefore, I will ask that this bill go over in order at this time.

Mr. SCOTT. Mr. President, I would just like to comment that it is very understandable that the department would substantiate the position of the Majoriy Leader. However, that does not necessarily mean it is right.

Mr. WEINER. Mr. President, I made these remarks, not knowing what the position of the department was or would be. As you well realize, they do not have the Journal in front of them. Therefore, you can see that when two great opinions coincide, it can only lead to one thing and that is that we are telling the truth.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AMENDED

SB 79—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. MULLIN and WADE, by unanimous consent, offered the following amendment:

Amend Pg. 2, line 6, by adding at the end of the line, after the word "Any", the word:
"S T A T E"

On the question,

Will the Senate agree to the amendement?

Mr. SILVERT. Mr. President, I call upon the proponent of the amendment to explain to the Members of the Senate the import of this amendment. What does it do?

The PRESIDING OFFICER. Is the gentleman from Philadelphia, Mr. Silvert, desiring to interrogate the gentleman from Philadelphia, Mr. Mullin?

Mr. SILVERT. Mr. President, I do not desire to interrogate the gentleman. I am asking him to explain just what his amendment does.

Mr. MULLIN. Mr. President, the amendment is self-explanatory. It confines the activities of radar to State highways. That is all it does.

Mr. ROONEY. Mr. President, in Pennsylvania today, there are over 100,000 miles of roads. These are not only State roads, but every other kind of road in the Commonwealth.

If this amendment is accepted, Mr. President, it would

only cover 42,000 miles. How about the other 58,000 miles? We are looking for highway safety and radar is going to solve the problem. While good law enforcement will dictate the use of radar, primarily it will be used and will be handled with the State Police, exclusively. No other law enforcement agency in the Commonwealth will be permitted to use it.

Mr. WEINER. Mr. President, I think one of the other features which should be brought to the attention of the Members of the Senate is that suppose we do enact this amendment and suppose we do have 42,000 miles of highways which are covered by radar. Does that insure people? We are not only talking about the driver, but we are also talking about the people who use the highways. Some of the worst collisions that occur, causing great loss of lives, happen when somebody hits you head-on, coming from the opposite direction. You probably are operating your car in a safe manner, but some other person comes along and runs into you and hurts, maims or kills you.

There are many so-called rural highways which are not rural in nature. They come out of large cities, such as Philadelphia, Easton and so on and so forth, where people carry on drag racing. How would you prevent that from happening if, at a certain point, you cut this off? You are now giving license to other people to use this other area for whatever purposes seem to suit them best. They may or may not be picked up, but we certainly hope that they will. However, if you are going to afford this protection and you are going to have highway safety, is it not a good place to begin by having it all over? In other words, if it is good for one area of the Commonwealth, it should be good for the entire Commonwealth as a whole. If this method saves just one life, it will be worth all the money that we put into it, unless we are putting a value on what life is worth. Then we can equate it by the 11,000,000 people who live in Pennsylvania.

Mr. BERGER. Mr. President, this amendment seems to me to be well indicated in this bill. I think that the general understanding of the highway users as a whole, as to the intent of this radar regulation and use, is that it will be used on what is commonly known as the high speed highways. Those are always State highways. However, of course, I know there are other State highways which are not high speed. At the same time, Mr. President, I think that the State Police and the Radar Corps will have enough to do for a long period of years if they confine their activities with this radar to the State Highway System, even if it is only 42,000 miles.

It seems to me, Mr. President, that another amendment might well be put in this bill, although I admit it would be difficult to write it; namely, that the Commissioner of the State Police shall not take off from the regular patrol duties a number of State Highway Policemen to sit in radar-equipped cars to operate these speed-catchers. Certainly, we want to protect life on the highways. However, it is by no means certain, Mr. President, that this device is going to do anything like that.

I know that we all received a communication from the Pittsburgh Motor Club today on this subject. It may outline what apparently is the opinion of an authority on this; Doctor Kopper, of Johns Hopkins University. The testimony of Doctor Kopper is summarized in this communication. I am going to take time to read it, Mr. President, and it reads as follows:

"1. At the very best, there is confusion as to 'what car' reflected the radar microwaves.

"2. The machine reading varies with variations in the condition of the atmosphere.

"3. The time of the day affects the machine.

"4. The machine must be adjusted for every operation or setting and to be accurate must have a complete inspection at least every 30 days.

"5. The angle of the automobile and the radar machine influence the reading, as does the distance of the automobile.

"6. Vibrations, such as the rattling of keys or other loose instruments, including blowing leaves, a running dog, or a flock of birds, will momentarily actuate the machine; reflect or kill the energy waves.

"7. Radio resistance, such as aluminum foil on the bumper, has been used successfully to mislead the reading.

"8. If a wire, while in process of being connected, should fall on the wet ground, it might well affect the machine unless dried by a flame.

"9. The machine must be warmed for at least 30 minutes.

"10. A trained operator with the 'knack of manipulating the machine' is necesasry for consistent results.

"11. One Radar machine sells for from $1750 to $1800, not including station wagon or carrying equipment."

Mr. President, as I said before, I am not a very, very strong opponent of this device. However, I do think that it should be controlled and limited in every way possible, because it is going to introduce into the jurisprudence of Pennsylvania the use of evidence which has never been allowed in our courts; namely, the reading off of a machine. Under the testimony of this gentleman who testified, it, apparently, is a fallible device.

Therefore, Mr. President, I think that any restriction of a reasonable kind, such as is demonstrated by this amendment, should be adopted and placed in the bill.

Mr. WEINER. Mr. President, it seems to me that we are getting into an area here that is being classified as controversial, when I think it is simply that we relied very heavily on radar here in the last war, and this helped save lives of American Servicemen. It also has been used successfully—even at this late date—as part of our early warning system that we have set up around the Nation.

If radar has saved a single life, I think it is entitled at least to be tried. We are going to be in Session here for a little while, and we will be back here the following year and two years from today. If there are any additions or corrections to this problem, I think we can make them then. We ought not to be standing in the way of using new instruments that will help provide for the safety of all of the citizens of this State.

I must remind the gentleman that the reason it has not been used by our courts to the present date is that it is specifically outlawed in the Code. Therefore, anyone coming in with this information or this equipment could certainly be turned down.

Radar is used successfully in other States. It is used in mobile units. It has saved lives and kept speed down. It is hard for us to understand, sitting in the Senate, how some people get behind a wheel which has a great deal of power—more power than they will ever use in that car. Some of these individuals are people who probably do not have the ability to make fast decisions or use good judgment in situations where making fast decisions is

necessary when they have a great deal of power underneath them. The result has been the great number of people killed and maimed on our highways every year. If any instrument will help prevent this or will save the single life of any Pennsylvanian, I think by all means we ought to try it and not try to amend this vehicle today. I think today is as good a day as any to work on this problem and get it straightened out.

There will be a demonstration of this instrument tomorrow at 10:00 o'clock, and the Chairman of the Committee invites everyone to attend. Automobiles will be provided to take the Members to the demonstration so they can actually see radar in operation. I think to try to hit at this thing, or to try to serve people who do not understand what this problem is and who are trying to hit at it hard because they do not understand it inasmuch as it is a new piece of mechanism, is being unfair to the equipment involved and what it is trying to do.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, just one question in case I did not understand the statements that the gentleman just made.

Senator, do I understand that the installation and use of this radar device will assist in improving the reaction of persons who are driving high-powered cars and will prevent accidents which are the result of the inability of such persons to react?

Mr. WEINER. Mr. President, the answer to that question is that by installing these units to prevent people from driving at excessive speeds—or removing these people from the highways when they do exceed the safe limits—I think will not put the problem in the hands of the individual, but it will put another means at the disposal of the law enforcement agencies to prevent these people from having to make those kind of judgments or by using these instruments in their hands to injure themselves or someone else.

Mr. BERGER. Mr. President, I would like to be advised by the Majority Leader as to whom and what personnel will operate these radar units if they are approved.

Mr. WEINER. Mr. President, the State Police will operate these units, and I assume, as was done in the Army and Navy, they will be first trained in order to handle these units.

Mr. BERGER. In connection with the operation of the radar units, Senator, will that result in the removal from highway patrol of a certain number of personnel, as many as may be required to operate each unit?

Mr. WEINER. Mr. President, I would like to answer the question in this way. I am sure that some of the people probably now on patrol can be used to handle these units on the same basis that any kind of a watching mission is set up. I do not think that you will need as many people on the highways, if and when you have this unit, to help patrol the highways because if an officer notices a person on the screen who is in violation of the law, all he will have to do is transmit the message to the mobile unit which will pick up this motororist or prevent him from operating in this dangerous fashion.

I think it would operate in the same fashion, Senator, —if I may please compare it—as the policeman on the beat being replaced by the automobile and the radio unit. In this case, instead of a foot policeman running out to see what is the matter, a radio car is dispatched to the danger point or to whomever might need police assistance.

Mr. BERGER. Mr. President, without continuing this too long, I would remark here that from what I have understood and read in articles by police officials, the removal of the policeman on the beat has not been a complete blessing in a great many large cities, and that the substitution of policemen, sitting down in automobiles, has not resulted in the diminution of crime which might have been observed and prevented by a policeman on the beat. However, that has nothing to do with this bill, and I apologize for the digression.

At the same time, Mr. President, it would appear to me that the use of any number of units which would make this device at all effective on the highways will remove from active patrol a number of State Policemen.

Mr. President, I submit—and I believe this opinion is held by many others beside myself—that the presence of a highway patrol car, plainly marked upon our highways and at frequent intervals, has a very salutary effect upon the conduct of motorists on the highway. I know very well that when I see a highway patrolman on the highway, whether I am going forty-five, fifty or even fifty-five miles an hour, I look at the speedometer, adjust myself and wonder if I am doing anything wrong, and I think every other motorist has the same reaction.

Mr. SILVERT. Mr. President, in view of the fact that we are having a demonstration tomorrow on the use of radar, which is a very worth-while thing for the Senators to have before voting on this important measure, I would like to interrogate the gentleman from Philadelphia, Senator Mullin.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Mullin, permit himself to be interrogated?

Mr. MULLIN. I will, Mr. President.

Mr. SILVERT. Senator Mullin, in view of the fact that we are having a two-hour demonstration tomorrow on the use of radar, would you be willing to withdraw your amendment today and have the bill go over in order, with the privilege to you to renew it tomorrow so that we can all vote more intelligently after we have had the demonstration?

Mr. MULLIN. Mr. President, yes, I would object to withdrawing the amendment at this time. I do not see how the demonstration is going to have any effect on the proposal in this amendment.

Mr. SILVERT. Mr. President, I intend to vote against the amendment.

Mr. ROONEY. Mr. President, I should like to request a roll call on the amendment.

And the question recurring,

Will the Senate agree to the amendment?

Mr. WADE. Mr. President, we have already occupied a long time in discussing the addition of one word to this bill, and the Majority Leader has led the discussion quite beyond that amendment. However, he did in his discussion mention the fact that this machine was almost infallible.

I would like to quote—and I will be very brief—from the New York Daily News of March 19, 1960:

> "A lawyer and an electronics expert may have convinced the judge that police radar equipment for nabbing speeders is inherently unreliable, but the cops are thoroughly unconvinced, Police Commissioner Stephen A. Kennedy made it plain yesterday.
>
> "Motorist Charles A. Weil, of 100 Gold Street, had been stoped for speeding on the Long Island Expressway last October. A police radar or electranic speed-measuring device in a patrol car was used as evidence against him.
>
> "Weil hired a lawyer and brought in J. Kelly Johnson, New Canaan, Connecticut, an electronics expert, to testify in his behalf. Johnson said there were twenty-three possibilities of error in the police radar equipment."
>
> I repeat: "Johnson said there were twenty-three possible errors in the police equipment.
>
> "Johnson further testified that many police departments have discarded the electronic devices as unreliable."

I think if the Majority Leader, who stated a little while ago that most every State Police Department in the different States of the United States now use radar, will look into it, he will find this is not true. Only two or three States are currently using it, and the fatality rate of those States that are now using it has not been changed. As a matter of fact, the fatality rate went up in Virginia a year after they adopted the use of radar.

Now, Mr. President, we are all off the subject somewhat. We are discussing the use by the State Police on state highways only. Frankly, I think the amendment is a good one, and should be passed by this Body.

Mr. PECHAN. Mr. President, I do not want to prolong this debate or discusison. However, I would just like to say, in reply to the Majority Leader when he said it was a new device, that I feel that I should vote for Senator Mullin's amendment.

The Majority Leader also expressed the fact that we are coming back again next year. In view of the fact that this is a new device—something entirely new—and we have 42,000 miles to begin with, if it proves to be satisfactory, then we can go into these smaller township and other highways.

I want to remind the Senate that we have presently in Pennsylvania speed traps. We have in Pennsylvania some communities which do not have any taxes to pay, but derive all of their revenue from the collection of speed traps. I think this would just recommend to those communities the initiation of radar equipment to create even more of them. I think if we cover the 42,000 miles and see what experience we have, and if it is a good thing, then we can incorporate the other mileage.

Mr. WEINER. Mr. President, I have enough faith in the Members of the Senate and in the Commonwealth of Pennsylvania that if this matter does not prove to be well operated, and does not serve the purpose as indicated, I think we can then make additions and corrections at that point.

However, I think to start out a program where you are telling the people they cannot operate on a full-time basis, and that it can only be operated in certain limited areas, is sort of a mistake because I think everybody in the State of Pennsylvania is entitled to the full protection that this device can give them. If it proves, in fact, that it does not give them protection and that it is not operating properly, I think it ought to be removed completely, or perhaps just kept in certain areas.

I think to start out, we ought to put it into effect, let it operate and if it needs cutting back, I am sure that all of us here will be able, willing and happy to do that job if it needs doing.

Mr. BERGER. Mr. President, I doubt very much whether the Majority Leader intends for us to believe that 42,000 miles of road is a limited area, although that is what I understood him to say.

I do, however, desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would inquire of the Majority Leader whether or not he considers this device an infallible device, as he stated.

Mr. WEINER. Mr. President, if I ever stated that it was an infallible device, I was in error and, therefore, wish to correct the record.

This device is like all other devices, in that it is about ninety-eight per cent accurate. Any device is as good or as bad as the people who operate it. My experience with radar, I admit, was under some emergency circumstances. Many other people, who are sitting in this room, also had some use of it. Our commercial airlines use it today, and every day of the week. I have found that it does a pretty good job. I would say that if we can keep down the present accident rate which exists in Pennsylvania, reducing it by ninety-eight per cent, the device will be worth every penny that we ever put into it.

Mr. BERGER. Mr. President, again, I cannot let that statement go by.

Does the Majority Leader intend to imply or to state that the accident rate will be reduced by ninety-eight per cent by the use of radar?

Mr. WEINER. Mr. President, I believe the record will show that I did not say it would reduce the accident rate. I said it is hoped that if the instrument, which is ninety-eight per cent accurate, will also reduce our accident rate by ninety-eight per cent, I think we will be doing pretty well.

I would say to the gentleman that if we can reduce our accident rate even by one per cent or two per cent, by the use of this instrument, we should hasten to put it into effect immediately, unless there is a better system for so doing.

Mr. BERGER. Mr. President, I agree thoroughly with the gentleman. I believe that if we can reduce our accident rate at all, by the use of this instrument, we should use it. However, I do understand that the statistics do not bear out that assertion.

Just one more question and I am going to drop this, Mr. President. Can the gentleman state whether or not any tolerance will be permitted to the motorist in the use of this device which, admittedly, is not infallible?

Mr. WEINER. Mr. President, in order for the record to be very clear, it is my understanding and I have been

advised that the tolerance will be up to five miles above the speed limit. The police will not operate against anyone who goes five miles over the speed limit.

My understanding for that is that it might well be that the speedometer being used, or the method being used, may not be in close calibration in order to give you the accurate amount of mileage. Therefore, they are permitting this five-mile tolerance. Although this is not written into the bill, it is understood by the people who are going to enforce the law. I think that tolerance is in effect today on the Turnpike and on other roads patrolled by the State Police.

Mr. BERGER. I thank the gentleman, Mr. President.

Mr. WADE. Mr. President, some figures have just been quoted by the gentlemen in debate. I want to submit to the Members of the Senate that I have in my hand the latest report of the National Safety Council. I do not intend to read the entire report, but just let me quote the following:

"Pennsylvania's last rate "—given in this book—" in 1958 was 4.3."

That means, gentlemen, that that is the number of fatalities for 100,000,000 miles traveled.

Pennsylvania, I repeat, is 4.3. Maryland, New York, Ohio, West Virginia and Virginia are all around Pennsylvania and all use radar. Their rates are all higher than Pennsylvania's. Maryland is 4.9; New York, 4.7; Ohio, 4.8; West Virginia, 6.4; and Virginia, 5.7. All, I repeat use radar. All their fatality rates are higher than in Pennsylvania.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Mr. President, on the basis of the figures just given to us by the gentleman, is he stating to the Members of the Senate that if we install radar, then our accident and death rates will go up? Is that the result of those figures?

Mr. WADE. No, Mr. President. I make no predictions about the future, whatsoever. I do not pretend to have any knowledge of future accidents at all. However, I will repeat what I formerly said. Virginia's fatality rate went up the year after they adopted radar legislation.

Mr. WEINER. Mr. President, is it the contention of the gentleman that we do not introduce radar in Pennsylvania at all because our accident or fatality rate will go up after we do so? Is that the conclusion we are to draw from the figures the gentleman presented to the Senate?

Mr. WADE. Mr. President, that is not the conclusion which I intend. It is not the conclusion, whatever.

Mr. President, I shall attempt, when we are ready to pass this bill finally, to point out to the Members of the Senate the areas in which this is a very, very faulty device. I shall also point out that it is an ineffective device.

Does that answer the gentleman's question?

Mr. WEINER. Mr. President, does the gentleman have personal knowledge or any other material, from demonstrations which he has seen, which would bear out what he has just stated to us?

Mr. WADE. Yes, Mr. President. I call attention to a booklet, which I am sure the Majority Leader would find most interesting. It is a report on accident facts by the National Safety Foundation. It is a report which we all should study before we pass this legislation.

Mr. WEINER. Mr. President, is the gentleman stating to us that if I were to read this booklet—or any other Member were to read this booklet—I would come to the conclusion that we should be against the use of radar?

Mr. WADE. Yes, Mr. President. I maintain that the adoption of radar is a useless device which is more frequently abused than any other police tool or method which is known in the United States. Further, may I add—

Mr. WEINER. If the gentleman would merely answer my question, I will be glad for him to add anything additional.

Does the book state that we should not adopt radar? Is that the contention of the book?

Mr. WADE. I did not so state, Mr. President, and the gentleman knows that I did not so state.

I merely reported the record as it exists. A very distinguished gentleman from the Democratic Party said: "Let's take a look at the record." I say to the gentleman from Philadelphia today: "Let us take a look at the record before we step into the deep."

Mr. WEINER. Mr. President, would the gentleman please advise us as to who wrote this book? Would he also inform us as to where in the book it states that we should not adopt radar or that radar is bad or that we should be very cautious about the use of radar?

Mr. WADE. Mr. President, the gentleman is trying to put words into my mouth. I object to that. I do not try to do that to him.

However, I will give him this information. The National Safety Council's home office is 425 North Michigan Avenue, Chicago 11, Illinois. It was prepared by the Statistics Division and copyrighted by the National Safety Council in 1959. The copyrighting of this booklet is not intended to prevent its use on the Senate floor, I presume. Additional copies may be secured for $1.85. I am willing and anxious to furnish the gentleman with a copy of this report, even though it is a rather expensive document.

I do not know whether that answers the gentleman's question or not. Let me add further that the National Safety Council is made up of the police departments of all the States and all the large and reputable insurance companies of America, the motor clubs of Pennsylvania as a unit, the manufacturers of automobiles and others. I assure the gentleman that the information is most reliable. As a matter of fact, I think it is the most reliable source of this kind of information there is available in the United States.

Mr. WEINER. Will the gentleman tell us what the position of the National Safety Council is in regard to radar?

Mr. WADE. Mr. President, I have searched the record and I have never yet found any publication written by the National Safety Council or any other reputable information—gathering source which recommends radar. I can say that honestly.

Mr. WEINER. Mr. President, will the gentleman answer my question and advise us whether he knows of any publication put out by the National Safety Council which is against radar and states that it should not be used or that it should be handled with great care?

Mr. WADE. Mr. President, the National Safety Council purports to give us the facts. It does not tell us how to legislate or anything of the kind. It simply lays the facts before us. We can believe them or not. They are reputable facts and have not been faulty over the many years in which the National Safety Council has been established.

Mr. WEINER. Mr. President, I realize that it is going to be very difficult to receive an answer, but I am going to try.

After reading this booklet, Senator Wade, would you advise us not to vote for radar?

Mr. WADE. Yes, Mr. President. I sincerely hope that the Majority Leader will take my advice.

Mr. WEINER. Mr. President, will the gentleman please tell us what he bases his conclusions on?

Mr. WADE. Yes, Mr. President. I base my conclusions on the fact—and I shall lay my conclusions before the gentleman when we are ready to pass this bill finally—that I am against radar because of its abuse in many places. Secondly, and most important of all, I am against radar because of the fact that it does not show any improvement in the fatality rate of any State in the United States which uses it.

Mr. WEINER. After listening very carefully to everything Senator Wade said, I conclude that his intention is that if we introduce radar, then we will not reduce one single fatality on our highways. Is that correct?

Mr. WADE. Mr. President, that is my honest opinion. I believe that it will not be influential in reducing a single fatality in the Commonwealth of Pennsylvania.

Mr. WEINER. Would you say, as a result of its introduction in the Commonwealth of Pennsylvania, that we will not reduce a single accident, as a result of all your reading and investigation in this field?

Mr. WADE. As I said before, Mr. President, I cannot predict the future. However, my honest and sincere opinion is that it will not reduce or prevent a single accident in the Commonwealth of Pennsylvania.

Mr. WEINER. Mr. President, I want to thank the gentleman for his kind indulgence.

Mr. EHRGOOD. Mr. President, there were a few statements made which not only bothered me as a Legislator, but as an attorney. One is this matter of tolerance. If there will be, as reported in the newspapers throughout Pennsylvania, a five-mile tolerance, then I would assume and believe that all individuals in this Commonwealth will proceed on that basis. Unfortunately, I do not believe that all State Policemen operate in the same way.

I believe, further, that in a year or two, we may find that situation changed. I think it would be much better legislation if the Majority Leader, in making a statement on the basis of tolerance, would go ahead and introduce an amendment and proceed on the basis that the known certainty of the law is the safety of all.

Secondly, I cannot quite understand the Majority Leader stating that—after the amount of money which will be invested in a radar system and with the training of the State Police, equipment, and so forth and, as a matter of fact, I do not know how much money it is—we can come back in a year or two and then not abandon, but circumscribe or perhaps restrict the operation. This is not a very good legislative manner in which to proceed. I think that is a dangerous way in which to do it. I think it is a waste of money, particularly when we are in difficulties in our present Session.

Mr. ROONEY. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. ROONEY. Senator Wade, did you make the statement that no other State, using radar, has a lower death rate fatality percentage-wise than Pennsylvania?

Mr. WADE. No, Mr. President, I did not. I said that no State has reduced its fatality rate by the use of radar or after the radar was adopted.

Mr. ROONEY. Mr. President, I wonder whether Senator Wade would give the fatality death rate in the State of New Jersey. Would he please tell the Members of the Senate as to whether or not the State of New Jersey has radar?

Mr. WADE. Mr. President, I think it is common knowledge that the State of New Jersey uses radar. It has, for a number of years, had a very low mortality rate, even before it adopted radar.

Mr. ROONEY. Would the gentleman give us the mortality rate in the Commonwealth of Pennsylvania?

Mr. WADE. I do not have the figure for 1959 or 1960. However, the 1958 rate was 3.2.

Mr. ROONEY. The death rate for 1959 was 4.4, Mr. President, compared to a mortality rate in the State of New Jersey of 3.1. You may compare this figure with the fatality rate in the State of Connecticut,—and this State really set the pace for a highway safety program throughout the United States—which has a fatality rate of 2.6. I think this is largely because of a good, sound highway safety program, with radar as its cardinal part.

Mr. WADE. Mr. President, I do not know whether the gentleman is continuing his interrogation or not. However, unfortunately, he misquoted those figures, according to my 1958 results. He did not misquote them very much, but enough that they were misquoted. He quoted New Jersey as having 3.1 and Connecticut as having 2.6. The correct rates are 3.7 and 3.2.

Mr. MULLIN. Mr. President, I do not have much confidence in mortality rates and what causes them. However, I do know that in States where they have long, winding roads, and mountains and terrains are uneven, they are more likely to have accidents. Accidents are more apt to occur in Maryland, Pennsylvania and West Virginia than they are in level States, such as New Jersey, Connecticut and other States along the Seaboard. However, Mr. President, I do not understand where that has anything to do with this particular amendment. I am only asking that it be started out on the State highways, if it is going to be started at all. Forty-two thousand miles of highway gives us plenty of room to get a start in putting this program into effect.

The State Police are asking for 100 more State Policemen. If they are going to operate radar all over the Commonwealth, I suppose they are going to ask for more. Therefore, I think this amendment—considering the number of years they have been trying to obtain radar and trying to push it—should be adopted, if it will increase the chances of the bill to pass.

Mr. WEINER. Mr. President, I think for all of us to

follow—perhaps it is a little bit late for introducing this—what Senator Wade was reading to all of us here, this related to the motor vehicle death rates, by States, in 1959. This is mileage death rates; motor vehicle traffic death rates per 1,000,000 vehicle miles. Interestingly enough, the State which ranks highest in the entire Country, with the highest number of death rates—9.5 per 1,000,000 vehicle miles—is the State of Nevada. Nevada, as most of us realize, has many flat straightaway areas. People there probably do exceed the speed limits. There may be other reasons or variations for this, but they do have that high rating.

In Pennsylvania, we have 4.4; in New Jersey, 3.1. I am certainly willing to accept the amendment introduced by Senator Wade, who is very close and an expert on the subject. It might be 3.2 instead of 3.1 in New Jersey. He quoted to us that in West Virginia it was 6.6, which seems very high. However, they may have other problems in West Virginia.

If the gentleman does not want to answer this question, he does not have to. How much higher would this rate be without any radar at all? I think it would be considerably higher. Without anyone patrolling the highways or doing anything about it, people would just drive themselves to death. I think we should look into this matter as a new innovation in saving lives and preventing people from being killed. I think we should pass on this amendment in that vein and in that spirit.

Mr. HALUSKA. Mr. President, just to keep the record straight, I am liable to find myself now, as I found myself last week, voting "no" as one man.

I am against radar. I shall vote against the amendment and I intend to vote against the bill, unless I am convinced tomorrow by the demonstration.

Last week, we passed a bill here pertaining to brake linings. We gave one man in this Commonwealth the power to designate the type of brake lining we may use in the future. What about tires? What about used tires or recapped tires? Are they a safety factor? Yet, they pick out brake lining.

I agree with my colleague from Armstrong that you will set up more speed traps. This will become a police state. It appears that we are not worrying about safety, but how many people we can arrest. Every man on this Hill who possesses a badge, in all departments, has one thought in mind; namely, who can I arrest today? Pennsylvania is fast but surely becoming a police state.

Therefore, Mr. President, I shall vote against the amendment and, no doubt, I shall stand alone by voting against the bill when it comes to final passage.

Mr. SEYLER. Mr. President, if the use of radar is worth adopting, it will be because we believe that it will deter excessive speeds and reckless driving. A lot of discussion has been put on that. This is really a question which I believe we should properly defer until tomorrow because it is the main question of the bill.

We are also going to have a demonstration tomorrow. However, if we can see that we may pass this bill tomorrow, —if those who are opposed to radar, as well as those who are for it, will concede that this bill may be passed tomorrow—then it seems to me that we will get back to the question which is before us as to what shall be contained in the bill. I think whether you are for radar or against radar, if the bill passes, you will want it to be an effective bill.

The question is here: What shall be the limit of the use of radar? I would like to call to the attention of all people here the fact that automobiles will go just as fast on a narrow township road as they will go on the broadest State highway. I would also like to point out that death by automobile, with a body or a head going through a windshield because of a collision, is just as horrible a death on a township road as it is on a State highway.

And the question recurring,

Will the Senate agree to the amendment?

(During the calling of the roll, the following occured:)

Mr. DONOLOW. Mr. President, not having heard my name called, I wish to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were required by Mr. ROONEY and Mr. MULLIN, and were as follows, viz:

YEAS—31

Bell,	Kessler,	Mullin,	Stroup,
Berger,	Kromer,	Pechan,	Taylor,
Confair,	Madigan,	Propert,	Van Sant,
Ehrgood,	Mahady,	Ripp,	Wade,
Flack,	Mallery,	Scott,	Wagner,
Fleming,	McGinnis,	Sesler,	Ware, III,
Hawbaker,	McMenamin,	Shafer,	Yatron,
Keller,	Miller,	Stevenson,	

NAYS—17

Camiel,	Hays,	Rooney,	Staisey,
Devlin,	Kalman,	Sarraf,	Stiefel,
DiSilvestro,	McCreesh,	Seyler,	Weiner,
Donolow,	Murray,	Silvert,	Lane,
Haluska,			Presiding Officer

So the question was determined in the affirmative, and the amendment was adopted.

On the question,

Will the Senate agree to the bill on third reading, as amended?

RECESS

Mr. WEINER. Mr. President, I request a ten minute recess of the Senate for the purpose of holding a Democratic Caucus.

Mr. FLEMING. Mr. President, there will also be a Republican Caucus at the same time, to be held in the Republican Caucus Room.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a ten minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

And the question recurring,

Will the Senate agree to the bill on third reading, as amended?

Mr. WEINER. Mr. President, I now request that Senate Bill No. 79 go over in its order, as amended.

Mr. WADE. Mr. President, we had a gentleman's agreement in this Body that amendments could be offered to this bill on third reading.

I have additional amendments that I wanted to offer.

If the gentleman will agree that we may offer the amendments tomorrow or on some future legislative day, I would have no objection to the rest of the Calendar going over in order.

Mr. WEINER. Mr. President, if the gentleman insists upon offering his amendments this evening, I will be very happy to stay here and be here with him. I have no objection. I told the gentleman that any time he wanted to offer his amendments, they would be acceptable to me. If he would like to do it this evening, I will be very happy to remain and we can work on these amendments.

Mr. BERGER. Mr. President, I do not think I understand just what is being discussed here. I was under the impression there would be no change in our understanding that amendments may be offered on third reading, and I am sure there was no misunderstanding on the part of Senator Weiner.

Mr. WEINER. No sir.

Mr. BERGER. Mr. President, I may be presumptuous in speaking for the Majority Leader, but I am sure I understood that amendments may be offered and debated tomorrow or on another legislative day in accordance with our usual custom. Is that not correct, Senator Weiner?

Mr. WEINER. Mr. President, that is absolutely correct, and tomorrow will be fine.

Mr. WADE. Mr. President, I have an objection. I do not know whether it has been resolved between the two leaders or not. However, if the agreement was that I may offer these amendments tomorrow, it will be perfectly satisfactory with me.

Mr. BERGER. Mr. President, that is distinctly the statement of the Majority Leader.

The PRESIDING OFFICER. There being no objection, at the request of the Majority Leader, Senate Bill No. 79, on third reading, will go over in its order, as amended.

BILLS OVER IN ORDER

SB 84, 86, HB 95 and **SB 192**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING CALENDAR OVER IN ORDER

All bills on todays Second Reading Calendar were passed over in their order at the request of Mr. WEINER.

BILL REREFERRED

Mr. SARRAF, by unanimous consent, from the Committee on Public Health and Welfare, returned to the Senate, **HB 332,** which was rereferred to the Committee on Agriculture.

SENATE RESOLUTION

TRIBUTE TO THE LATE HONORABLE JOHN J. KANE

Messrs. STAISEY, DEVLIN, RIPP, SARRAF, McGINNIS and FLEMING, by unanimous consent, offered the following resolution (**Serial No. 20**), which was read as follows:

In the Senate, March 6, 1961.

The death of the Honorable John J. Kane, on Sunday, March 5, 1961, marks the passing of a respected and beloved labor, government and civic leader in Allegheny County.

Mr. Kane was born in Pittsburgh on May 17, 1890, was educated in the public and parochial schools of Pittsburgh, took a brief course in economics at Duquesne University and an evening course at Carnegie Institute of Technology, and was active in labor circles for many years. He was president of the American Federation of Labor Newspaper Pressmen's Union, Local 9 for many years, and served Pennsylvania representative of the International Printing Pressman's Union of North America, and president of The Pittsburgh Allied Printing Trades Council a member of the Brookline Board of Trade of Pittsburgh, and served in the 1933 Session of the General Assembly as a member of the House of Representatives. In that Session of the General Assembly, his sponsorship of humanitarion legislation distinguished him as a person truly concerned with the welfare of his fellow humans.

Mr. Kane's distinguished tenure as a member of the Allegheny County Board of County Commissioners for twenty-four years is a record unparelleled in county government within this Commonwealth. As a member of the board, he was instrumental in building the county government of Allegheny County into the important unit of government which it is today.

Independent in histhinking and actions, he tempered his independence with a true spirit of service to the public, which made him a public officer whose record is one which will long be admired by both the general public and students of government; therefore be it

RESOLVED, That the Senate of Pennsylvania hereby expresses its profound regret on the death of the Honorable John J. Kane, and the members thereof extend their individual sympathies to his children in this, their hour of sorrow and bereavement; and be it further

RESOLVED, That copies of this resolution be forwarded to Mr. Kane's children, Mrs. Dorothy Smallhoover, Mrs. Rita Kane Burns, Mr. John J. Kane, Jr., and Colonel Franics X. Kane.

On the question,

Will the Senate adopt the resolution?

Mr. STAISEY. Mr. President, the resolution just presented was presented in the name of all Senators on both sides of the aisle from Allegheny County. It was presented in respect for one of our most distinguished citizens.

John J. Kane was many things to many people, but he was one thing to all of the people in Allegheny County. The first of those things was that he had an abiding faith in the ability of democratic government to serve people. To this end, he dedicated his life and his time. Because of this, Allegheny County merged as not only the most progressive county in Pennsylvania, but also the most progressive county in all of America.

He also had an abiding faith in this simple principle; that we are ordinary people with extraordinary possibilities. Because of that, Allegheny County has become not only the workshop of Pennsylvania, but the industrial basin of the world.

If anything can be said of John Kane, then, indeed, this has to be his memorium: John Kane was that kind of man who took time out to be human.

The people of Allegheny County are, indeed, depressed by reason of his death, and yet we have cause to be encouraged because in his liftime, he gave us service and in death he has given us a rich inheritance.

Of John J. Kane, Mr. President, it can honestly be said that his life was spent—and in a very real sense it was consumed—in the service of his people in Allegheny County.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

The PRESIDING OFFICER. I believe it would be proper

for the Members of the Senate to rise for a moment in memory of John J. Kane, one of Pennsylvania's greatest citizens.

(Observance of moment of silence in memory of the late Honorable John J. Kane.)

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 113, 258, HB 44, 45, 46, 54 and 73.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, I am not going to petition or remonstrate. I just want to make sure that every Member of the Senate—as well as the members of the press—is invited to the demonstration of the radar mechanism tomorrow. There will be automobiles and State Police cars in front of the Capitol which will take the people to the demonstration and will bring them back here. They will be back at the Capitol no later than noontime. They will leave promptly at 10:00 o'clock.

This invitation is open to the Members of the Senate and the press as well.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, MARCH 7, 1961

Time	Committee	Room
8:30 A. M.	AGRICULTURE	539
9:00 A. M.	JUDICIARY GENERAL	535
9:30 A. M.	BANKING	302
12:00 Noon	LOCAL GOVERNMENT	301
12:30 P. M.	MILITARY AFFAIRS & AERONAUTICS	539
12:30 P. M.	EDUCATION	302
DEMOCRATIC CAUCUS		1:00 P. M.

NOTICE

There will be a continuation of the Joint Committee Meeting of the House and Senate Education Committee, Tuesday, March 14th, in the Senate Caucus Room at 9:00 a.m., to discuss with the Superintendent of Public Instruction important educational matters.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, March 7, 1961, at 2:00 p.m.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:34 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, March 6, 1961

The House met at 3:30 p.m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Father in heaven, Thou Who art near and dear to each one of us in every hour, we look to Thee with the confidence and assurance which Thou dost engender in our lives. Not only do we recognize our dependence upon Thee, but we are aware of the great responsibilities which Thou dost place before us. We bow in deepest humility because of our failures both of omission and commission, and the allurements and enticements of the world about us. We pray that Thou wilt not only make us conscious of our failures to live up to the best we know how, but that Thou wilt also inspire us to accomplish that which Thou wouldst have done: through Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 20 and Tuesday, February 21, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, February 28, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. McCANN. HOUSE BILL No. 684.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), eliminating the provision which excuses members of the armed forces from renewing their operator's license and making it unlawful to try to avoid arrest and providing penalties.

Referred to the Committee on Rules.

By Mr. McCANN. HOUSE BILL No. 685.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), increasing the penalty for exceeding the speed limit and disposing of said increase; and providing penalties.

Referred to the Committee on Rules.

By Messrs. WELSH, LIMPER, LAWSON and McKEEVER. HOUSE BILL No. 686.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the use of laminated safety glass as defined therein.

Referred to the Committee on Motor Vehicles.

By Messrs. WELSH, LIMPER, LAWSON and McKEEVER. HOUSE BILL No. 687.

An Act requiring certain employers to give medical examinations to employes who work in positions wherein they are subject to ill effects from lead.

Referred to the Committee on Public Health and Sanitation.

By Messrs. SHUPNIK, MEHOLCHICK, CURWOOD and BACHMAN. HOUSE BILL No. 688.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating reimbursement for transportation of pupils.

Referred to the Committee on Education.

By Messrs. RENWICK and CAPANO. HOUSE BILL No. 689.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing boards of school directors to arrange, with the authorities conducting private or parochial schools in their districts, to furnish transportation to pupils attending such schools under certain circumstances and providing how the costs thereof shall be met.

Referred to the Committee on Rules.

By Messrs. FULMER, AGNEW, CURWOOD and EILBERG. HOUSE BILL No. 690.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

Referred to the Committee on Counties.

By Messrs. STONE, McLAUGHLIN and LIPPINCOTT. HOUSE BILL No. 691.

An Act amending "The Vehicle Code," approved April 12, 1959 (P. L. 58) providing for commercial motor vehicle operators' licenses, setting fees for such licenses; further regulating suspension and revocation of licenses and imposing penalties.

Referred to the Committee on Motor Vehicles.

By Mr. M. H. GOLDSTEIN. HOUSE BILL No. 692.

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," requiring magistrates to be learned in the law; imposing certain limitations on their activities, and providing for their removal only for cause.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. FOX, WILLARD, KISTLER and FILO. HOUSE BILL No. 693.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), removing prohibition against the designation of 4-way stop intersections or multi-stop intersections by local authorities.

Referred to the Committee on Highways.

By Mr. GELFAND, Mrs. JONES, Messrs. LAMB and TRUSIO. HOUSE BILL No. 694.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) appropriating certain moneys obtained through proceedings relating to escheatable property of the Department of Revenue for the payment of compensation fees and expenses.

Referred to the Committee on Appropriations.

By Messrs. J. P. O'DONNELL and BRANCA.
HOUSE BILL No. 695.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a residence requirement for officers, teachers and employes of school districts of the first class.

Referred to the Committee on Cities—Counties First Class.

By Mr. J. P. O'DONNELL, Mrs. S. A. ANDERSON and Mr. HANKINS. HOUSE BILL No. 696.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), cancelling certain existing encumbrances and providing for reconveyance of certain real property which encumbrances or conveyances were given as a requirement for receiving assistance within a stated period.

Referred to the Committee on Rules.

By Mr. SHUPNIK, Mrs. REIBMAN, Mr. DENGLER and Mrs. HENZEL. HOUSE BILL No. 697.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) changing certain salaries and work loads; prescribing extension education areas; decreasing the number of names needed for free extension education; raising the deposit fee and providing for a tuition fee in certain instances; deleting provisions relating to free evening schools and making an appropriation.

Referred to the Committee on Education.

By Messrs. SAKULSKY and McCANN, Mrs. REIBMAN and Mrs. HENZEL.
HOUSE BILL No. 698.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting certain acts or representations in obtaining credit for education.

Referred to the Committee on Education.

By Messrs. J. P. O'DONNELL, GALLAGHER and BRANCA. HOUSE BILL No. 699.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting unprotected open dirt excavations and land fill operations as determined by the Department of Labor and Industry in places accessible to children within cities of the first class.

Referred to the Committee on Cities—Counties First Class.

By Messrs. M. H. GOLDSTEIN, SIMMONS and CAULEY. HOUSE BILL No. 700.

An Act amending "The Landlord and Tenant Act of 1951," approved April 6, 1951 (P. L. 69), exempting additional property from execution by landlords for nonpayment of rent.

Referred to the Committee on Judiciary.

By Mr. M. H. GOLDSTEIN and Mrs. REIBMAN. HOUSE BILL No. 701.

An Act amending the act of April 4, 1925 (P. L. 127), entitled "An act relating to adoption," authorizing approved agencies or institutions to charge for services rendered to persons taking children into their homes for the purpose of adoption, and providing for the approval of such charges by the Department of Public Welfare.

Referred to the Committee on Welfare.

By Messrs. STITELER, KORNS, ROVANSEK and GAILEY. HOUSE BILL No. 702.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), providing for the hiring of unemployed coal miners to perform backfilling and other acts whenever feasible after an operator has forfeited his bond relating to such acts.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. SCHAAF, PRENDERGAST and GALLAGHER. HOUSE BILL No. 703.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), providing for the payment of damages to owners of property within a certain distance of State highways hereafter constructed, if such construction depresses or decreases the value of such property.

Referred to the Committee on Highways.

By Messrs. MAXWELL and MURPHY.
HOUSE BILL No. 704.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring certain new motor vehicles to be equipped with spot brakes and providing penalties.

Referred to the Committee on Motor Vehicles.

By Messrs. MAXWELL and MURPHY.
HOUSE BILL No. 705.

An Act requiring persons selling new motor vehicles or new parts to warrant that they are free from defects and requiring such persons to replace without cost any parts that are found to be defective within a certain period of time.

Referred to the Committee on Motor Vehicles.

By Messrs. SAKULSKY and TOMPKINS.
HOUSE BILL No. 706.

An Act amending the "Pennsylvania Human Relations Acts," approved October 27, 1955 (P. L. 744) requiring complainants to appear before commission hearings and granting common pleas courts of counties in which the alleged offenses were committed jurisdiction to enforce commission orders or give other appropriate relief.

Referred to the Committee on Judiciary.

By Messrs. A. D. WILLIAMS, K. B. LEE, DONALDSON and R. P. JOHNSON. HOUSE BILL No. 707.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), extending the act to certain employes of the Department of Highways, and regulating their compensation, recruitment and educational requirements, and providing for certain employes holding offices and positions at specified times.

Referred to the Committee on State Government.

By Mrs. KOOKER, Messrs. McCORMACK, R. P. JOHNSON and SHUPNIK. HOUSE BILL No. 708.

An Act providing for and regulating the licensing and practicing of landscape architecture; fixing fees; creating and imposing powers and duties on the Department of Public Instruction and prescribing unlawful acts and penalties.

Referred to the Committee on Professional Licensure.

By Messrs. WELSH and TOMASCIK.

HOUSE BILL No. 709.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the minimum compensation and increments of members of the teaching and supervising staffs of school districts and vocational school districts; repealing certain provisions of the act; and authorizing the revision of budgets and temporary loans.

Referred to the Committee on Education.

By Messrs. GELFAND, FINEMAN, A. D. WILLIAMS and GAILEY. HOUSE BILL No. 710.

An Act providing for the establishment, maintenance and administration of an unsatisfied claim and judgment fund for the payment of damages for injury to, or death of certain persons; * * * and imposing certain duties upon State and insurance company officials.

Referred to the Committee on Insurance.

By Mr. MURPHY. HOUSE BILL No. 711.

An Act amending the act of June 22, 1937 (P. L. 1987) entitled as amended, "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; * * *" requiring the Commonwealth or any governmental agency to contribute to the construction of certain sewerage systems or treatment works prior to ordering such construction.

Referred to the Committee on State Government.

By Mr. JIM. HOUSE BILL No. 712.

An Act declaring and adopting the song "Pennsylvania," as the State song of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. SNARE, SHUPNIK, Mrs. KOOKER and Mrs. MUNLEY. HOUSE BILL No. 713.

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to the Committee on Rules.

RESOLUTION INTRODUCED AND REFERRED

By Mr. J. A. O'DONNELL.

(Concurrent) RESOLUTION No. 33.

In the House of Representatives, February 28, 1961.

The Constitution of Pennsylvania, Article II, Sections 16 and 17 provide the manner in which the Commonwealth shall be apportioned into representative districts and senatorial districts.

The Constitution of Pennsylvania, Article II, Section 18, places a mandatory duty on the General Assembly, after each decennial census, to apportion the Commonwealth into representative districts and senatorial districts agreeable to the provisions of Article II, Section 16 and Section 17.

The General Assembly has not so apportioned the Commonwealth's senatorial districts after the last census in 1960, in fact, they have not been apportioned since the census of 1920. Because of this, the present apportionment of the Commonwealth into senatorial districts is not agreeable to or in conformance with the Constitution of Pennsylvania.

In the thirty-eight years since the last senatorial apportionment in 1921, the shift and growth in population in this Commonwealth have raised complex, technical and political problems with relation to apportionment under the provisions of the Constitution;

In 1960 we had a new census consequently the representative districts should also now be reapportioned. There is a question as to what effect this will have upon the make-up of the General Assembly; therefore be it

Resolved, (the Senate concurring), That the Speaker of the House appoint three members and the President Pro Tempore appoint three members who shall be a joint committee and who shall be directed to make a comprehensive and intensive study of the problems of reapportionment of representative and senatorial districts and the need for the same. The study shall include, but shall not be limited to the following:

1. The need for reapportionment.
2. The feasibility of reapportionment.
3. The shifts in population.
4. The make-up of the General Assembly if reapportionment were made; and be it further

Resolved, That the committee shall report to the General Assembly the results of its studies and investigations and recommendations as soon as possible.

Referred to the Committee on Rules.

REPUBLICAN CAUCUS

Mr. TOMPKINS. Mr. Speaker, while we are marking time here and waiting for the House to get an attendance, I would like to call a Republican caucus until 4:30 immediately.

The SPEAKER. The gentleman from Cameron, Mr. Tompkins desires permission of the House to call an immediate Republican caucus. The Chair hears no objection.

How long does the gentleman desire?

Mr. TOMPKINS. Until 4:30, Mr. Speaker.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 5:30 p. m. for the purpose of a Republican caucus.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 101.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" requiring brake linings to be approved prohibiting the sale of unapproved linings providing for the issuing and revocation of certificates of approval establishing fees and providing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 128.

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949" changing assessment provisions relating to certain third class school districts.

Referred to the Committee on Education.

SENATE BILL No. 153.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles establishing speed limits and providing penalties for violations.

Referred to the Committee on Highways.

SENATE CONCURRENT RESOLUTION No. 108.

Referred to the Committee on Rules.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 98

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 98, Printer's No. 98, entitled "An act amending the act of June 13, 1907 (P. L. 640) entitled 'An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of the act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June Twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies' increasing the rate of tax on shares of capital stock of every title insurance or trust company bank and trust company or trust company and changing the date for the determination of the base of the tax."

DAVID L. LAWRENCE.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, would we be in order for first reading calendar, if there would be no objections?

The SPEAKER. The Chair was about to take up the first reading calendar.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 37, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 160, entitled:

An Act amending the act of March 27, 1945 (P. L. 83) entitled "An act regulating the issuance of execution on judgments confessed on written instruments * * *" providing defenses in any county in which an execution, bill of discovery or attachment is issued on a judgment.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 303, entitled:

An Act amending the act of April 30, 1929 (P. L. 885) entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 304, entitled:

An Act amending the act of June 12, 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit * * *" further providing for the annulling vacating and foreiting of the articles of associations and letters patent issued to such associations * * *.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on agricultural commodities imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 393, entitled:

An Act changing and making uniform the time in which appeals may be allowed from courts of record of inferior jurisdiction limiting the time when such appeals shall operate as supersedeas and repealing inconsistent acts and parts of acts inconsistent herewith.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 425, entitled:

An Act amending the "Public School Code of 1949" ap-

proved March 10, 1949 (P. L. 30) providing for alternates to serve on the joint school committee.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

The SPEAKER. The Chair announces the following appointments to be read by the Clerk.

APPOINTMENT BY THE SPEAKER OF MEMBERS TO THE PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION ON THE PART OF THE HOUSE

In the House of Representatives,
Monday, March 6, 1961.

Pursuant to the Act of March 24, 1937, (P. L. 109), as amended by Act 58 of June 23, 1955 (P. L. 195), the Speaker appoints as members on the part of the House of the Pennsylvania Commission on Interstate Cooperation:

The gentleman from Allegheny, Mr. Boies, Chairman.
The gentleman from Westmoreland, Mr. Petrosky.
The gentleman from Beaver, Mr. Hamilton.
The lady from Lackawanna, Mrs. Munley.
The gentleman from McKean, Mr. Johnson.
The gentleman from Allegheny, Mr. Ewing.
The gentleman from Dauphin, Mr. Hocker.

/s/ HIRAM G. ANDREWS, Speaker.

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside over the second reading calendar.

Mr. HAMILTON IN THE CHAIR

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. Does the gentleman from Pike, Mr. Eshback, desire to be recognized at this time?

Mr. ESHBACK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ESHBACK. Mr. Speaker, last week, February 28th, I was reported as not having voted on House bill No. 302. Mr. Speaker, I voted on House bill 302, and my button showed green. I was not out of my seat while all the bills were being voted upon and I wish that error to be corrected.

Mr. Capitolo, the gentleman from Philadelphia on my left, Mr. Elvey, the gentleman from Fulton on my right, will testify that I was not out of my seat and that I voted on every bill.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

PERMISSION TO ADDRESS HOUSE

Mr. KING asked and obtained unanimous consent to address the House.

Mr. Speaker, knowing that each and every member of this august body is vitally interested in the well-being of our great Commonwealth, and knowing further that each and every member is eager to put his best skill to the task of shaping a successful and prosperous future for all our people, I wound like to make a few remarks to unify our thinking on this, our greatest concern—the future of the Commonwealth of Pennsylvania.

As I see it, the future is extremely bright. There is hard work ahead, and there will be some rough spots. But having had the opportunity to look about myself for a number of weeks, and having had the further opportunity to hear various viewpoints and see various members agree and disagree, I have reached the firm conclusion that this legislature is not going to let the people down, and I am convinced that our people, the people who put this legislature in here, will continue to pick representatives for their State government who have the vision and the will to make things happen, rather than to let them happen—the will and the vision, as I think every man and woman in this group has.

Letting the people down? What am I talking about? How can a legislature let its people down? It can by action as well as inaction. Let us look for a moment at our once great sister State of Michigan. There was a time, ladies and gentlemen, when the workers of this Country beat a path to Michigan as if she were the promised land. And she was the promised land for many years. She was proud, prosperous and confident. She was one of the flourishing States in the Union. Do you realize, members of this Assembly, that the heartbeat of that once great sister State of ours has all but stopped? Frustration and despair are everywhere. The thousands and thousands of jobless do not live on the memory of yesterday when things were plush.

They are not thanking their legislature today for allowing the wage and tax spiral yesterday which finally shut down business. They are bitter men and women—full of resentment and ready to engage in strife. They are not thanking their legislature today for its failure to clamp down on the courts which were openly pro-labor yesterday. But they might be thanking their legislature if, instead of allowing businesses to be driven out, they had provided a climate conducive to business—or at least tolerant. An atmosphere of antagonism and hate against business is a self-destructive thing. After all, the person or the organization which provides livelihood for men and their families is the pillar of prosperity anywhere, and the combined good sense and self-discipline of the citizenry provide the bedrock upon which those pillars have to rest.

Members of this Assembly, I know we have the good sense, foresight, and the self-discipline which are necessary. I know we will not pattern ourselves after Michigan. Instead of giving tax and other relief to Michigan businesses, the legislature there stood by and let things take their course. And you knaw what happened! The great State of Michigan was bankrupt. The legislature capitulated and tapped the veterans' fund. To the burden of existing taxes is now added the threat of new taxes. What business, we have to ask ourselves, is going to risk planting itself in soil of that kind? But that is not all; businesses are folding and fleeing the State.

I think we all know that we have lost out on some new businesses because neighboring states had more attractive tax climates.

What is the point?

My fellow representatives, the point is this: We must keep in mind not only what our own immediate constituents think, but—and this is for the sake of our own constituents, yours and mine—we must keep in mind public opinion throughout the Nation. We do not want the rest of the Country to look upon our great Com-

monwealth with the critical and dubious eye with which the State of Michigan is being scrutinized.

POINT OF ORDER

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Boies, rise?

Mr. BOIES. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOIES. Mr. Speaker, I rise to object to the confusion in the House. The gentleman is trying to make a speech, his first speech in this House, to my knowledge, and he is entitled to be heard. While I do not necessarily agree with him, I think this confusion is inexcusable. I request that we have order in the House.

Mr. KING. Right or wrong, it is public opinion, not in the State of Michigan, but elsewhere, which is slowing down, if not preventing, recovery there. Let us not give any cause to the rest of the Nation to say that the Commonwealth of Pennsylvania is a State of indigents which lures enterprise into its boundaries only to trap it for the avowed purpose of compelling it to help feed and keep those indigents.

If we combine our pride and faith in our people, with all the experience and ability which is assembled here, this will never happen in Pennsylvania. So let us remember that when the State takes it upon itself to regulate and take charge of more and more facets of our human life, we are headed in the direction of Michigan.

First we undercut the will of the people to stand on their own feet and to use their own ingenuity and courage to handle the affairs of life. Soon not only the will is gone—but the ability as well. Thank you.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack. For what purpose does the gentleman rise?

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent, before we go into second reading, to make a few brief remarks.

The SPEAKER pro tempore. Has the gentleman cleared his request with the majority leader?

Mr. McCORMACK. No, Mr. Speaker.

Mr. McCANN. It is all right, Mr. Speaker.

The SPEAKER pro tempore. The majority leader has consented; you may proceed.

Mr. McCORMACK. Mr. Speaker, and Members of the House, I have been concerned the last few weeks with various newspaper stories with respect to certain practices and procedures in this House which all the members are not quite familiar with, and I certainly am not familiar with.

These various practices that have been brought to light have questioned the integrity and honesty of some of the members of the General Assembly.

Since I have been in this legislature—1953—I was aware of the fact that there were some emoluments offered in addition to the salaries and expenses authorized by specific statutory law. As a result of these newspaper developments I am realizing more and more that there are certain sinecures, should I say, of office, that most of the members here have never been privileged to receive. I noticed today that the Speaker has just announcd appointments to the Committee on Interstate Cooperation, and that was one of the particular committees about which the newspapers saw fit to write a story and to infer criticism.

I know, too, that on the committee just appointed by the Speaker—and I am not in any way questioning his right to name these members—but being from the city of Philadelphia, the largest city in the Commonwealth, I note that no one from the city of Philadelphia was appointed to that committee. I note, also, that there are other members, one of whom was appointed to the committee last year and he took a trip to Puerto Rico. I have not seen a report submitted by the members from Pennsylvania who attended that commission. I would like to find out more about it. That is one of the practices.

Since I have been in the legislature I have never once been appointed to a committee of Joint State Government Commission. There are certain members here, new members, who have been appointed to committee after committee and task forces; I have never once, as I say, been appointed. I do not know whether I am being discriminated against, or I do not know whether I am getting the right people to exert their influence in my behalf, but the fact remains that I am as interested in the procedures and the practices and the development of this General Assembly as any other member.

I understand, also, that there are members coming up here who receive compensation expenses for going to meetings. They not only receive it once; they receive it several times for the same day. Those are allegedly facts. Whether or not they are actually facts I do not know, but I think it is high time that we dispel this fog and that the facts be brought out in the light, and they should be laid low if they are incorrect, or they should be rectified if they are correct. I think we should take some action; I am terribly embarrassed; my fellow legislators who know nothing about this are terribly embarrassed by these newspaper stories; we must do something. My integrity is at stake and so is every other member's in this legislature. I want some courageous leaders to come out and tell the newspapers that they are incorrect or give us the full facts. Thank you.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair desires to state that neither the gentleman from Philadelphia nor the members of the newspaper gallery are in charge of the proceedings of this House.

As a member of this General Assembly, if the gentleman from Philadelphia desires to sponsor a resolution of inquiry, a resolution of investigation, he is always privileged to do so. It is the opinion of the Chair, for the gentleman from Philadelphia to give credence to reports of newspapers without backing that up with a resolution for inquiry and investigation is in derogation of the dignity of this House.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, I would just like to call the attention of the gentleman from Philadelphia, Mr. McCormack, to the fact that his objection to the absence of a Philadelphia member on the commission is certainly away out in left field.

The Chairman of the commission is from Philadelphia, the Honorable Senator Weiner.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, I would like to have the privilege of reading an editorial that appeared in the McKeesport Daily News. This is in reference to the criticism that has been made of Governor Lawrence not being on the job.

It is headed, "The Busy Governor."

> "Judgment on the governorship of David L. Lawrence may vary widely, but one thing is certain, the Governor is a hard-working man . . ."

POINT OF ORDER

Mr. TOMPKINS. Mr. Speaker. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. TOMPKINS. The propriety of reading an editorial regarding that subject in the absence of the man who made the original statement, Mr. Agnew.

Mr. WALSH. I am very sorry. I thought Mr. Agnew was here. I will make my remarks tomorrow.

Mr. TOMPKINS. I am sorry, Mr. Agnew will be absent for the week, Mr. Walsh.

Mr. WALSH. This is nothing derogatory to Mr. Agnew.

The SPEAKER. The Chair observes that the gentleman from Allegheny, Mr. Agnew, is not in the hall of the House.

Perhaps the gentleman would prefer to defer until Mr. Agnew is in the hall of the House. The Chair, as some of the members know, had something to say about Mr. Agnew's criticism of the Governor, but what the Chair has said is in the possession of all the members of the House, but we deferred saying anything on the floor until the gentleman was here.

Mr. WALSH. Mr. Speaker, this is in no way a controversy between "Chick" Agnew and the editor of the McKeesport Daily News, which is a Republican newspaper. It is a very enlightening article and I do not think that "Chick" Agnew would disagree with anything that is said in it. I would like the privilege of reading it.

The SPEAKER. There being no objection, the gentleman will proceed.

The Chair does want to say this one thing: I thought that we had arranged that there should be a period set aside which would not conflict with the orderly conduct of business in the House when members who desire to address themselves to matters not pending before the House would be privileged to do so.

You have seen today that, when we do not observe that procedure, no one, no floor leader, can arrange a calendar and abide by the time. The Chair would much prefer that if, in the wisdom of the House, it believes that a period should be set aside for addresses by members not pertaining to questions pertinent at the time, then that rule should be enforced, and, if the Chair so rules, that the House should sustain it. It makes no difference to the Chair, but we do believe that addresses on matters not pending stand in the way of the orderly procedure of this Assembly.

Mr. TOMPKINS. Recognizing full well and having confidence in the abilities of our Republican floor leader, knowing that he can read this statement in the Journal and defend himself properly when he does read it, let the gentleman proceed.

The SPEAKER. There being no objection, the gentleman from Allegheny will proceed.

Mr. WALSH. Mr. Speaker, recognizing that "Chick" Agnew is a very high type man, I will ask that this be deferred until he is here.

The SPEAKER. The Chair thanks the gentleman.

The SPEAKER. The Chair requests the gentleman from Beaver to resume the Chair.

Mr. HAMILTON IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 140, entitled:

An Act amending the act of June 13, 1883 (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class * * *" removing a provision relating to construction of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1935) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville, Lancaster County for the use of the Millersville State Teachers College * * *" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 249, entitled:

An Act amending the act of May 24, 1893 (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" authorizing an increase in the minimum pensions of policemen in cities of the first class in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Counties First Class.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 262, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350) extending provisions to out-of-state services.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 263, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to Adoption" authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfare.

The first section was read.

On the question,

Will the House agree to the section?

Mr. VERONA offered the following amendments:

Amend Sec. 1 (Sec. 4.1), page 2, line 4, by striking out "copies" and inserting "a copy."

Amend Sec. 1 (Sec. 4.1), page 2, line 4, by inserting after "the" "final."

Amend Sec. 1 (Sec. 4.1), page 2, lines 4 and 5, by striking out "and all documents of record incidental to the adoption proceedings."

Amend Sec. 1 (Sec. 4.1), page 2, line 10, by striking out "The documents so filed" and inserting "The decree and such other documents as may be filed therewith."

Amend Sec. 1 (Sec. 4.1), page 2, line 20, by striking out "adopting" and inserting "natural."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 297, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the appointment of personnel in institutions within the Department of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 310, entitled:

An Act repealing section 6 of the "Oleomargine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 341, entitled:

An Act amending the "Public School Employes" Retirement Code of 1959" approved June 1, 1959 (P. L. 350) granting credit for prior school service upon certain additional payments into the fund.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 365, entitled:

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission in connection with the employment of personnel for civil defense purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 366, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the bag limit in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 376, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) authorizing the Pennsylvania Fish Commission to set aside certain waters to be

used exclusively for fishing by children and disabled persons.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 388, entitled:

An Act amending the Act of May 29, 1945 (P. L. 1134) entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin * * *" providing for the appointment of alternate members and conferring additional powers upon the Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 390, entitled:

An Act repealing the act of July 29, 1953 (P. L. 996) entitled as amended "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study investigation and legislative recommendations relating to the drainage of anthracite mines * * *"

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 394, entitled:

An Act amending the "Uniform Acknowledgment Act" approved July 24, 1941 (P. L. 490) deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgements of written instruments may be made before certain officers * * *

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 395, entitled:

An Act relating to the satisfaction of mortgages in counties of the second, third, fourth, fifth, sixth, seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor and fixing fees for the recording thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 417, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for traffic courts in cities of the third class.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GAILEY offered the following amendments:

Amend Sec. 1 (Sec. 1201.1), page 2, line 6, by inserting after "violations" "involving only summary offenses."

Amend Sec. 1 (Sec. 1201.1), page 2, lines 12, 13 and 14 by striking out "No ap-" in line 12 and both of lines 13 and 14.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 442, entitled:

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286) permitting certain minors to be employed as caddies.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 450, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Forests and Waters and the Governor to grant and convey a certain tract of land to the Borough of Ebensburg.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 451, entitled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township Juniata County for State forest administrative purposes.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646) entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money

which may be borrowed and providing two additional methods of borrowing money.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 461, entitled:

An Act authorizing the conveyance of certain lands in Leidy Township Clinton County to the government of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 480, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789) by continuing the provisions of section 211.1 in effect for a further period.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 517, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) prohibiting certain acts relating to counterfeit or facsimile registration plates numbers or markers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 1 (Sec. 501), page 2, line 6, by inserting after "plate" "which prevents the reading of the numbers or letters thereon at a reasonable distance."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendments:

Amend Sec. 2 (Sec. 507.1), page 2, line 15 by striking out "possess or procure or attempt to procure a fascimile or" and inserting: "procure, attempt to procure or knowingly possess a."

Amend Sec. 2 (Sec. 507.1), page 2, line 17 by striking out "number."

Amend Sec. 2 (Sec. 507.1), page 2, line 18 by inserting after "number" "or letter."

Amend Sec. 2 (Sec. 507.1), page 2, line 20; page 3, line 1 by striking out "replica fascimile or."

Amend Sec. 2 (Sec. 507.1), page 3, line 1 by striking out "number."

Amend Sec. 2 (Sec. 507.1), page 3, line 2 by inserting after "number" "or letter."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. FINEMAN offered the following amendments:

Amend Title, page 1, next to last line of Title, by inserting after "to" "registration plates and"

Amend Title, page 1, last two lines of Title, by striking out "or facsimile."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 529, entitled:

An Act amending the act of March 15, 1899 (P. L. 8) entitled 'An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid" further providing for reversion of unexpended balances of sums appropriated for specific purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 568, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350) providing for the payment of expenses related to investments from interest earnings of the fund providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth and providing for annual crediting of certain funds to the contingent reserve account.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 569, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P L 177) imposing certain duties on the Governor the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 570,

An Act amending "The Fiscal Code" approved April 9 1929 (P L 343) requiring the Board of Finance and Revenue to make and certify annual reports to the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILL ON SECOND READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar, by Mrs. REIBMAN.

The House resumed the consideration on second reading of House bill No. 120, entitled

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania increasing the borrowing capacity of school districts in order to reduce costs involved in financing through municipal authorities.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mrs. REIBMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

The motion was agreed to.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Beaver for presiding.

If there are no objections, the order of the day will be dispensed with.

The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask that you call up on final passage House bill 184 for the purpose of amendment. The amendments are now ready. Page 10, bills on final passage, House bill 184, printer's No. 518.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 184, entitled

An Act amending "The Borough Code" approved May 4 1927 (P L 519) authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

RECONSIDERATION OF VOTE

Mr. GUESMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

The first section was read.

On the question,

Will the House agree to the section?

Mr. Guesman offered the following amendment:

Amend Sec. 1 (Sec. 2498), page 3, lines 4, 5 and 6, by striking out "A BOROUGH MAY HOWEVER" in line 4, all of lines 5 and 6

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. COMER because of death in the family.

Mr. Eilberg for Mr. J. P. O'DONNELL because of illness.

Mr. Eilberg for Mrs. MONROE because of illness.

Mr. Tompkins for Mr. STRAUSSER for the week because of illness.

Mr. Tompkins for Mr. UJOBAI for the week because of illness.

Mr. Tompkins for Mr. ODORISIO for the week because of illness.

Mr. Tompkins for Mr. ESHLEMAN for today because of illness.

Mr. Tompkins for Mr. AGNEW for the week for business reasons.

Mr. Tompkins for Mr. M. H. GOLDSTEIN for today because of weather conditions.

Mr. Tompkins for Mr. DONALDSON for today because of weather conditions.

Mr. Tompkins for Mr. HAUDENSHIELD for today because of weather conditions.

Mr. Tompkins for Mr. GIBB for today because of weather conditions.

Mr. Tompkins for Mr. EWING for today.

Mr. Tompkins for Mr. WILT for today because of weather conditions.

Mr. McCANN. Mr. Speaker, I call up as the first bill to be voted on, on page 11, House bill 218, printer's No. 734.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 218, entitled:

An Act amending "The Vehicle Code" approved April 29 1959 (P L 58) changing provisions requiring operators to drive on the right side of the highway and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—159

Adams,	Gallagher,	Lee, A. M.,	Prendergast,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Reibman,
Anderson, S. A.,	George,	Leonard,	Reidenbach,
Arlene,	Gibbons,	Limper,	Riley,
Auker,	Goldstein, J. H.,	Lippincott,	Rovansek,
Bachman,	Gramlich,	Long, Wm. Jas.,	Royer,
Backenstoe,	Gray,	Long, Wm. Jos.,	Rubin,
Blair,	Gremminger,	Lutty,	Rudisill,
Boies,	Gross,	Manbeck,	Rutherford,
Bonner,	Guesman,	Markley,	Sakulsky,
Bossert,	Guthrie,	Marsh,	Schaaf,
Bower,	Hamilton,	Maxwell,	Schuster,
Bowman,	Hankins,	May,	Shelton,
Branca,	Hartley,	McCann,	Sherman,
Breth,	Heavey,	McDevitt,	Simmons,
Buchanan,	Heffner,	McDonald,	Snare,
Cauley,	Helm,	McInroy,	Stank,
Cianfrani,	Henzel,	McKeever,	Steckel,
Cioffi,	Hocker,	McLaughlin,	Stimmel,
Clarke,	Holliday,	Meholchick,	Stone,
Cooley,	Irvis,	Mihm,	Sullivan, J. A.,
Crossin,	Isaacs,	Miller,	Sullivan, T. F.,
Curwood,	Jenkins,	Mills,	Taylor,
Davis,	Jim,	Morley,	Thompson,
Dengler,	Johnson, A. W.,	Mullen,	Tomascik,
Doughten,	Johnson, R. P.,	Munley,	Tompkins,

Down,	Jones,	Murphy,	Trusio,
Edwards,	Kamyk,	Murray,	Varner,
Ellberg,	Keiser,	Musto,	Verona,
Elvey,	Kelly,	Needham,	Wall,
Eshback,	Kernaghan,	O'Dell,	Walsh,
Fetterolf,	Kessler,	O'Donnell, J. A.,	Wargo,
Filo,	Klein,	Ogilvie,	Weidner,
Fineman,	Knecht,	Parlante,	Welsh,
Foerster,	Kooker,	Pashley,	Willaredt,
Fox,	Kornick,	Perry,	Williams, E. S.,
Frascella,	Korns,	Petrosky,	Wood,
Fry,	Kramer,	Piper,	Wynd,
Fulmer,	Lamb,	Polaski,	Yetter,
Gailey,	Lawson,	Polen,	

NAYS—30

Ashton,	Holman,	Price,	Whittaker,
Bush,	Horst,	Pursley,	Willard,
Capano,	King,	Renwick,	Williams, A. D.,
Dennison,	Kistler,	Seltzer,	Worley,
Farabaugh,	Magee,	Slack,	Zember,
Flynn,	McCandless,	Stiteler,	Zimmerman,
Foor,	McNally,	Wescott,	Andrews,
Goodrich,	Merry,		Speaker

NOT VOTING—19

Agnew,	Eshleman,	McCormack,	Shupnik,
Capitolo,	Ewing,	Monroe,	Strausser,
Comer,	Gibb,	O'Donnell, J. P.,	Ujobai,
Donaldson,	Goldstein, M. H.,	Odorisio,	Wilt,
Dougherty,	Haudenshield,	Scarcelli,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. CAPITOLO. Mr. Speaker, I pushed my button and it did not record and before I had a chance to get your attention you recorded the vote.

The SPEAKER. The gentleman is privileged to state how he would have voted had he voted.

Mr. CAPITOLO. I would have voted "aye," Mr. Speaker.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

Mr. McCANN. Mr. Speaker, I call up House bill No. 132 on page 11 of the calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 132, entitled:

An Act relating to the establishment operation and maintenance of the State Library and public libraries in the Commonwealth of Pennsylvania amending revising consolidating and changing the laws relating thereto imposing duties upon public officers providing for State and local cooperation and assistance in the establishment and maintenance of libraries prescribing penalties and repealing existing laws.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Polen, or anybody else who wants to answer some questions on this bill.

The SPEAKER. Will the gentleman from Washington, Mr. Polen, permit himself to be interrogated?

Mr. POLEN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does this bill apply to school libraries maintained by school districts for the use of its students?

Mr. POLEN. It does not, Mr. Speaker.

Mr. TOMPKINS. Could such libraries qualify under the provisions of the bill if they met the minimum standards of being open to the use of the general public for so many hours per week?

Mr. POLEN. I did not catch the first part of that question. Would the gentleman repeat it, please?

Mr. TOMPKINS. Could such libraries, that is, school libraries maintained for the use of students, qualify under the provisions of the bill if they met the minimum standards of being open to the use of the general public for so many hours per week and other minimum standards which might be set up?

Mr. POLEN. Mr. Speaker, I could only give my own opinion on that. My opinion would be that if they qualified as a free, non-sectarian public library, they could qualify even though they were in a school.

Mr. TOMPKINS. That question has been asked by a number of our members because they are looking toward that end. Do you think that could be done?

Mr. POLEN. I think, Mr. Speaker, if they could qualify as a free, non-sectarian public library, the fact that they were in a school would not preclude their being covered.

Mr. TOMPKINS. If such school library could qualify by meeting the minimum standards, then would school librarians who are graduates of our state colleges in library work be qualified for certification as librarians under the provisions of this bill?

Mr. POLEN. Mr. Speaker, to be perfectly frank, I could not answer that question.

Mr. TOMPKINS. Is there anybody familiar with this bill who can answer it?

Mr. McCANN. Mr. Speaker, the gentleman from Allegheny, Mr. Guesman.

Mr. GUESMAN. Mr. Speaker, would Mr. Tompkins please repeat that question? I missed one part of it.

Mr. TOMPKINS. If school libraries can qualify under the provisions of this bill, then would school librarians who presently can qualify for the operation of the school libraries and who are graduates of our state colleges in library work and for which they are hired and paid, could they be qualified for certification as librarians under the provisions of this bill?

Mr. GUESMAN. Mr. Speaker, I think there are two questions there. First, it is my impression that they would qualify as state librarians under this bill, and, second, that if the school library qualifies under this bill there is a provision in the bill restricting the bill to anybody who becomes a librarian in the future. Those persons who have come to the position they hold in the past would not be affected. It is my impression on the first part of the question that they would be qualified librarians under the bill.

Mr. TOMPKINS. There is then, a grandmother clause in the bill which would freeze the present librarians? I am talking now about the librarians who come out of our state colleges, qualified as librarians for school work. Would they be qualified to take up work after the effective date of this act in such a library?

Mr. GUESMAN. In a school library I am certain they would. If you are talking about a local or municipality library, I cannot give you an answer.

Mr. TOMPKINS. Then you do not know whether they would or not?

Mr. GUESMAN. It is my impression that they will, but I will not stand here and say yes or no definitely, because I could be wrong.

Mr. TOMPKINS. That might have a tremendous bearing on the decision of some of the members on our side.

Mr. GUESMAN. Mr. Speaker, may I ask Mr. Tompkins what his impression is of the bill in that respect?

Mr. TOMPKINS. In my discussions with the state librarian and other people, they claim that these graduates of our state colleges in that type of work would not qualify under the provisions of this bill. I would like to know why. They claim they would have to take post-graduate work in order to be able to qualify.

Mr. GUESMAN. This is not the impression I have, Mr. Speaker, but as I said before, I could be wrong. It is a matter that each member is going to have an opinion on as each member reads the bill.

Mr. TOMPKINS. You cannot make a very intelligent decision unless you know whether or not that type of graduate can qualify.

Does the gentleman from Allegheny, Mr. Guesman, wish to continue to answer further?

Mr. GUESMAN. I will continue as long as I can.

Mr. TOMPKINS. Now, in a news release on March 2, 1961, Harrisburg Evening News, Superintendent of Public Instruction, Dr. Charles Boehm is reported as having said, "Libraries had generally improved in high schools but many elementary students did not have library facilities in their early years of schooling." My question is, would increasing the facilities of school libraries be a duplication in many areas of library facilities and costs within many municipalities?

Mr. GUESMAN. You are saying that secondary students in this Commonwealth have adequate library facilities but elementary students do not. Is that what the gentleman said?

Mr. TOMPKINS. That is the quote from Dr. Boehm. My question is, if you increase the facilities of your school libraries as suggested by Dr. Boehm, would we not in many cases be duplicating the services and the cost in a given municipality?

Mr. GUESMAN. If you extend them only to the elementary school student, you might well be duplicating, but this bill is not limited to the elementary school. This bill is not designed just for the school students. This bill is designed for anybody who can read, from age 6 to 60 or 86.

Mr. TOMPKINS. Mr. Speaker, I understand that very well but the question still recurs, would you not be duplicating the cost and the services by increasing the facilities of your school libraries to compete with your public libraries?

Mr. GUESMAN. No, I do not think so, Mr. Speaker. There are many school districts that are not available to the public. There are school districts where the schools are maintained separately. If you are speaking of increasing the library facilities of the elementary student and, at the same time, under the suggestion of this gentleman you quoted, establish a broader state library system, you are not to knowledge, or in my opinion, duplicating the effort.

Mr. TOMPKINS. Then if these school libraries should be qualified as public libraries you would eliminate then the necessity of a separate public library, would you not?

Mr. GUESMAN. Well, I cannot agree that just by extending a school library you would eliminate the need for a public library.

Mr. TOMPKINS. Well, be that as it may, we will let the members decide that.

Now, an additional item—a news item in the March 3 issue of Harrisburg Evening News reports, "Pennsylvania spends 91 cent per capita for libraries while Massachusetts spends $3.03 and New York $2.57. The Commission wants to raise Pennsylvania's per capita to $2.15."

The same news item states, "If passed, this library bill now before us would be the first library code of its kind in the Nation." My inquiry is, if the other States mentioned and some others which have also been mentioned in some other conservations with the state library, if the other States mentioned spend as much per capita for libraries as quoted, and if this bill would be the first of its kind in the Nation, then just how are these other States accomplishing their purpose without such a code as here proposed?

Then, I might add, why the necessity for this bill? That is merely an editorial comment on the question.

Now, an additional question. This bill authorizes the levy of a special library tax by a local political subdivision, if necessary, not exceeding three mills, in order to take advantage of the program and state subsidies, is that right?

Mr. GUESMAN. Mr. Speaker, may I yield to Mr. Morley of Philadelphia?

The SPEAKER. The gentleman yields to Mr. Morley of Philadelphia.

Mr. MORLEY. Mr. Speaker, in answer to the gentleman's question about the qualifications of librarians, this code does provide the library assistants and personnel to be—"The State Librarian may conduct examinations and promulgate rules and regulations providing for the certification of persons in the above categories based upon actual library experience," not formal education, "as equivalent to the above minimum educational requirements." The only category in which graduate work is required, as I see it in this bill, is in the case of library trainees, who must be college graduates and agree to take a one-year course in graduate work and library science. These are the 25 science trainees provided for in the bill each year.

Mr. TOMPKINS. Mr. Speaker, I am familiar with that provision in the bill, but I still ask why these people who take the four-year course in library science in our state colleges and qualify for your school libraries cannot qualify for pubilc libraries? Now, what is the difference and why the necessity of this additional expense for these trainees? These other people take a four-year course at their own expense. Now, why do we have to have this additional expense for these librarians?

Mr. MORLEY. They can qualify for positions in the libraries under this bill. This trainee bill is to provide special training and special education to put Pennsylvania librarians in the forefront of the Nation. We have been lagging behind in this field and the committee who studied this bill felt that we should provide here in Pennsylvania, qualified people to man the top posts in this field. We are sadly deficient in a good many fields. We have been

importing technicians and specialists into Pennsylvania for years. Our educational institutions are not training the people that we need to do the job, to perform the functions of government. We have this condition right in the city of Philadelphia at the present time. Certain heads of departments and commissions had to be imported into this State to perform governmental functions. This bill provides that we here in Pennsylvania train our own people to do our own jobs.

Mr. TOMPKINS. Well, if that is the case and we have our people in Pennsylvania taking four-year courses in state colleges, I do not know why we impose this additional burden upon them. Following this through, if you want to continue to be interrogated, in the library training program how many schools in the State presently have the program to be able to teach the items which the bill provides for?

Mr. MORLEY. Two, one at Carnegie Institute in Pittsburgh and one at Drexel Institute in Philadelphia. That is graduate work and library science.

Mr. TOMPKINS. How many librarians are presently being graduated per year who can qualify under this bill out of those two institutions?

Mr. MORLEY. I do not know.

Mr. TOMPKINS. Does anyone know?

Mr. MORLEY. This bill is to make sure that we do have at least 25 people a year who do qualify and who are badly needed.

Mr. TOMPKINS. Well, if we do not know how many are being graduated a year, how do we know we need 25 people as trainees?

Mr. MORLEY. The people who are most familiar with this and are in charge of these matters, and who are best qualified, have decided that 25 people a year is a minimum. We need more. We cannot do with less than 25.

Mr. TOMPKINS. I am asking for some more information. I know the bill provides for 25, but I am asking why, if we do not know how many are being graduated from the two schools we presently have?

Mr. MORLEY. We may have to go outside the State to get them. We need a minimum of 25. That is the very thing I am talking about. We should train our own people.

Mr. TOMPKINS. Well, if we have two schools training them now, how many are being trained in a year?

Mr. MORLEY. This is a program that is designed to give them exceptional training; it is a combination of work and training, a method that has been developed in other fields and has proved very successful. It is an in-training program. They work while they learn.

Mr. TOMPKINS. This is a program, in addition, over and above everything else that Drexel and Carnegie now have?

Mr. MORLEY. This is a program established under this bill. I do not know what Drexel has; I do not know what Carnegie has; I am not interested in what they have. This is something that this legislature is being asked to do for the people of Pennsylvania. It is a minimum number. We may need 200 of these people, but we are starting with a minimum of 25 and this is considered absolutely necessary by the people best qualified to judge in these matters.

Mr. TOMPKINS. Mr. Speaker, if we have two schools presently offering such programs, certainly our thinking is going to be guided a great deal by how many of these graduate from those schools today.

Let me ask this additional question—

Mr. MORLEY. I might add, Mr. Speaker, I might add one sentence to that: The schools which are today training them are sending them outside of Pennsylvania, probably. This bill provides that after they receive their training they must spend a minimum of two years in Pennsylvania libraries.

Mr. TOMPKINS. Well, I still say I do not know. Let me ask this additional question: Are there any proposals to have such courses installed in any schools other than Drexel and Carnegie?

Mr. MORLEY. I did not hear that question, Mr. Speaker.

Mr. TOMPKINS. Are there any proposals to have such courses installed in any other schools other than Drexel and Carnegie?

Mr. MORLEY. Not that I know of.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. POLEN. Mr. Speaker, I would like to answer the gentlemans question, if he desires me to.

Mr. TOMPKINS. Yes, I would like to have the gentleman answer it.

Mr. POLEN. Mr. Speaker, at the present time we do have two schools in Pennsylvania that grant degrees in library science and have an extensive library training program. That is Drexel and Carnegie Tech. Carnegie Tech as of last year, that is this present year, is discontinuing their courses in library science. The University of Pittsburgh is going to take that up by request, and they will carry on the program which was previously handled by Carnegie Tech. So, we will have two schools that give advance degrees in library scienec.

I might say, further, in connection with the training of the librarians that work in the pubilc schools that the number who are presently being graduated is not sufficient to staff properly the school libraries. This training program, according to the information that was given to me, was necessary in order to have competent people to staff the public libraries who had secured the proper training.

Mr. TOMPKINS. I thank the gentleman.

Mr. Speaker, I would like to ask the gentleman if he knows how many students are presently enrolled in this course in Drexel?

Mr. POLEN. Mr. Speaker, I do not, but I believe if the gentleman will recall when we were discussing it, and he can correct me if I am incorrect, that the figure of approximately 75 was given us.

Mr. TOMPKINS. I have no recollection of any figures being given on this particular subject, but you think there are 75 presently enrolled in such courses in Drexel or Carnegie Tech, but you say Carnegie Tech is discontinuing it.

Mr. POLEN. That is my recollection of what the state librarian told me.

Mr. TOMPKINS. This bill, of course, provides for 25 a year.

Mr. Speaker, I thank the gentleman from Philadelphia, and the gentleman from Washington.

Mr. Speaker, I want to yield, after I make these few remarks, to a couple of members on our side of the

House who have some additional inquiries to make on this bill.

Neither the Republican Party nor any of the members on this side of the House are against librarians nor the efforts to increase the educational opportunities of its people. We do not know the method by which the other states have been accomplishing this purpose through libraries, but when the statement is made that this is the first bill of its kind in the Nation, then I think we are entitled to inquire, is this bill necessary? Are the other States obtaining the desired results in a manner different than purposed in this bill? If so, how? I personally have devoted a great deal of time in trying to get answers to all these questions, but the further I inquire, the more I do not know.

Is the state control provided for in this bill necessary? How far can the State extend its control now and eventually in libraries which are privately endowed? How far in libraries which have no endowment? This bill gives the State the right to make rules and regulations, and to fix certain minimum standards for libraries. Will this eventually grow, like the Department of Public Instruction, that from month to month you do not know what to do because of some rule or regulation which results in, if you do not comply, with getting no state subsidy.

I am reminded of the admonition contained in the following lines: "For this is the law and the law shall run 'till the earth and its forces fill; that who so eateth another's bread, shall do the other's will."

The members on this side of the House are divided on this bill. Therefore, each will vote as he sees fit. What I have said is not a party position of the Republican members of this House. They are only my own personal observations on the bill. If this bill passes and is signed into law, I would like to suggest that one of the first publications placed in the state library would be one telling how you get full and complete information from a governmental agency or a beaurocrat.

Mr. Speaker, I yield to the gentleman from Delaware, Mr. Dengler.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Dengler.

Mr. DENGLER. Mr. Speaker, there is a fundamental concept involved in this bill that I would like to talk about briefly.

First of all, there are two types of education. One is the formal type that takes place in our schools from nine to three and then there is the extended type that takes place after school.

A public library, in my estimation, is an extension of education just as listening to recordings, or going to the movies, or watching television. Those are educative agencies just as much as going to a library.

Now we are very careful in our schools that we have people who are qualified to teach, and according to this bill we have set up some very rigid standards for people to qualify as librarians.

I am going to vote against this bill, not because I am opposed to libraries. As an educator, I am very much in favor of libraries, naturally. But we have in our own district very fine libraries. We have added one-half a mill to our tax rate and we take care of our library situation in that way on a local level.

Now the reason I am opposed to the State getting into the library business is because we had a state director of music in the person of Dr. Claude Rosenberry for many years. That position was not filled when Claude Rosenberry passed away about three or four years ago. In my estimation, ladies and gentlemen, the music that the people hear coming from radio and television today and the music that people hear from our symphony orchestras in Pennsylvania, the Pittsburgh and the Philadelphia orchestras and many other, probably should be subsidized also. I know they have a deficit.

If we are going to raise the cultural level of this state, let us not confine it to the library; let us raise it generally. And I think that as far as music is concerned, and I know something about this because I am in this business, I think we should look into it very carefully before the State goes into the library business. If it does, then I would say to you, let us reappoint a state director of music. Let us subsidize good music. If we are going to raise the general level, let us not keep it just in one particular category.

Let us also be careful what type of records people buy. We should probably have a censorship on the record business. Some of these records that I have heard and have bought are absolutely an abomination not only to the ears but to the state's intelligence in general.

So I would say I do not think that we need a statewide control. I think we have intelligent people in Upper Darby, I think we have intelligent people in Pittsburgh; I think we have intelligent people all over this State who can take care of their own local libraries, and I do not think the State Legislature should get into the library control business; and if you are going to, I think I ought to introduce a bill that is going to reinstate our state director of music and let us put this cultural level not only on the library level but on all cultural levels.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I yield to the gentleman from Cumberland, Mr. Kistler.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, during this session, as in others, the members of the General Assembly will be called upon to review, discuss, approve, and reject many new pieces of legislation. Some of the bills will be of great and lasting importance. The resulting regulations, services, expenditures or taxes may affect millions of our people and reach directly or indirectly into every home. Other proposed bills will be trivial or of minor relative importance in their effect upon the general welfare.

We have under consideration House bill No. 132, an act relating to public libraries. I believe this bill is a bill of great importance, one that deserves our fullest consideration and understanding.

Libraries, like a school, a church, or a corner drug store are accepted as commonplace, prosaic institutions in the communities where they exist. They have no flashing signs or waving banners. They create few headlines and seldom advertise their books and benefits. They are places we pass as we rush to spend our money at the super market, the gas station, the bowling alley, or the liquor store. They cost us little money and the amounts are insignificant. In a State and a Nation spending billions

upon billions of dollars for public highways, welfare and defense, the cost of libraries is hardly worth mentioning.

But small and isolated as they are, cheap and insignificant as they may be, in comparison with the amounts expended in such major fields of public concern as those just mentioned, we should not take a trivial view of libraries. They are very important, very important. Because of this, House bill No. 132 is important, extremely so. Certainly it should not be accepted or rejected from the standpoint of partisan politics. Any legislation that strikes deeply into the welfare and security of our Nation should be above party politics. The people who sent us here accept the fact that most of the time we will be Democrats and Republicans. But on fundamental issues they expect we will be something more. Occasionally they want us to be Americans in the highest tradition.

This year the Nation will spend more than $40 billion, let me repeat, more than $40 billion, or if you prefer, $40,000 million, to protect the free world from the military might of Russia, China and their puppet states. It is right and proper that we should spend this money. Otherwise, to paraphrase Bertram Russell, we might truly have our choice of being "Red or Dead."

Despite our tremendous armament program, despite our B-52's, our Thor and Atlas missiles, our Polaris submarines, the vast and totally committed power of world Communism is spreading and expanding and enveloping more land, more people, more nations each year. The cold war they are waging is not of guns and planes and missiles; it is one of false ideas, propaganda, distrust, subversion and the big lie. The war is one of ideas; their ideas versus ours, their theories of life against ours, their belief in the total supremacy of the state against ours in the worth and dignity of the individual.

Let us not delude ourselves. We will not defeat Communism with bigger fins on our cars, more colored televisions in our homes, more fun in the sun. We will defeat them only if we are as dedicated, as committed, as loyal and as intelligent in living and promoting democratic capitalism as they are to communist slavery.

With the possibility of the total destruction of the human race handing over our collective heads, may we never, let us pray, have to fight them with bombs. But we can and must fight them with our ideas, our beliefs, and our examples of wealth, prosperity, and security that comes with free enterprise in a Christian nation.

Nor is the war alone with Communism. The war is an internal personal struggle for the minds and morals of our people. The greatest battle you or I or our children shall ever wage is the battle that shall be waged within our hearts. These are days when our newspapers are flooded with tragic stories involving our children, that, in the world of semantics, are glossed over with the oversimplified phase "juvenile delinquency." These are days when the strength and sinews of the world's greatest Nation are being etched by the cancer of low morality in important segments of our society. Only yesterday our papers carried the front-page story of the action of an empty-headed grand jury that proposed legalized prostitution in the city that cradled the liberty of this Nation.

The hour is late, Mr. Speaker. The time is at hand when those who love liberty must strike resounding blows of every description with every available weapon against the evils that beset us so America may pursue her destiny as the leader of free men everywhere. You do not do this with guns. This you do with ideals and ideas.

Where do we keep ideas? Where are they stored? How are they preserved? By what means are they transmitted? How are the democratic principles and the means and methods of our way of life passed from one to another, from generation to generation? Most of this is done by word of mouth, from parent to child, from teacher to pupil, from speaker to audience. Basic to all are books. Books are the arsenals of the mind, the stockpiles of all knowledge and wisdom. Without them our civilization would perish. Abolish our libraries and books, our magazines and newspapers, our reference shelves and tables and you will set mankind back 10,000 years to primitive, prehistoric times. Abdicate our responsibility to furnish good literature to the purveyors of comic books, permit our culture to descend to the level of "Gun Smoke" and "Mr. Dillon," and we will lend truth to those who say we are a decadent people.

What has this got to do with House bill 132? Just this: ideas are bullets and books are guns in our present war with Communism and all other ills that would destroy this blessed land. They are major weapons. House bill No. 132, if enacted into law, will expand and improve State, regional and local libraries. The bill, as amended, will give needed financial aid to struggling local libraries without creating State control or domination. It will encourage the creation of libraries in hundreds of communities where none now exist. It will bring better books and more of them into tens of thousands of homes in our Commonwealth.

Mr. Speaker, I come to the House from the borough of Camp Hill that yields to no other municipality in the State in the degree of excellence in its public school system. Along with Mr. George, I represent Cumberland County whose people, in their respective municipalities, yield to no others in the Commonwealth in their concern for the educational welfare of their children. And I would not presume to suppose that there are not others here who could not make a good case for their communities. But this is the time to back our words with deeds.

Let me give you an illustration of what can be done with a library. Five years ago there was no public library in the whole eastern section of Cumberland County. One was slowly and painfully created in the borough of Camp Hill. With a great amount of local effort and a small amount of seed money from an enlightened borough council, three wise county commissioners, and the State, a library now exists with 12,000 volumes and a circulation of nearly 50,000 books a year. The State's per capita contribution to this commendable enterprise can be measured in pennies; and yet the financial aid and advisory help the State gives are essential if the library is to grow to its full potential.

The Bosler Free Library in Carlisle has seen its circulation of books jump from 17,000 books to over 50,000 books per year in the past four years. The Shippensburg Public Library has increased its circulation from 20,000 to approximately 30,000 books in the past five years. And, if you please, Mr. Speaker, about 50 percent of the books loaned in each of these libraries are non-fiction books in both child and adult categories. These are not books borrowed in pursuit of the hedonistic philosophy of escape from the world's tensions through pleasure, but books

whose pages hold the answers to the challenge of free men everywhere.

New libraries are forming in Mechanicsburg, Newville, and New Cumberland to fulfill the words of Thomas Jefferson when he said, "Along with the usufruct inherent in our Constitution goes the responsibility of leaving this blessed land to its real owners, our children, better than we found it." What we have done and are doing in Cumberland County every community in Pennsylvania can do. The library bill will speed the task.

In a fight with foreign ideologies that avow that they will "Bury Us," the vanguard must be books, not bullets. We must wage a war of the mind and spirit if we are to avoid one of the flesh.

In augmenting libraries with state assistance as comprehended in House bill No. 132, as amended, we are in perfect harmony with Abraham Lincoln's philosophy of government: "Do for the people what needs to be done but which they cannot, by individual effort, do at all or do so well by themselves."

We need to lift our libraries out of the deep south where as a state we now rank thirty-second in library support, and put them into comparable condition with those of New York State and New England. We need the informed, intelligent, disciplined, democratic citizens they can help produce. They need our aid. That is why, Mr. Speaker, I respectfully request the members on both sides of the aisle to vote for House bill No. 132, not as Democrats or as Republicans, but as dedicated Americans, determined to arm our Nation with the books from whose well springs a democratic society may refresh itself and go forth to lead the world of free men.

Mr. TOMPKINS. Mr. Speaker, I yield to the gentleman from Centre, Mr. Fulmer.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Fulmer.

Mr. FULMER. Mr. Speaker, I desire to interrogate either the majority leader, Mr. McCann, or the gentleman from Washington, Mr. Polen.

Mr. McCANN. Mr. Speaker, I will be glad to be interrogated, or yield to the gentleman from Philadelphia, Mr. Morley, who has studied this bill very carefully, if it is germane to the bill.

Mr. FULMER. It makes no difference to me, Mr Speaker, I would just like to have some clarification of the language in the bill. So, if you want to clarify it, or the gentleman from Philadelphia, Mr. Morley, I shall interrogate.

Mr. McCANN. I yield to the gentleman from Philadelphia, Mr. Morley, who I believe, is ready.

Mr. FULMER. Mr. Speaker, would the gentleman from Philadelphia, Mr. Morley, try to assist us in helping to clarify the language pertaining to taxable property. If he will refer to page 14, line 4, in the bill, he will see there that it says "equal to one-half mill times the market value," and the same language is used on the same page in line 8, and the same thing is referred to on page 15, line 14, but when we refer to Article IV, page 25, line 5, page 26, lines 1 and 2, page 30, line 3, and page 31, they just talk about taxable property. Am I to assume, Mr. Speaker, when we were told by definition in Article III that we are talking about market value, that we are talking about the same values in Section 4?

Mr. MORLEY. Yes, sir. Those marketable values are only a yardstick. They apply throughout the bill.

Mr. FULMER. Mr. Speaker, perhaps the gentleman from Philadelphia did not understand the question and, if that be the case, I will be glad to repeat.

My question, Mr. Speaker, is this: In Article III, in the lines I have mentioned, and there may be others, it infers that the millage is supposed to be on the market value of the property, but in Article IV it only says millage on taxable property. Now, Mr. Speaker, my question is, is the same meaning supposed to be implied in Article IV as is spelled out in Article III?

Mr. MORLEY. Yes, sir, it is. It is the exact language of the present law.

Mr. FULMER. Mr. Speaker, may I then inquire of the gentleman from Philadelphia, Mr. Morley, if he is aware of the fact that Article IV is present law, but that which is spelled out there in Article III, when it changes to market value, is not consistent with borough codes, for example?

Mr. MORLEY. This bill provides that it be based on the marketable value of the property as determined by the Tax Equalization Board.

That is quite clear and simple. It says that it refers to the marketable value of property— the market value of property is determined by the Tax Equalization Board.

Mr. FULMER. Mr. Speaker, perhaps we are not reading from the document, but I would like, just for clarification, to ask the gentleman to refer to page 25, line 5. I would like to have him just read line 5 to me and to the members of the House.

Mr. MORLEY. What page is that?

Mr. FULMER. On page 25, Mr. Speaker, line 5.

Mr. MORLEY. "In cases where such questions shall be submitted to the voters of the county they shall not be submitted to the voters residing in cities, towns—"

Mr. FULMER. Mr. Speaker, I am sorry. I inquired of the gentleman if he would read to the members of this House only line 5 on page 25.

Mr. MORLEY. Special taxes for these purposes not exceeding 3 mills on the dollar may be levied on taxable property.

Mr. FULMER. Now, Mr. Speaker, would the gentleman tell me just where in that line he sees the word "market"?

Mr. MORLEY. The two items have no connection whatever. One is only a yardstick. This applies specifically to permissible legislation which permits a township or borough to levy taxes. The other does not.

Mr. FULMER. The reason I asked the question, Mr. Speaker, is because I realize that there are two separate articles. It is my impression that in Article IV it should be referring to assessed value to be compatible with the code.

Mr. MORLEY. Mr. Speaker, the gentleman is talking about two different things.

Mr. FULMER. Mr. Speaker, maybe I am speaking about two different things—one of them refers in Article III to taxable property, and the other, Article IV, talks about taxable property. All I was trying to determine is whether they talk about market value in both instances, or if one was referring to the assessed value of the taxable property.

Mr. Speaker, I would like to ask the gentleman from Philadelphia a further question.

On page 24, section 304, it says that the state aid shall not be made until such plan is approved by the state librarian. Now, in earlier parts of the bill we have placed amendments to take out the word "recommend" and insert "after counselling." Now, I would like to have the gentleman from Philadelphia explain to this House if this section 304 could undo all that happened in the previous sections by saying that the plans must be approved by the state librarian and thereby giving the final sayso to the state librarian?

Mr. MORLEY. Mr. Speaker, he asks four or five questions, but as far as the state librarian approving a library plan before it is eligible for state aid, that is true. There are certain qualifications set up in this bill, and one of the remarkable features of the bill is the fact that they are so minimum, that the state librarian has so little authority and so little supervision over these libraries. The management of the library is completely in the hands of the local people. The libraries are independent libraries. They do not have to join the system, but there are minimum controls and minimum accountability, and the members of this legislature, in the case of misuse of funds or misuse of authority, would be the first people to demand such responsibility and such accountability.

Mr. FULMER. Mr. Speaker, I would just like to advise the gentleman that he is not supposed to become impatient with me. I am not campaigning against this bill. I am just trying to get some clarification of the language. So, if he will be patient, maybe we will just get it clarified and everybody will be happy.

Will the gentleman from Philadelphia, Mr. Morley, refer to page 28 of the bill. In section 404 it appears to me that, after the people shall have voted an annual tax rate for the libraries, subsequently the municipal authorities may increase the rate not to exceed 3 mills without the consent of the electorate. Is that right? In other words, Mr. Speaker, what I am saying is that if the electorate should vote for ½ mill support for the library, then according to this, as I read it, subsequently the municipal body, be it a borough council or city council or school board, could increase the millage without going back to the electorate as long as they did not go over 3 mills. Is that right?

Mr. MORLEY. That is right.

Mr. FULMER. I thank the gentleman, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I yield to the gentleman from Dauphin, Mr. Bowman.

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I shall label my brief remarks as "The Tender Trap," subtitle, "Shades of the County Health Plan."

We have before us today one of the most cleverly conceived efforts to falsely create a popular demand where none exists that I have ever witnessed. Prior to the formation of the commission which studied and promulgated this legislation, I do not htink any of us were aware of this tremendous shortage, this so-called inadequacy of libraries throughout this Commonwealth. After the formation of the commission, composed principally of people in the library field, with very little public representation, as far as I have been able to ascertain, we come up with this tremendous demand for this library bill. Assuming for the sake of argument the necessity for such legislation in this field, why is it that the long arm of the State, as a condition to State aid, always and invariably must impress upon any legislation which is advocated the tremendous amount of State control,—the long arm of the State over each and every one of our individual libraries? It is true that the bill says that without regard to State aid the state librarian can only counsel with local library authorities, but there is no question that if the local library wants State aid it is going to adhere to rules and regulations promulgated by the State librarian. Every penny that you would be entitled to at the local library level, from A to Z, how to be spent, what books you shall buy, how you will run your library is going to be conditioned by the State. In my opinion, the language of the bill saying the management of the library is still under the local authorities is mere pap, pap to make you buy something which is otherwise unpalatable. It goes without saying that the history of the legislation, if enacted, is going to be comparable to the history of the so-called county health plans. You are going to get State aid as a condition to giving up all your local rights and duties and responsibilities. You will get it all right. You will also have a firm State control over everything that goes into that library, the personnel, and how it is to be run. And, lastly, you will be asked to contribute through the so-called local effort.

In the final analysis, how many people are going to want the local effort necessary to get the State aid? We have had similar legislation in other fields go on the books in this Commonwealth for many years, and I know of only one or two instances where it was accepted, and, where it was accepted, it has been rejected, and I speak of Butler County with respect to the county health plan.

Yea, the tender trap is there. It is there because those people bought the program. Then they soon found that at the local effort with the State control it was too much for them to stomach. And this is a duplication of that type of program.

I am very much interested in the education of our youth. I use libraries, and I am interested in having libraries available for the use of others, but for Heaven's sake, can we not in some way provide subsistence, if that is what is needed, in areas where it is needed, without superimposing the State hierarchy on every little thing that is done with respect to State aid? If that is the type of legislation we would propose, I would support it, but I cannot support this type of legislation.

Finally has anyone given any consideration to the cost here involved. I understand the Governor's budget today calls for $500,000 towards this effort—just a part-year implementation of the plan. What is the total cost? It has been difficult for me to find out from anybody precisely what the total cost will be, both through the State and the local effort. I am told when the plan is "fully implemented" it will cost some $6.8 million, that is, the State effort will cost that much, and the local effort will be considerably in excess of that amount.

I have no objection to giving the people the right at the local level to impose taxes upon themselves through

the local governments or by referendum. That is a fine idea. It represents local government at its best, in my opinion, but to sit here and say that we are going to probably have future expenditures of some $6.8 million and perhaps more at the State level without, in turn, in any way discussing the tax problems incident thereto, to me is short-changing the public—the tender trap again.

If we are to have this bill, I think we should, at the same time, not some time in the future, let the people know—discuss and let the people know what taxes are going to be imposed at the State level for the State aid, not postpone that to some future date when future legislatures will be faced with it, not to postpone it to some future date when a governor can come into this legislature and say, here's another one of your mandated programs costing $6.8 million. What are you going to do about it? The time to think about these problems is now and today, not some time in the future.

I sincerely hope that you gentlemen will give consideration to these things as you vote upon this bill.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, I yield.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Morley.

Mr. MORLEY. Mr. Speaker, this bill is one of the major building blocks in Pennsylvania's program to get back on the track as one of the leading industrial, commercial, educational and cultural centers of the Nation. I do not think there is a member in this House who would seriously contend for one minute that library conditions in the State of Pennsylvania today are satisfactory. We have 1.5 million people who have no library facilities whatever. We have 6 million more who have totally inadequate library facilities. Nobody can justify that in the second half of the twentieth century in the State of Pennsylvania.

I have heard a number of reasons why we should not be for this bill this afternoon, but I have yet to hear one good reason why we should not support it.

Frank O'Connor, the Irish writer, once said that writing was the poor man's art. If it is, then I believe the libraries are the poor man's colleges and the peoples' universities. It goes right to the people who need it most, and to say that we are to deny to our people the opportunity to sharpen their skills, develop their talents, and broaden their knowledge so that they can compete today in this fast-moving, rapidly-changing world is stark nonsense.

They mention controls. We must have a certain degree of control. As I pointed out before, in this bill it is minimum. Abraham Lincoln over 100 years ago, shortly after he addressed this House in his inauguration speech, under similar circumstances, when people spoke of dominant government controls, and so forth, said this, "While the people retain their virtue and their vigilance, no administration by any extreme of wickedness or folly can in the short space of four years seriously injure the government."

I say to you, Mr. Speaker, that we here in this House have the final responsibility, we have the ultimate authority. These people must come back to us year after year and no superintendent of public instruction, or no state librarian can, in the short space of one year, seriously harm the libraries of the people of Pennsylvania. We should give our people the tools with which to do the job. If we do, Pennsylvania for years to come will say of us that we had the intelligence and the foresight to recognize this problem and the courage to do something about it.

The SPEAKER. The Chair recognizes the gentleman from Carbon, Mr. Bonner.

Mr. BONNER. Mr. Speaker, after listening to the debate, I recognize that the mechanics of this bill are not perfect. I also recognize that the goals and attainments of this bill are desired by everyone. I also realize, and so does everyone else, that the rise of Adolph Hitler in Germany was preceded by book burnings throughout the nation of Germany. For that reason, I am supporting this bill.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I did not intend to speak on this bill today, but, after listening to the debate, I feel that I should say a few words.

I had the occasion this past weekend to have in my possession a two-volume library survey in Pennsylvania, commissioned by the state librarian at the request of former Governor Leader. Certainly, from different remarks mentioned today, it seems to me that there was an impression created that this was some sort of haphazard program that was not carefully gone into.

When I received this two-volume edition of this survey, my original intention was to vote against the bill because of the fact that, being from Philadelphia, we have a number of free libraries there and, as far as I am concerned, adequate services to fill the needs of my constituents and the average individual. As a matter of fact, one block from my home we have a branch of the free library of Philadelphia. So, realizing that this is going to cost $500,000 this year and, as the gentleman said, an estimated $6.8 million hereafter if all of the local communities and counties participate, my first thought and conclusion would be to vote against it because we in Philadelphia, in my community, do not need it.

I was going to preface my argument against this bill by reading this survey. But then I read in the survey that this is primarily designed to help those areas, those rural communities, that do not have library facilities. I do not want to bore you by reading from this survey, but certainly there are a few points that should be made.

First of all, I would like to state—and if this can be contradicted I certainly would like to hear it—that it says that 2,161,526 Pennsylvanians have no local public library of any kind, that 5.7 million Pennsylvanians with some library services actually have facilities that are greatly inadequate for meeting their subject and information needs, that 7,455,000 lack reasonable access to specialized research materials.

Mr. Speaker, the gentleman from Cameron, Mr. Tompkins, asked for some figures before in his interrogation, and I think the answer might be in here. For that reason I would like to ask Mr. Tompkins if I may interrogate him.

The SPEAKER. Will the gentleman from Cameron permit himself to be interrogated?

Mr. TOMPKINS. I am always happy to be interrogated by the gentleman from Philadelphia.

Mr. McCORMACK. Did you have the occasion to peruse these two volumes of the survey, Mr. Tompkins?

Mr. TOMPKINS. I did not. I never received them and, so far as I know, although perhaps I never specifically requested them, I have never had an opportunity to review them.

Mr. McCORMACK. Were you aware of the fact that there was such a survey?

Mr. TOMPKINS. Yes, I was.

Mr. McCORMACK. Did you not state on the floor today that you went into this very carefully?

Mr. TOMPKINS. I did not mean that I read the survey very carefully. I read the bill very carefully.

Mr. McCORMACK. Did you go into the problem of library services in Pennsylvania very carefully?

Mr. TOMPKINS. I was aware of the figures that you quoted from there, yes. I have seen those figures.

Mr. McCORMACK. That is all I have, Mr. Speaker, thank you.

With respect to trained personnel in Pennsylvania libraries, I would like to very briefly read a portion of a paragraph on page 148 of the survey: "The need for trained personnel presents special problems. At present there are 377 qualified librarians in Pennsylvania libraries, 222 in the two big city systems, 155 in the rest of the State. This 377 figure is 23 percent of the total of the present staff, rather than the necessary 40 percent. Pennsylvania now has about half as many total library staff members as are needed, 1,629 rather than 3,100, but only one-fourth as many professionals as needed. In addition to the 377 professionals, there are 282 college graduates working in public libraries, one potential source of persons who go on to get professional preparation." I am still reading from the report, "The need for qualified librarians can mean that the proposed program is simply the need for 1,250 rather than 377 trained professionals. The problem seems insurmountable. The existing library schools in Pennsylvania graduate approximately"—and this is in answer to the query by the gentleman from Cameron, I just wanted to call this to your attention for I think this is one of the questions you asked. "The existing library schools in Pennsylvania graduate approximately 50 persons a year for public library service." I do not know whether that is the answer that you wanted, but that is the report. "If every one of them took a job in Pennsylvania and if none of the present professionals retired, it would still take 19 years to fill the vacancies which the program will create. It must be remembered that a fully trained librarian has four years in college, plus a year of graduate library school."

Mr. Speaker, I know that the gentleman from Dauphin, Mr. Bowman, said that the State is assuming a certain amount of control and I think that we as average legislators and individuals are opposed to that as a general principle, but at the same time I think the gentleman from Dauphin would agree that we should have some control because we are spending the taxpayers' money. We are directing how the money should be paid, and therefore a certain amount of liberal controls are not only necessary, but they are also desirable, because we have to appropriate this money.

I think, considering everything, considering the facts in this survey, there is a need, and I think it has been demonstrated, that the local communities and the counties have not been able to fill it, and, therefore, we ought to adopt this type of program. As the gentleman said, it is not a perfect program. I think it is a step in the right direction. I am willing to take that chance and, on balance, I think, over-all, it is a good bill. I am going to ask that you vote for it.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I will yield to the gentleman from Clarion, Mr. Varner.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Varner.

Mr. VARNER. Mr. Speaker, I want to put in the record that I will support this bill because I think it will be a good thing for my home town of Clarion.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, it is my understanding that I will close the dabate and, therefore, I will be very brief.

I would like to clear up a few points, to clear them without a moment of hesitation as to intention. As the bill is amended, we very clearly indicated the desire of this House that there would be no censorship. For the purpose of intention as to that, we also are willing to incorporate the intention of the House on the freedom to read, which has been adopted by all of the libraries in the Nation, the various foundations, National Education Association, and other groups, to clear up without a question of doubt as to censorship.

To clear up a point very quickly about who will be serving on the library advisory council or commission, if you read a section of the bill you will see clearly the numbers designated that would serve on this 12-person commission. The recommendation of the General Assembly will be that two members of each political party will be a part of that commission, that they will serve and they will be our guiding light advising us on that commission. I say to you that we are well prepared to debate many points, which I think most of you have clearly defined in your own mind.

There has been considerable editorial support for this library program. The Harrisburg Patriot speaks distinctly and well in its edition of Tuesday, March 2. The Bethlehem Globe-Times very clearly indicates its editorial position of why the aid over-shadows its risks. The Centre Daily Times clearly in its editorial states exactly opposite to the gentleman from Centre County, "State Libraries Need All The Help Possible." The Valley Independent very clearly indicates its position on the library bill. Perhaps this is not grass-roots thinking, but to me it is, for I think the people who write the editorials in the smaller newspapers of our Commonwealth pretty well try to lead or help the thinking of the people whom their newspapers serve. They support this position very clearly. As of yesterday there have been no editorials in any of our major papers, or small papers, that we have been able to check, which have editorially opposed this library program.

Therefore, without belaboring the points in the library bill, I am going to say that we believe we have clearly defined the position. This bill will be voted across party lines today, Democrats for it, Democrats against it, Republicans for it, Republican members against it. That is

the way a major piece of legislation should pass, and this bill will pass in a few minutes.

Mr. Speaker, I hope that some of the questions on fiscal problems that were raised here today can be answered clearly as future years move on. If we are making a mistake—since we will, after passage of this bill, appropriate $500,000 in the General Appropriation bill to implement this program—we also will control the financial appropriations of future years, and should we be in the position that you speak of, it will be this General Assembly that will say no.

Therefore, I ask you today to say, yes, and support this measure.

The SPEAKER. The Chair recognizes the gentleman from Centre, Mr. Fulmer.

Mr. FULMER. Mr. Speaker, I would like to advise the majority leader, Mr. McCann, and the rest of the members of the House that I did mention I was not speaking against the bill, but that I was just trying to get some things clarified as far as the bill is concerned. Just in case he is impatient, I am going to advise him that I am going to vote for the bill.

Mr. McCANN. I thank the gentlemen.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—146

Adams,	Gelfand,	Marsh,	Royer,
Anderson, J. H.,	George,	Maxwell,	Rubin,
Anderson, S. A.,	Gibbons,	May,	Rudisill,
Arlene,	Goldstein, J. H.,	McCann,	Rutherford,
Bachman,	Gray,	McCormack,	Sakulsky,
Backenstoe,	Gremminger,	McDevitt,	Scarcelli,
Blair,	Guesman,	McDonald,	Schaaf,
Boles,	Hamilton,	McInroy,	Schuster,
Bonner,	Hankins,	McKeever,	Seltzer,
Bossert,	Hartley,	McLaughlin,	Shelton,
Bower,	Heavey,	McNally,	Sherman,
Branca,	Heffner,	Meholchick,	Simmons,
Breth,	Henzel,	Mihm,	Snare,
Capano,	Holman,	Mills,	Stank,
Capitolo,	Irvis,	Morley,	Steckel,
Cauley,	Jenkins,	Mullen,	Stimmel,
Cianfrani,	Jim,	Munley,	Stone,
Cioffi,	Johnson, A. W.,	Murphy,	Sullivan, J. A.,
Clarke,	Johnson, R. P.,	Murray,	Sullivan, T. F.,
Cooley,	Jones,	Musto,	Taylor,
Crossin,	Kamyk,	Needham,	Tomascik,
Curwood,	Kelly,	O'Dell,	Trusio,
Davis,	Kistler,	O'Donnell, J. A.,	Varner,
Doughten,	Klein,	Parlante,	Verona,
Eilberg,	Kooker,	Pashley,	Wall,
Eshback,	Kornick,	Perry,	Walsh,
Farabaugh,	Kramer,	Petrosky,	Wargo,
Fetterolf,	Lamb,	Piper,	Weidner,
Filo,	Lawson,	Polaski,	Welsh,
Fineman,	Lee, A. M.,	Polen,	Williams, A. D.,
Flynn,	Leonard,	Prendergast,	Wood,
Foerster,	Limper,	Pursley,	Worley,
Frascella,	Long, Wm. Jas.,	Reibman,	Yetter,
Fry,	Long, Wm. Jos.,	Reidenbach,	Zember,
Fulmer,	Lutty,	Renwick,	Andrews,
Gailey,	Manbeck,	Riley,	Speaker
Gallagher,	Markley,	Rovansek,	

NAYS—45

Ashton,	Goodrich,	Kessler,	Slack,
Auker,	Gramlich,	King,	Stiteler,
Bowman,	Gross,	Korns,	Thompson,
Buchanan,	Guthrie,	Lee, K. B.,	Tompkins,
Bush,	Helm,	Lippincott,	Wescott,
Dengler,	Hocker,	Magee,	Whittaker,
Dennison,	Holliday,	McCandless,	Willard,
Down,	Horst,	Merry,	Willaredt,
Edwards,	Isaacs,	Miller,	Williams, E. S.,
Elvey,	Keiser,	Ogilvie,	Wynd,
Foor,	Kernaghan,	Price,	Zimmerman,
Fox,			

NOT VOTING—17

Agnew,	Ewing,	Knecht,	Shupnik,
Comer,	Gibb,	Monroe,	Strausser,
Donaldson,	Goldstein, M. H.,	O'Donnell, J. P.,	Ujobai,
Dougherty,	Haudenshield,	Odorisio,	Wilt,
Eshleman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. HORST filed the following reasons for his vote on House bill 132:

The following are my reasons for voting against House bill 132 this day.

I am not opposed to libraries and feel that they are an essential part of our educational program. Franklin County has a county library which is run and financed at a local level. We have two endowed libraries in our county at the present time and a third one coming up. I am opposed to centralization of power and any more tax burdens being added to the already heavy burden the taxpayer has at the present time, caused mainly by State control and subsidization.

As explained to us in caucus, this bill in five years would develop into a $6,800,000.00 or more, program for the State's share of finances. It provides for 3 mills at a local level and a maximum of $2.00 per head which can be taxed at a local level to finance this program.

My constituents in Franklin County would allow me to vote for a bill which would grant the Commonwealth the right to appropriate small sums of money to various county libraries and endowed libraries so that they will be able to operate and maintain these libraries in an efficient manner. House bill 132 sets up an organization which will cost millions of dollars and waste the taxpayers' money. This I am opposed to. My constituents are not opposed to taxes when they are spent in the right way, but they are opposed to waste.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

On the question,

Will the House agree to the bill on third reading?

Mr. WALSH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Title, page 1, last line of Title, by striking out "Act of 1915" and inserting certain acts.

Amend Sec. 1, page 14, line 1, by inserting after "notice" but requiring a court term and number.

Amend Bill, page 20, by inserting between lines 1 and 2 Section 3. All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

Amend Sec. 3, page 20, line 2, by striking out "3" and inserting 4.

The SPEAKER. Will the House give unanimous consent

to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADDRESS HOUSE

Mr. LEONARD asked and obtained unanimous consent to make a statement.

Mr. Speaker and members of the House, Allegheny County lost one of its greatest citizens, a former member of this House and the former chairman of the board of county commissioners, who passed away on Sunday, March 5, 1961.

Perhaps the greatness of this man was best expressed by his Republican colleague when, at a dinner a few years ago, he stated, "John J. Kane is truly a great public official. I wish that we had him on our side." His words may have been more eloquent than mine, but the thought is the same.

John Kane is no more. His mind and tongue cannot offer words of wisdom to the members of his party, nor to the citizens of Allegheny County. His body is still, but his spirit will live on and his deeds will serve as a symbol to the present administration and to future county administrations, be they of one party or another.

RESOLUTION

CONDOLENCE

Mr. LEONARD offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 6, 1961.

It is with much sadness that we take note of the untimely death of John J. Kane, County Commissioner of Allegheny County for the past twenty four years. His death marks the passing of a man who always maintained a firm grip on the affairs of Allegheny County to which he had become a dedicated servant.

His true friendship, his many courtesies, and his many public services will be sadly missed. Allegheny County has lost a true friend. We hereby extend our condolences to his surviving children; Mrs. Dorothy Smallwood, Mrs. Rita Kane Burns, John J. Kane, Jr. and Col. Francis X. Kane, therefore be it

Resolved, That the House of Representatives extend condolences to the surviving members of his family and hereby commend these surviving members on a father who was a true friend, a worthy public servant and a man in whom all men and women placed implicit confidence, and be it further

Resolved, That a copy of this resolution be sent to his late residence at 517 Fordham Ave., Brookline, Pennsylvania, on behalf of the Allegheny County Delegation.

REPUBLICAN CAUCUS

The SPEAKER. For what purpose does the gentleman from Cameron rise?

Mr. TOMPKINS. To make a statement.

The SPEAKER. Will the gentleman yield to have one more condolence resolution?

Mr. TOMPKINS. I only wanted to make an announcement with reference to the caucus tomorrow. The caucus will be after we take up the session at 1:00 o'clock.

RESOLUTION

CONDOLENCE

Mr. GAILEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 6, 1961.

On Wednesday, February 22, 1961 Robert S. Spangler, a former speaker of this House of Representatives passed away.

Mr. Spangler was a member of the General Assembly from 1913 to 1923 and from 1929 to 1931. He was elected Speaker for the 1919, 1921 and 1929 session.

Robert S. Spangler was a practicing attorney at the time of his death and the residents of York long admired him for the lifelong services which he gave to them; therefore be it

Resolved, that the House of Representatives extend its deepest sympathies upon the death of Mr. Robert S. Spangler; and be it further

Resolved, that a copy of this resolution be forwarded to Mr. Spankler's brother, Edward W. Spangler in Venice, Florida.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PETROSKY asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORTS FROM COMMITTEE

Mr. McKEEVER from the Committee on Workmen's Compensation, reported as committed House bill No. 254, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish employes with instructions on their rights in the event of an accident.

Mr. BRANCA from the Committee on Workmen's Compensation, reported as committed, House bill No. 255, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

Mr. McCANN from the Committee on Rules, reported as amended, House bill No. 635, entitled:

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), reducing the tax rate of fuels used in turbine propeller, turbo-jet or jet driven aircraft and aircraft engines.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 636, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), reducing the tax rate of fuels used in turbine propeller jet, turbo-jet, or jet driven aircraft and aircraft engines for a certain period of time.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 254, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish employes with instructions on their rights in the event of an accident.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 255, entitled:

An Act amending "The Pennsylvania Occuplational Disease Act" approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 636, entitled:

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), reducing the tax rate of fuels used in turbine propeller jet, turbo-jet, or jet driven aircraft and aircraft engines for a certain period of time.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS RE-REFERRED

Mr. FLYNN from the Committee on Townships, returned with the recommendation that it be re-referred to the Committee on Municipal Corporations, House bill No. 265, entitled:

An Act amending the "Municipality Authorities Act of 1945" approved May 2, 1945 (P. L. 382), providing for the taxation of lands of certain Authorities by townships.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

Mr. FLYNN from the Committee on Townships, returned with the recommendation that it be re-referred to the Committee on Municipal Corporations, House bill No. 266, entitled:

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), requiring approval in a referendum prior to entrance of a township by an Authority with a project that does not serve or measurable benefit the township.

The SPEAKER. The bill is re-referred to the Committee on Municipal Corporations.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I move that all bills on final passage and bills on third reading not acted on today be passed over in order.

The SPEAKER. The Chair hears no objection.

It is so ordered.

COMMITTEE MEETINGS

BANKING AND BUILDING AND LOAN ASSOCIATIONS, Mr. Parlante, Chairman, Room 131-A, Tuesday, March 7, at 9:30 a. m.

BOROUGHS, Mr. Filo, Chairman, Room 324, Tuesday, March 7, at 9:45 a. m.

COUNTIES, Mr. Cioffi, Chairman, Room 131-C, Tuesday, March 7, at 11:00 a. m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, March 7, at 9:15 a. m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, March 7, at 11:00 a. m.

GAME AND CONSERVATION, Mr. Curwood, Chairman, Room 323, Tuesday, March 7, at 10:00 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, March 7, at 10:00 a. m.

LAW AND ORDER, Mr. Welsh, Chairman, Room 522, Tuesday, March 7 at 12:30 p. m.

MINES AND MINERAL INDUSTRIES, Mr. Rovansek, Chairman, Room 131-E, Tuesday, March 7, at 10:00 a. m.

MUNICIPAL CORPORATIONS, Mr. Polaski, Chairman, Room 331, Tuesday, March 7, at 11:30 a. m.

PROFESSIONAL LICENSURE, Mr. Boies, Chairman, Room 131-B, Tuesday, March 7, at 12:00 noon.

PUBLIC HEALTH AND SANITATION, Mr. Maxwell, Chairman, Room 331, Tuesday, March 7, at 9:30 a. m.

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, Tuesday, March 7, at 11:00 a. m.

TOWNSHIPS, Mr. Flynn, Chairman, Room 131-A, Tuesday, March 7, at 11:30 a. m.

ADJOURNMENT

Mr. GUESMAN. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 7, 1961 at 1:00 p. m., e. s. t.

The motion was agreed to, and (at 7:12 p. m., e. s. t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, MARCH 7, 1961. No. 25.

SENATE

TUESDAY, MARCH 7, 1961.

The Senate met at 2:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, DOCTOR A. DIXON ROLLIT, D. D., Rector of The Church of the Ascension, Pittsburgh, offered the following prayer:

Almighty God, our Heavenly Father, Who declarest Thy glory and showeth forth Thy handiwork in the heavens and the earth, we thank Thee for having brought us safely to this moment in our lives. We thank Thee also for those who, by the people's choice, have been called to serve in the high office of Senator in this Commonwealth.

At this hour in our history, when so many grave and vexing problems have to be faced, when such brave and righteous leadership is our greatest need and when our lives without Thee are apt to become feverish, hectic and irritable, keep us mindful of the unseen hosts of those who now in Thy nearer presence and higher service always surround us as we sit where they sat. Keep us aware of the great tradition in which we stand. Alert to the millions of men, women and children whom we represent that always inspired by such thoughts, we may have the courage to be humble and open the windows of our souls to Thee; that such spiritual strength flowing freely into our lives may bring peace to our anxious minds, love and compassion to our sometimes cold hearts, and health and strength to our bodies, enabling us to do the work which Thou hast called us to do in truth, beauty and righteousness; faithful to every challenging duty, loyal to every high claim, and thus proving ourselves worthy of the trust the peoples of this Commonwealth and Nation have committed to our hands.

We ask it in Thy Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

Mr. WADE. Mr. President, we are honored today by a visit from a very distinguished group from the West Shore, in Cumberland County.

This group is currently enrolled in the "Action Course in Practical Politics," which has been advocated by many national organizations.

Mr. Leonard W. Sorensen is the Discussion Leader. Accompanying him are Mr. William Clayton, Mr. Ivan L. Craig, Mr. Robert English, Mr. Earl Esch, Mrs. Earl Esch, Mr. Lewis J. Faust, Mrs. Josephine Halfpenny, Mrs. J. S. Hanchel, Mrs. William S. Hench, Jr., Mr. John Hensel, Mr. Powell O. Holt, Mr. Robert Jefferies, Mr. Wallace Karns, Mrs. Mae Lowe, Mr. Kenneth Minich, Mr. Roger Morrison, Mr. Joseph Roe and Mr. Ralph Sentz.

With this group also is Mr. Robert Crist, of Camp Hill, who is a Republican Committeeman. However, the group represents both of the major political parties.

I would be indebted to you, Mr. President, if you would welcome the group.

The PRESIDENT. We are happy to have this group from Cumberland County here. We would like very much if they would rise and be recognized by the Senate.

On behalf of the Senate, the Chair is very happy to welcome you to our proceedings in this session.

GUESTS OF SENATOR STANLEY G. STROUP PRESENTED TO SENATE

Mr. STROUP. Mr. President and Members of the Senate, I am privileged to introduce to you this afternoon, as our guests, eighty-three members of the Senior Class of the Shade Central-Union High School, which is located in the land of the frosty sons of thunder and sweet maple syrup, the beautiful county of Somerset.

This class is escorted by two of their teachers, Mrs. Mauer and Mrs. Severn.

Mr. President, I will be indebted to you if you will welcome this group to the Pennsylvania Senate.

The PRESIDENT. We are very happy to welcome some of the beauties from the beauties of Somerset County. Will the Seniors please rise?

Of course, along with the beauties, we have a few handsome boys there. Keep up the good work. We are happy to have you here with us.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, due to illness.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

March 7, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert Reynolds, 4920 Elmwood Drive, Pittsburgh 27, Allegheny County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 7, 1961.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Beverly B. Haupt, R. D. 1, Julian, Centre County, for appointment as Justice of the Peace in and for the Township of Union, Centre County, to serve until the first Monday of January, 1962, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence HB 132, which was referred to the Committee on Education.

He also presented for concurrence HB 218, which was referred to the Committee on Highways.

ANNOUNCEMENT OF APPOINTMENT OF MEMBERS OF THE PENNSYLVANIA COMMISSION ON INTERSTATE CO-OPERATION AND LEGISLATIVE BUDGET AND FINANCE COMMITTEE

The PRESIDENT. The President pro tempore of the Senate, the Honorable Anthony J. DiSilvestro, today appointed the following Senators as Members of the Pennsylvania Commission on Interstate Co-operation: Charles R. Weiner, Harry E. Seyler, Thomas J. Kalman, William Vincent Mullin, James S. Berger, Robert D. Fleming and Henry J. Propert.

The President pro tempore has also appointed the following Senators as Members of the Legislative Budget and Finance Committee: Anthony J. DiSilvestro, Charles R. Weiner, William J. Lane, James S. Berger, Robert D. Fleming and Henry J. Propert.

REPORT FROM THE COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

ALDERMAN

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James F. Rogan, 243 Harrison Avenue, Scranton, Lackawanna County, for appointment as Alderman in and for the Seventeenth Ward of the City of Scranton, Lackawanna County, to serve until the first Monday of January 1962, vice Patrick J. Boland, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE INDUSTRIAL BOARD

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Sabel, 108 Spring Grove Road, Pittsburgh, Allegheny County, for appointment as a member of the Industrial Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice John B. Backhus, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter R. Seip, M. D. (Homeopath), 510 Glen Arden Drive, Pittsburgh 8, Allegheny County, for appointment as a member of the State Board of Medical Education and Licensure, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. Wesley B. Richards, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Markovitz, 236 Franklin Street, Johnstown, Cambria County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy D. Wengert, 207 South Twenty-fourth Street, Camp Hill, Cumberland County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Boyer (Democrat), 904 Rose Street, Reading, Berks County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. O'Toole, Tionesta, Forest County, for appointment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Mrs. Harriet S. Hearst, Clarion, whose term expired.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Grace Kunkle Palmer, 169 Grand Street, East Stroudsburg, Monroe County, vice Clyde Willits Shaffer, East Stroudsburg, whose term expired.

John Farley, 1737 Laurel Street, Stroudsburg, Monroe County, vice Rev. John B. Bergstresser, Stroudsburg, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard J. Blakinger, 1956 Melody Lane, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until his successor is appointed and qualified, vice Samuel S. Wenger, Esq., Paradise, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. Meehan, 225 East North Street, New Castle, Lawrence County, for reappointment as a member of the Board of Trustees of Slippery Rock State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Nancy H. Lee (Democrat), 7449 Hermitage Street, Pittsburgh 8, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Jessie M. Vann, Oakmont, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest E. Wadsworth (Democrat), 311 Pine Street, Johnstown, Cambria County, for appointment as a member of the Cambria County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Anthony H. Lorditch, Johnstown, whose term expired.

DAVID L. LAWRENCE.

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Roberta Levitz (Democrat), 1628 Robin Road, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Wayne L. Sholly, Lebanon, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Richard Copenhaver, R. D. 1, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first Monday of January 1962, vice D. Merle Baughman, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Garner, 1411 Broad Street, South Greensburg, Greensburg, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of South Greensburg, Westmoreland County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred I. Mahoney, 140 East Avenue, Johnsonburg, Elk County, for appointment as Justice of the Peace in and for the borough of Johnsonburg, Elk County, to serve until the first Monday of January 1962, vice W. A. Mahoney, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Potoski, R. D. 1, Pittston, Luzerne County, for appointment as Justice of the Peace in and for the Township of Exeter, Luzerne County, to serve until the first Monday of January 1962, vice Daniel A. Ball, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney G. Willar, 239 East High Street (Rear), Bellefonte, Centre County, for appointment as Justice of the Peace in and for the North Ward of the Borough of Bellefonte, Centre County, to serve until the first Monday of January 1962, vice Raymond N. Brooks, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Danville State Hospital:

Andrew P. Maloney, 533 North Main Street, Pittston, Luzerne County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Clark E. Blecher, 1 Maple Street, Danville, Montour County, until the third Tuesday of January 1963 and until his successor is appointed and qualified.

David J. Litchard, Anthony Township, Montour County, P. O., R. D. 1, Turbotville, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Robert Moore, 110 West Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Benjamin Schneider, 123 East Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Danville State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Silas McHenry, Stillwater, Columbia County.

J. Claire Patterson, 315 West Street, Bloomsburg, Columbia County.

William T. Deeter, Riverside, Northumberland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret C. Gordon, 9988 Woodfern Road, Philadelphia 15, Philadelphia County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified, vice Mrs. Mary I. Devlin, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

January 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent to the Senate Robert N. Taylor, 608 East Durham Street, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Pennhurst State School, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. SESLER, from the Committee on Military Affairs and Aeronautics, reported, as committed, **SB 278, 279, 280, 281, 282, 283, 284, 285, 286** and **287,** and, as amended, **HB 61.**

Mr. MURRAY, from the Committee on Banking, reported, as committed, **HB 70** and **74.**

Mr. YATRON, from the Committee on Agriculture, reported, as committed, **HB 302, 305** and **312.**

Mr. SILVERT from the Committee on Judiciary General, reported, as committed, **SB 62** and **78.**

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 293.**

Mr. RIPP, from the Committee on Local Government, reported, as committed, **SB 189.**

Mr. HAYS, from the Committee on Local Government, reported, as committed, **SB 181.**

He also, from the Committee on Education, reported, as committed, **SB 197** and **231.**

Mr. KROMER, from the Committee on Local Government, reported, as committed, **SB 185.**

Mr. VAN SANT, from the Committee on Local Government, reported, as committed, **SB 186.**

Mr. MAHADY, from the Committee on Judiciary General, reported, as committed, **SB 134,** and, as amended, **SB 159.**

Mr. LANE, from the Committee on Local Government, reported, as committed, **SB 190.**

ANNOUNCEMENT OF PUBLIC HEARING TO BE HELD BY JOINT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT

Mr. DONOLOW. Mr President, the Joint Committee of the House and Senate, studying the abolition of capital punishment, will hold a public hearing this Friday, March 10, at 10:00 a.m., in Room 1301, of the State Office Building in Philadelphia. We have a list of witnesses who have been asked to testify, and this meeting will be open to the public. This will be the first of many which will be held by this Committee.

BILLS INTRODUCED AND REFERRED

Messrs. BELL and DiSILVESTRO presented to the Chair **SB 356,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 357,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," changing the name of The Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

They also presented to the Chair **SB 358,** entitled:

An Act amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; . . ." correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Which was committed to the Committee on Military Affairs and Aeronautics.

Messrs. SHAFER and SARRAF presented to the Chair **SB 359,** entitled:

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training student nurses in approved schools of nursing.

Which was committed to the Committee on Appropriations.

Messrs. SHAFER, BERGER and McMENAMIN presented to the Chair **SB 360,** entitled:

An Act providing for injunctions against persons to prohibit and restrain the unauthorized practice of the law; authorizing the investigation thereof and prescribing the procedure therefor.

Which was committed to the Committee on Judiciary General.

They also presented to the Chair **SB 361,** entitled:

An Act concerning the ownership of securities by minors, providing for the transfer of and dealing with such securities and prescribing the powers, duties, liabilities and immunities of certain persons in their transactions in connection therewith.

Which was committed to the Committee on Banking.

Messrs. STEVENSON, MALLERY, HALUSKA, LANE and HAYS presented to the Chair **SB 362,** entitled:

An Act amending the act of August 20, 1953 (P. L. 1217), entitled "An act providing for payments by the Commonwealth to municipalties which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act, approved the twenty-second day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation," changing amounts paid to municipalities.

Which was committed to the Committee on Local Government.

Mr. VAN SANT presented to the Chair **SB 363,** entitled:

An Act amending the act of July 8, 1941 (P. L. 298), entitled "Fourth Class County Retirement Law," authorizing counties to increase their share of certain members monthly allowance.

Which was committed to the Committee on Local Government.

He also presented to the Chair **SB 364,** entitled:

An Act amending the act of June 4, 1937 (P. L. 1625), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; . . .," authorizing counties to increase their share of certain members monthly allowance.

Which was committed to the Committee on Local Government.

He also presented to the Chair **SB 365,** entitled:

An Act amending the act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; . . .," authorizing counties to increase their share of certain members monthly allowance.

Which was committed to the Committee on Local Government.

Messrs. KESSLER and SEYLER presented to the Chair **SB 366,** entitled:

An Act amending the act of May 11, 1905 (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, . . .," authorizing the instruction of certain additional pupils not residing in the school.

Which was committed to the Committee on Education.

Mr. KESSLER presented to the Chair **SB 367,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for attendance of day students in vocational education at Thaddeus Stevens Trade School and for payment of tuition to the school by the district of residence of such students.

Which was committed to the Committee on Education.

Messrs. KALMAN and WADE presented to the Chair **SB 368,** entitled:

An Act amending the act of June 1, 1933 (P. L. 1172),

entitled "Borough Rural State Highway Law," adding a new route in the Borough of Masontown, Fayette County.

Which was committed to the Committee on Highways.

They also presented to the Chair **SB 369,** entitled:

An Act amending the act of June 1, 1933 (P. L. 1172), entitled "Borough Rural State Highway Law," changing a route in the Borough of Masontown, Fayette County.

Which was committed to the Committee on Highways.

Messrs. KALMAN, MILLER and HALUSKA presented to the Chair **SB 370,** entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; . . .," changing the age at which a member of a police force may retire.

Which was committed to the Committee on Local Government.

Messrs. KALMAN, MURRAY, MILLER, HAYS and MAHADY presented to the Chair **SB 371,** entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," authorizing the acquisition of land outside the limits of any city for the use of the National Guard of Pennsylvania, and authorizing such lands to be annexed to cities.

Which was committed to the Committee on Local Government.

Messrs. STAISEY, MULLIN and DEVLIN presented to the Chair **SB 372,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," changing provisions relating to shooting restrictions on regulated grounds.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Messrs. SEYLER, MURRAY, KALMAN, SILVERT, HAYS, SESLER, ROONEY, VAN SANT, RIPP, EHRGOOD, DEVLIN and STAISEY presented to the Chair **SB 373,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing certain salaries and work loads; prescribing extension education areas; decreasing the number of names needed for free extension education; raising the deposit fee and providing for a tuition fee in certain instances; deleting provisions relating to free evening schools and making an appropriation.

Which was committed to the Committee on Appropriations.

Messrs. SEYLER, WEINER, DiSILVESTRO, HAYS and SILVERT presented to the Chair **SB 374,** entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "Public School Employes' Retirement Code of 1959," providing for the purchase of credit for services rendered by school counselors employed by charitable organizations prior to membership in the retirement system under certain circumstances.

Which was committed to the Committee on Education.

Messrs. STIEFEL, MAHADY and MURRAY presented to the Chair **SB 375,** entitled:

An Act relating to collection agencies; providing for and regulating the licensing of collection agencies and collectors; granting powers and imposing duties on the Secretary of Banking, prescribing unlawful acts and imposing penalties.

Which was committed to the Committee on Banking.

Messrs. McMENAMIN and STAISEY presented to the Chair **SB 376,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," prohibiting the sale of liquor and malt and brewed beverages on Good Friday and Christmas.

Which was committed to the Committee on Law and Order.

PERMISSION TO ADDRESS SENATE

Mr. KALMAN asked and obtained unanimous consent to address the Senate.

Mr. KALMAN. Mr. President, I am about to introduce a bill, on behalf of Senators Murray, Lane, Scott, Flack, McGinnis, Hays and myself. I am sure there are many other Senators in this Chamber who would be happy to join us in this legislation if we had time to permit them to execute the bill.

BILLS INTRODUCED AND REFERRED

Messrs. KALMAN, MURRAY, LANE, SCOTT, FLACK, McGINNIS and HAYS presented to the Chair **SB 377,** entitled:

An Act amending the act of May 17, 1956 (P. L. 1609), entitled "Pennsylvania Industrial Development Authority Act," further providing for the amount the Authority can contract to loan and the amount that must be provided for by the industrial development agency.

Which was committed to the Committee on State Government.

Messrs. WEINER, DONOLOW, CAMIEL, McCREESH, MULLIN and SILVERT presented to the Chair **SB 378,** entitled:

An Act amending the act of August 9, 1955 (P. L. 312), entitled "An act fixing the salary of the district attorney of Philadelphia," raising the salary of the district attorney of Philadelphia.

Which was referred to the Committee on Local Government.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. RIPP offered the following resolution which was read, considered and adopted:

In the Senate, March 7, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 13, 1961, at THREE o'clock p.m., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, March 13, 1961, at THREE-THIRTY o'clock p.m., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

SENATE RESOLUTION

TRIBUTE TO BISHOP JOHN W. NEUMANN

Messrs. WEINER, CAMIEL, McCREESH, McMENAMIN, MULLIN, SILVERT, DONOLOW, STIEFEL and DiSILVESTRO offered the following resolution **(Serial No. 21)**, which was read, considered and adopted:

In the Senate, March 7, 1961.

March 28, 1961 marks the anniversary of the birthday of Bishop John W. Neumann, C.SS.R. Bishop Neumann was an outstanding American. He came to this, his adopted Country, from far off Bohemia and here accomplished the dedicated work he set out to do as a foreign missionary in America.

The date March 28 marks the one hundred and fiftieth anniversary of his birth. He traveled the entire frontier here in Pennsylvania, afoot, horseback, canal boat, stage coach or any other means of travel available. He was the pioneer of the Catholic School System in America. He became the fourth Catholic Bishop of Philadelphia.

We have all been recipients of the fruits of his dedicated life; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize Bishop John W. Neumann, C. SS. R. as one of the outstanding citizens of this State on the one hundred and fiftieth anniversary of his birth; and be it further

Resolved, That a copy of this resolution be sent to Rev. Francis J. Litz, C.SS.R. of St. Peters Church, 5th and Girard Streets, Philadelphia, Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. LANE asked and obtained unanimous consent to address the Senate.

Mr. LANE. Mr. President, I am about to offer a resolution, on behalf of Senator Weiner, myself and the entire Democratic Caucus, and I request the immediate consideration of this resolution.

SENATE RESOLUTION

OFFERING VARIOUS SERVICES FOR THE ORDERLY TRANSFER OF THE POWERS AND DUTIES OF THE OFFICES OF AUDITOR GENERAL AND STATE TREASURER

Messrs. LANE and WEINER, on behalf of the Democratic Caucus, offered the following resolution **(Serial No. 22)**, which was read as follows:

In the Senate, March 7, 1961.

Whereas, The Democratic Party of the State of Pennsylvania takes great pride in adhering to the principles of good government, the characteristic fundamental of which is the adherence to the high standards of service rendered by the various departments of government and by the uninterrupted functions performed by such departments of government; and

Whereas, Various political parties may from time to time be in charge of the administration of the government of this great Commonwealth yet there must always be a unity of purpose, a continuity that continues without interruption in its rendering of governmental services to the general public; and

Whereas, To this end the Pennsylvania State Democratic Party, as did the Pennsylvania State Republican Party in the past when it was the party in power, joins with all the various departments of the State government and the numerous boards and commissions within the State Government and all the employees of the State and the various boards and commissions in offering its and their services and cooperation to promote the orderly transition of the Department of the Auditor General and the Department of the State Treasury over from its present fiscal officers, Auditor General Charles C. Smith and State Treasurer Robert F. Kent to the new fiscal officers elect, Grace Sloam and Thomas G. Minehart; therefore be it

Resolved, That the State Democratic Party, the various departments of the State Government and its boards and commissions and all of their employees hereby join in offering their services and cooperation to help in any possible way to the orderly transfer of the powers and duties of the fiscal offices of the Auditor General and State Treasurer; and be it further

Resolved, That the Senate of the Commonwealth offer its services in whatever way it can be of service in this transition of powers and duties; and be it further

Resolved, That a copy of this resolution be sent to the Hon. Charles C. Smith, Auditor General of the State of Pennsylvania and to the Hon. Robert F. Kent, Treasurer of the State of Pennsylvania.

Mr. WEINER. Mr. President, the purpose of presenting this resolution is so that we have on record—and I have been reading about this in the newspaper and I do not have it firsthand—that there has been some request made of the present occupants of the offices for either a task group or a task force to go in and sort of set up the departments.

The most important feature of the entire phase of this transition is so that the people who depend on the State payroll do not miss any paydays. I believe everybody is in agreement that people who work for the State are not that highly paid that they can afford to miss one or two paydays, or have them go by without receiving any checks. I do not think this will happen. I think everybody will be willing to cooperate. The only purpose in doing this is to state that everyone is willing and ready to cooperate.

If there has been some misunderstanding or some point where everyone does not quite see eye-to-eye in this picture, we hope we can be the oil on the troubled waters, if there are any troubled waters. However, I do not think there are, and we hope we can lend our services as well.

Mr. BERGER. Mr. President, do I understand that immediate consideration of this resolution has been requested?

The PRESIDENT. Yes sir.

Mr. BERGER. Mr. President, I agree with the Majority Leader, of course, that the orderly transition of the changeover should be done with the least complications and I am sure that the incumbent officers—I only read this in the paper, too, and I have no direct knowledge—will be perfectly willing to cooperate with the incoming officers in any way possible.

The sentiments expressed in this resolution are so overwhelmingly noble that I believe it would be quite proper to sort of define the areas in which the assistance of the entire Senate Body might be made available to the departments of the Auditor General and State Treasurer. Consequently, Mr. President, I would object to the immediate consideration of this resolution and ask that it be studied in the appropriate committee.

Mr. LANE. Mr. President, while listening to the Minority Leader, I thought it might be possible that should we grant immediate consideration to this resolution, he might lend his advice and counsel to the Members of this Senate due to his long experience, and probably we might be in a position to more or less efficiently make these transfers.

I believe Senator Berger recalls a few years ago when there was a change in government, there appeared to be quite some delay. I do not believe it is the fault of any-

one. This resolution was written for the primary purpose of using the power and prestige of this Senate—both the Republicans and Democrats—to bring about an orderly transition.

I say that it is in very poor grace, indeed, that he would object to the immediate consideration of this type of resolution which does not criticize anyone. It only asks that we cooperate in the orderly transition, on which we should get to work, and this delay I feel is very unnecessary.

Mr. BERGER. Mr. President, I do not recall in any sense that I criticized the resolution or its sentiments. In fact, I believe that I was complimentary toward them. I merely thought the area ought to be defined in which the services of the entire Senate Body would be of use in this transition period. I am sure the committee which receives this resolution—and it may even be the Rules Committee; I do not know—will handle it properly. If they think they could narrow the scope of it, possibly by a committee appointment or something, that would be the proper way to handle it. As a consequence, I believe—and have so stated—that would be the correct way to handle this resolution.

Mr. LANE. Mr. President, I am quite disappointed in the Minority Leader because in my scholarly address, which I made to the gentleman, I indicated that the Senate could utilize the services of our distinguished Minority Leader. He has had a lot of experience here and he is very astute in his operations. I thought with his able assistance, we could bring about the orderly transition of these two fiscal offices.

Mr. BERGER. Mr. President, it is quite possible that the committee, in considering this resolution, will be so minded as to call upon Senator Lane, and possibly upon me and some others, as a committee which might act in this capacity. However, I believe we have had a number of statements made from time to time to the effect that the Legislative ought not cross over into the Administrative and vice versa. We should consider that, too, in this type of resolution.

For that reason, Mr. President, and the other reasons which I stated, I believe this resolution ought to be studied in committee.

The PRESIDENT. The resolution is referred to the Committee on Rules.

At this time, the Chair turns the gavel over to the gentleman from Allegheny, Senator Ripp, to preside.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

RECESS

Mr. BERGER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Republican Caucus.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. STAISEY,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF EAST STROUDSBURG STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as members of the Board of Trustees of East Stroudsburg State College, until the third Tuesday of January 1967, and until their successors shall have been appointed and qualified:

Mrs. Grace Kunkle Palmer, 169 Grand Street, East Stroudsburg, Monroe County, vice Clyde Willits Shaffer, East Stroudsburg, whose term expired.

John Farley, 1737 Laurel Street, Stroudsburg, Monroe County, vice Rev. John B. Bergstresser, Stroudsburg, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Richard J. Blakinger, 1956 Melody Lane, Lancaster, Lancaster County, for appointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1957, and until his successors or is appointed and qualified, vice Samuel S. Wenger, Esq., Paradise, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF SLIPPERY ROCK STATE COLLEGE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John A. Meehan, 225 East North Street, New Castle, Lawrence County, for reappointment as a member of the Board of Trustees of Slippery Rock State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE ALLEGHENY COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Nancy H. Lee (Democrat), 7449 Hermitage Street, Pittsburgh 8, Allegheny County, for appointment as a member of the Allegheny County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Jessie M. Vann, Oakmont, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE CAMBRIA COUNTY BOARD OF ASSISTANCE

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ernest E. Wadsworth (Democrat), 311 Pine Street, Johnstown, Cambria County, for appointment as a member of the Cambria County Board of Assistance, until December 31, 1963, and until his successor is duly appointed and qualified, vice Anthony H. Lorditch, Johnstown, whose term expired.

DAVID L. LAWRENCE

MEMBER OF THE LEBANON COUNTY BOARD OF ASSISTANCE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Roberta Levitz (Democrat), 1628 Robin Road, Lebanon, Lebanon County, for appointment as a member of the Lebanon County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Wayne L. Sholly, Lebanon, whose term expired.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Richard Copenhaver, R. D. 1, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first Monday of January 1962, vice D. Merle Baughman, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Garner, 1411 Broad Street, South Greensburg, Greensburg, Westmoreland County, for appointment as Justice of the Peace in and for the Borough of South Greensburg, Westmoreland County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred I. Mahoney, 140 East Avenue, Johnsonburg, Elk County, for appointment as Justice of the Peace in and for the Borough of Johnsonburg, Elk County, to serve until the first Monday of January 1962, vice W. A. Mahoney, deceased.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph Potoski, R. D. 1, Pittston, Luzerne County, for appointment as Justice of the Peace in and for the Township of Exeter, Luzerne County, to serve until the first Monday of January 1962, vice Daniel A. Ball, deceased.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Sidney G. Willar, 239 East High Street (Rear), Bellefonte, Centre County, for appointment as Justice of the Peace in and for the North Ward of the Borough of Bellefonte, Centre County, to serve until the first Monday of January 1962, vice Raymond N. Brooks, deceased.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Danville State Hospital:

Andrew P. Maloney, 533 North Main Street, Pittston, Luzerne County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

Clark E. Blecher, 1 Maple Street, Danville, Montour County, until the third Tuesday of January 1963, and until his successor is appointed and qualified.

David J. Litchard, Anthony Township, Montour County, P. O., R. D. 1, Turbotville, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Robert Moore, 110 West Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

Benjamin Schneider, 123 East Market Street, Danville, Montour County, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF DANVILLE STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following for reappointment as members of the Board of Trustees of Danville State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Silas McHenry, Stillwater, Columbia County.

J. Claire Patterson, 315 West Street, Bloomsburg, Columbia County.

William T. Deeter, Riverside, Northumberland County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Miss Margaret C. Gordon, 9988 Woodfern Road, Philadelphia 15, Philadelphia County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified, vice Mrs. Mary I. Devlin, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PENNHURST STATE SCHOOL

January 24, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert N. Taylor, 608 East Durham Street, Philadelphia, Philadelphia County, for reappointment as a member of the Board of Trustees of Pennhurst State School, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade.
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ripp,
Haluska,	McMenamin,	Staisey,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. DEVLIN. Mr. President, there were additional nominations reported from committee today which were not read by the Clerk.

The PRESIDING OFFICER. Will the Clerk please review the nominations to make sure that all of them were read?

The Clerk will read the additional nominations.

The nominations were then read by the Clerk as follows:

ALDERMAN

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate James F. Rogan, 243 Harrison Avenue, Scranton, Lackawanna County, for appointment as Alderman in and for the Seventeenth Ward of the City of Scranton, Lackawanna County, to serve until the first Monday of January 1962, vice Patrick J. Boland, deceased.

DAVID L. LAWRENCE.

MEMBER OF THE INDUSTRIAL BOARD

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph H. Sabel, 108 Spring Grove Road, Pittsburgh, Allegheny County, for appointment as a member of the Industrial Board, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice John B. Backhus, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF MEDICAL EDUCATION AND LICENSURE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Walter R. Seip, M.D. (Homeopath), 510 Glen Arden Drive, Pittsburgh 8, Allegheny County, for appointment as a member of the State Board of Medical Education and Licensure, for the term of four years, and until his successor shall have been appointed and qualified, vice Dr. Wesley D. Richards, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Louis Markovitz, 236 Franklin Street, Johnstown, Cambria County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE BOARD OF OPTOMETRICAL EXAMINERS

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Guy D. Wengert, 207 South Twenty-fourth Street, Camp Hill, Cumberland County, for reappointment as a member of the State Board of Optometrical Examiners, for the term of four years and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry Boyer (Democrat), 904 Rose Street, Reading, Berks County, for reappointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF CLARION STATE COLLEGE

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Michael J. O'Toole, Tionesta, Forest County, for appointment as a member of the Board of Trustees of Clarion State College, until the third Tuesday of January 1965, and until his successor shall have been appointed and qualified, vice Mrs. Harriet S. Hearst, Clarion, whose term expired.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Yatron,
Fleming,	McGinnis,	Silvert,	Ripp,
Halaska,	McMenamin,	Staisey,	Presiding Officer
Hawbaker,	Miller,		

NAYS—0

Two-thirds of all the Senators having noted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Local Government, reported, as amended, **SB 201.**

BILL INTRODUCED AND REFERRED

Mr. MULLIN, by unanimous consent, presented to the Chair **SB 379,** entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," prohibiting charge of gas and water rates based upon any estimate of the amount of gas or water supplied.

Which was committed to the Committee on Corporations.

CALENDAR

THIRD READING CALENDAR

BILL OVER IN ORDER

SB 75—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

SB 79—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. VAN SANT. Mr. President, I request that Senate Bill No. 79 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, you certainly do hear objection thereto. I object to Senate Bill No. 79, Printer's No. 344, going over in order.

This bill has been on the Calendar and is now I think in its second week. I believe this problem has been debated, adjudicated and gone into in full measure. The people who are opposed to this measure today will not be in favor of it next week. The people who are in favor of it today, I am sure will be in favor of it next week also.

I do not know why this matter is so controversial, but they say it is. However, this is the position which some people have taken. Therefore, I think we should face the matter and vote on it. If the bill fails, that is one thing. If it passes, it will no longer be in our province and we will no longer have to worry about it.

Mr. VAN SANT. Mr. President, I would be wholeheartedly in agreement with the distinguished Senator from Philadelphia if it were yesterday afternoon at this time. However, this morning I was out on Route 22 and witnessed the test of the radar. There is a question in my mind as to whether or not this will be acceptable to the people of Pennsylvania, after they have the opportunity of reading the reports which will appear in the press throughout the Commonwealth within the next twenty-four and forty-eight hours.

Therefore, Mr. President, I now move that Senate Bill No. 79, Printer's No. 344, go over in its order.

The PRESIDING OFFICER. Is there a second to the motion?

Mr. WEINER. Mr. President, an editorial appeared in this morning's Philadelphia Inquirer, which carried the following heading: "No Sops to Speeders in Radar Bill." There also appears a cartoon, with the following caption; "Tender-Hearted Legislative Opposition." It goes on to lampoon anyone who would condone a highway speed demon or others who might cause death on the highways.

The closing paragraph of the editorial reads as follows:

> "It's time for Pennsylvania to graduate from the horse-and-buggy days of traffic law enforcement. Radar evidence should be legalized without any compromises to the speed maniacs who are largely responsible for this State's alarming traffic toll."

How, by not acting on this measure for another two

days or another week, it is going to solve this problem, I fail to understand. If the gentleman feels this bill is a bad one, then I think he should vote his conscience and vote against the bill. If he feels it is a good bill and will accomplish the purpose which is desired, he can do that today just as well as next week, the following week or the week after that.

Mr. BELL. Mr. President, I second the motion made by Senator Van Sant that this bill go over in its order.

The PRESIDING OFFICER. It has been duly moved by Senator Van Sant, and seconded by Senator Bell, that this bill go over in its order.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, may the Senate be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. VAN SANT. Mr. President, Senator Weiner pointed out an editorial which appeared on the Philadelphia Inquirer today. I also read that editorial and I have here an editorial from the Allentown Morning Call, also endorsing the use of radar on the highways of Pennsylvania.

Recently, at several meetings, I have felt that I could and would vote for the radar bill. However, after the question mark which was raised at the demonstration this morning, I do feel that an opportunity should be afforded to all the citizens of Pennsylvania, all the newspapers which have endorsed radar, all the radio and television stations, and all the people who have been for it and who are all for highway safety. At the same time, we do not want to see the persecution of the population of Pennsylvania through some type of a machine which is open, perhaps, to error.

May I ask for a roll call, please, Mr. President?

Mr. WEINER. Mr. President, before the roll is called. I would just like to get one thought across if I can possibly do so.

I think we should get away from this negative type of thinking. These machines are not set up to persecute or prosecute anyone. The purpose of them is to prevent people from destroying other people and to save lives. It is a positive type of thing. We are the only State that does not have radar. We are in a sea of States which all have radar, all of which have reduced the amount of traffic deaths they have had.

I will be very happy to debate this matter with Senator Wade in a few minutes. However, on this motion, I would also request a roll call.

The PRESIDING OFFICER. A roll call having been requested, the Clerk will call the roll.

May I say that all those voting "aye" will indicate that they want the bill to go over in order? All those voting "no" will indicate they want the bill to be considered on third reading.

Mr. BERGER. Mr. President, I understand that we are calling the roll only upon a motion to have this bill go over in order and that should confine us. However, as long as the Majority Leader has raised the question, I want to say that he made a categorical statement that those who are in favor of it are still in favor of it and those who were against it are still against it. I think that statement is certainly open to some question for the reason, Mr. President, that I know there were several people on this side of the aisle—I being one of them—who were very seriously considering approving this bill. At this time, we feel the bill should not be brought before us for the reason stated by Senator Van Sant when he asked that the bill go over in order. If it is not the disposition of the Majority to have this bill go over in order, let us put the motion to a vote and then we will get on with the consideration of this bill.

Mr. WEINER. Mr. President, it might be that the statement I made is open to question. All statements which people make are open to question. However, I think the facts speak clearly for themselves.

When this matter was previously in the Senate, in committee, it never say the light of day. This is the first time since I have been in this Senate—and many others have been here much longer than I—that this measure has come before us for a vote. When I say that those people who were for the bill are for it today, and those people who were against it will be against it no matter when it comes up, I think that might be open to some question. However, I believe the facts are pretty clear.

Heretofore, Mr. President, those who were in favor of this measure never got the opportunity to have it brought before the Senate. However, this matter is now before us and I think everybody should take the position of either being in favor of it or against it. I do not think there should be any haggling or hiding behind any kind of nonsense about awaiting a new test or this or that. This measure is either good or bad and today is the day for us to be counted.

Mr. CONFAIR. Mr. President, I must disagree with the Majority Leader because I have openly said that I was going to vote for radar. My statement appeared in this morning's newspaper and last Tuesday, on "Capitol Correspondents," I said the same thing.

I, too, saw what happened out on Route 22. I also called my home town and those same newspapers back home which were in favor of radar told me not to vote in favor of it now. They said: "Let us hold it up and find out what is going to happen." This comes from the very same people who were in favor of radar.

Mr. President, I, therefore, ask the gentlemen on the other side to put this bill over in order until Monday, in order for me to go back home and study it further. The Colonel gave me permission to make tests back home, with radar. I want to show my people and see for myself again whether all radar equipment acts the same as I witnessed today. Therefore, I think the bill should be carried over in order, to give us a fair chance back home.

Mr. BELL. Mr. President, I think the Majority Leader's remarks are entirely unfounded. I will go to the record, Mr. Majority Leader. In 1959, I not only voted in favor of radar in the House of Representatives of Pennsylvania, but I debated and worked actively for it.

Today, I saw what happened, and I am going to put into the record, when it becomes the proper time to debate this bill, what my eyes saw. I am going to tell you, Mr. Majority Leader, this is one gentleman whose vote was changed by what he saw this morning.

Mr. WEINER. Mr. President, I believe if the gentleman was paying attention to what I was saying, he would recall that I stated categorically—and I stand on that statement now—that this measure never came before the

Senate for a vote even though it reposed in the State Senate Highways Committee. Even though there were many times when I offered discharge resolutions asking that committee to bring this bill to the floor, this bill never came before us for any kind of a vote. I stand on the statement that this is the first time this measure has been before us for a vote here today.

Mr. BELL. Mr. President, I concur with the Majority Leader on that statement. However, I do not concur in his other statement concerning the fact that people had made up their minds and so on. Of course, the record will show what he said.

Mr. ROONEY. Mr. President, I desire to interrogate my distinguished colleague from my neighboring county of Lehigh, Senator Van Sant.

The PRESIDING OFFICER. Will the gentleman from Lehigh, Mr. Van Sant, permit himself to be interrogated?

Mr. VAN SANT. I will permit myself to be interrogated, Mr. President, with the understanding that we are debating the motion and not the vote on this bill.

Mr. ROONEY. Senator Van Sant, you were very much concerned about what happened this morning and what you saw this morning. What did you see this morning? Will the gentleman answer that?

Mr. VAN SANT. Mr. President, I believe this is on the bill and not on the motion, and I will permit myself to be interrogated later if the bill is called up today for consideration.

Mr. ROONEY. Mr. President, my question is based on the statement of the Senator from Lehigh County regarding what he saw this morning. May I ask the Senator what he saw this morning?

Will you please rule, Mr. President, whether this is on the motion or if this is on the bill itself?

The PRESIDING OFFICER. Senator Van Sant, I believe Senator Rooney is correct in putting the question to you. You are called upon to answer the question if you so desire.

Mr. BERGER. Mr. President, I here question any ruling the Chair may make upon the right of a Senator to respond to a question. It is entirely within his own discretion and by his own permission.

The PRESIDING OFFICER. I said that, sir; if he so desires. You apparently did not hear the entire statement. You may proceed, Senator Rooney.

PERSONAL PRIVILEGE

Mr. VAN SANT. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The gentleman from Lehigh, Mr. Van Sant, will state it.

Mr. VAN SANT. Mr. President, I would like, on a point of personal privilege, to delay answering any questions until we vote on this measure.

Mr. ROONEY. Mr. President, do I assume that the gentleman from Lehigh County refuses to be interrogated on his original statement that what he saw this morning has caused him to delay his decision to vote on this bill?

The PRESIDING OFFICER. You may assume what you so desire, sir.

Mr. VAN SANT. Mr. President, at the proper time, I will be very happy to answer the gentleman.

Mr. ROONEY. Thank you, Mr. President.

Mr. HALUSKA. Mr. President, I cannot understand why it is so pressing today—at this moment, rather—to pass this bill. The Minority Party has asked to have the bill go over in order until Monday because of what happened this morning.

I also witnessed what happened this morning. I dislike very much opposing my own Floor Leader, but I think, with all sincerity and modesty, the bill should go over in order to give all of us an opportunity to wait until Monday afternoon to vote upon this bill. If my Leader insists upon voting today, I shall be compelled to vote to have the bill go over in order.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

VERIFICATION OF THE ROLL

Mr. BERGER. Mr. President, I ask for a verification of the roll.

The PRESIDING OFFICER. Request has been made to have the roll verified.

Mr. ROONEY. Mr. President, may we be at ease for a moment?

Mr. BERGER. Mr. President, there is nothing before the Senate but the roll call, and I have asked for a verification. The gentleman is out of order to interrupt the roll call.

The PRESIDING OFFICER. Senator Berger's point is well taken. The roll call will be verified. The Clerk will proceed to call the names of those recorded as having voted in the affirmative.

The Clerk read the names of those recorded as having voted in the affirmative as follows:

Bell	Haluska	Mallery	Stevenson
Berger	Hawbaker	Miller	Stroup
Confair	Keller	Pechan	Van Sant
Ehrgood	Kessler	Propert	Wade
Flack	Kromer	Scott	Wagner
Fleming	Madigan	Shafer	Ware

The PRESIDING OFFICER. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will now proceed to call the names of those recorded as voting in the negative.

The Clerk read the names of those recorded as having voted in the negative as follows:

Camiel	Lane	Murray	Silvert
Devlin	Mahady	Ripp	Staisey
DiSilvestro	McCreesh	Rooney	Stiefel
Donolow	McGinnis	Sarraf	Weiner
Hays	McMenamin	Sesler	Yatron
Kalman	Mullin	Seyler	

The PRESIDING OFFICER. Are there any corrections to the negative roll?

Mr. WEINER. Mr. President, how is Senator Chapman recorded as voting?

The PRESIDING OFFICER. The gentleman is not recorded.

Mr. WEINER. Mr. President, how is Senator Wolfe recorded?

The PRESIDING OFFICER. The gentleman is not recorded.

Mr. WEINER. Mr. President, how is Senator Taylor recorded?

The PRESIDING OFFICER. The gentleman is not recorded.

There being no corrections, the negative roll will stand as verified.

The yeas and nays were required by Mr. VAN SANT and Mr. WEINER, and were as follows, viz:

YEAS—24

Bell,	Haluska,	Mallery,	Stevenson,
Berger,	Hawbaker,	Miller,	Stroup,
Confair,	Keller,	Pechan,	Van Sant,
Ehrgood,	Kessler,	Propert,	Wade,
Flack,	Kromer,	Scott,	Wagner,
Fleming,	Madigan,	Shafer,	Ware, III,

NAYS—23

Camiel,	Lane,	Murray,	Staisey,
Devlin,	Mahady,	Rooney,	Stiefel,
DiSilvestro,	McCreesh,	Sarraf,	Weiner,
Donolow,	McGinnis,	Sesler,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Mullin,	Silvert,	Presiding Officer

So the question was determined in the affirmative, and the motion was agreed to.

BILL OVER IN ORDER

SB 84—Mr. BERGER. Mr. President, I request that Senate Bill No. 84, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. LANE. Mr. President, why is Senate Bill No. 84, Printer's No. 274, going over in order at the present time?

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. I will, Mr. President.

Mr. LANE. Senator Berger, could you tell the Members of the Senate why you requested Senate Bill No. 84 to go over in order?

Mr. BERGER. Yes, Mr. President, I can. I understand there are Senators who desire to offer amendments to Senate Bill No. 84, and probably the amendments will be acceptable when they are shown and read.

Mr. LANE. Mr. President, of course we are willing to accept amendments at any time. Since this bill is on third reading, are the amendments prepared at this particular time?

Mr. BERGER. Mr. President, as far as I am informed, the amendments are not ready.

Mr. LANE. Thank you very much.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

RECESS

Mr. WEINER. Mr. President, I now request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen-minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

THIRD READING CALENDAR

BILLS OVER IN ORDER

SB 86—Mr. MALLERY. Mr. President, I request that Senate Bill No. 86 go over in its order, inasmuch as I am having amendments prepared.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I would like to point out to the gentlemen that they have already taken Philadelphia and Allegheny Counties out. I do not know what else is left.

I have no objection to the bill going over in order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 192—Without objection, the bill was passed over in its order at the request of Mr. ROONEY.

SB 79 CALLED UP

SB 79—Mr. WEINER. Mr. President, I would like to refer back to page 1 of today's Third Reading Calendar and call up for consideration Senate Bill No. 79, Printer's No. 344.

Mr. BERGER. Mr. President, Senate Bill No. 79, Printer's No. 344, is over in order.

Mr. WEINER. Mr. President, I believe the gentleman is absolutely correct. As long as it was put over in order, I now have the privilege of calling it up and ask that we consider it. I believe that motion is always in order.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 79—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I have amendments to offer to this bill. However, I am sorry that I do not have the amendments at hand at the moment.

I first would ask, Mr. President, for unanimous consent to offer amendments at this time.

Mr. WEINER. Mr. President, I believe I stated to the gentleman that his amendments would be permitted today or any other time when the measure came up before us. There will be no problem about that.

The PRESIDING OFFICER. Does the gentleman from Cumberland, Mr. Wade, have his amendments ready to be presented?

Mr. WADE. It will just take a minute, if we may be at ease, Mr. President.

The PRESIDING OFFICER. The Senate will be at ease. The gentleman may take his time.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the bill on third reading?

Messrs. WADE and MULLIN, by unanimous consent, offered the following amendment:

> Amend Pg. 2, line 17, by adding at the end of the line after the word "operation" the words: "at the immediate time and place."

On the question,

Will the Senate agree to the amendment?

Mr. WADE. Mr. President, I presume each Member of the Senate now has the bill.

The PRESIDING OFFICER. Let us please have order. Senator Wade has the floor.

Mr. WADE. Mr. President, this amendment applies to page 2 of Senate Bill No. 79, Printer's No. 344. It is to add to line 17, on page 2, the following: "at the immediate time and place."

Mr. President, the famous Petersburg, Virginia, Case is one which first comes to my mind when offering this amendment. This is the case where no evidence of a radar machine was observed by those passing on the highway. It was a four-lane highway; two lanes south and two lanes north. When the traffic had stopped, as reported to me—and the maker of the statement is willing to take an oath to the statement—at the traffic light, an officer appeared. Going down between the two lines of automobiles, he picked out cars and told the drivers to stop about a block further on. When he got down there, he found that all the cars which were stopped were from out-of-State. When they appeared before the Justice, on this Sunday morning, they were told they were not being fined, but that they simply were to deposit $23.60 each and that radar had been in operation back on the highway. However, none of the drivers had observed any signs whatsoever of a radar machine being in operation.

Mr. President, after the fiasco and the horrible example of what radar does,—and this is one of the abuses—this is one of the reasons I insist that this amendment should be in the bill.

Therefore, Mr. President, on behalf of Senator Mullin and myself, I have offered this amendment.

Mr. SEYLER. Mr. President, at what stage are we now in considering this amendment?

The PRESIDING OFFICER. We are just about ready to consider whether or not you want to adopt the amendment.

Mr. SEYLER. Thank you, Mr. President.

Mr. WEINER. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the amendment?

Mr. HALUSKA. Mr. President, are we now voting on the amendment to this bill?

The PRESIDING OFFICER. That is correct, sir.

Mr. HALUSKA. Mr. President, to keep the record straight, I remarked yesterday that I would vote against all amendments, and that I will vote against the bill as it is. Therefore, I shall vote "no" on the amendment.

And the question recurring,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, I request a roll call vote.

The PRESIDING OFFICER. A roll call being requested, the Clerk will call the roll.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—22

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,		

NAYS—25

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Ripp,
Kalman,			Presiding Officer

So the question was determined in the negative, and the amendment was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

Messrs. VAN SANT and WADE, by unanimous consent, offered the following amendment:

> Amend page 3, between lines 14 and 15, by adding the following new subsection:
> "(4) No charge of exceeding the lawful speed limit shall be brought against an alleged offender if at the time said offense is charged he shall have been in the act of lawfully passing or accelerating to pass another vehicle in a parallel lane,"

On the question,

Will the Senate agree to the amendment?

Mr. VAN SANT. Mr. President, earlier this afternoon, Senator Rooney asked me to say something about what I saw this morning out on Route 22 at the test of the radar equipment.

One of the things I saw prompts this amendment. The reason is that on one of the trips made by a State Police car, the driver chose to stay on the inner half of the highway, next to the medial strip. When the machine was registering the approach of that vehicle,—and there were no other cars present at that time—because it was on the inside lane, it was out of the scope of the radar machine. There were other men who saw this same thing on both sides of the Senate. When the car approached to about fifteen or twenty feet from the machine, it registered, and it threw the needle over very fast and right back again. It was so fast that even an experienced eye would have had a hard time deciding just what would be the exact speed of that vehicle as it went by the radar equipment.

This amendment would only indicate, when two vehicles are approaching radar equipment at the same time, which one is to be arrested and which one is recording on the radar equipment. It is for that reason I offer this amendment. I sincerely hope both sides of the Senate will support it.

And the question recurring,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, I request a roll call.

The PRESIDING OFFICER. A roll call being requested, the Clerk will call the roll.

(During the calling of the roll, the following occurred):

Mr. DiSILVESTRO. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. FLEMING. Mr. President, I would like to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—22

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,		

NAYS—25

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Ripp,
Kalman,			Presiding Officer

So the question was determined in the negative, and the amendment was defeated.

And the question recurring,

Wil lthe Senate agree to the bill on third reading?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I am about to make a motion that this bill go over in order on final passage until Monday, March 13, 1961. It had always been, to my knowledge in my many years in this Senate, Mr. President, well understood that when a bill is put over in order, it means that the bill is over in order until its appearance upon the next day's or the next Session's Calendar. There has never been the slightest misunderstanding in the mind of any person as to the intendment of a bill going over in order. We also put them over temporarily.

Now if it is necessary, Mr. President, each time we ask that a bill go over in order that we must specify a date and time that that bill shall again appear upon the Calendar, I am perfectly willing to do that. However, I do say that I do not believe there is anyone in this Senate who is not firmly convinced, and did not well understand, that when a bill has been put over by a motion, that bill was to appear upon the next day's Calendar or on the next Session's Calendar.

I merely want to get those remarks put on the record so we will know exactly what we are doing here. If it is necessary to be meticulous about stating a date and time to which a bill shall go over, then I am perfectly willing to abide by that. However, this is a complete change in the precedure in this Senate, and I want it well understood that the tactics used were distasteful. If that is the rule and that is to be the rule, then, Mr. President, we are perfectly willing to abide by it.

So, Mr. President, I am making this motion that Senate Bill No. 79, Printer's No. 344, go over in its order on final passage until Monday, March 13, 1961.

The PRESIDING OFFICER. Is there a second to the motion?

Mr. BERGER. Mr. President, I want to say this: That I am beginning to doubt the sincerity or the seriousness of the gentlemen on the other side as to their desire to pass a radar bill for the reason that a statement, by a gentleman whose words I always consider very seriously, appears in today's paper. I hope Senator Lane will permit me to quote him, as stated here in the paper. It says:

> "If they don't put it (the bill) over in order today, the bill is dead."

Mr. President, never in our most solem deliberation on this bill did we ever have any definitive action as to who was or who was not going to vote for this bill. As far as I know, the bill is not dead.

It appears, however, that the desire on the other side is to have the bill brought to a vote and, apparently killed, for the reason that they are not willing to have the bill go over in order until Monday when it might have a better chance of passage.

That is only a conclusion which I must draw from what I have read here in the paper. If I have misquoted Senator Lane, I do it only on the authority of the gentleman who wrote the article.

Mr. LANE. Mr. President, I have listened—

POINT OF ORDER

Mr. WADE. Mr. President, point of order.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Cumberland, Senator Wade, who will state his point of order.

Mr. WADE. Mr. President, a motion has been placed before this Body without being seconded. I rise to second the motion, and submit to the Chair that there is nothing in order except seconding the motion.

The PRESIDING OFFICER. The Chair recognizes that the motion has been duly made and has now been seconded by Senator Wade.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Senator Wade, I might even be debating your motion, and I would be in order on that.

Mr. President, with reference to Senator Berger's statement, I did not make any such statement, to the best of my knowledge and belief, with reference to the bill going over in order; that if it did not go over in order, it would be dead.

I recall talking to someone with reference to the bill. I said I thought there was a possibility that the bill would go over in order. That was my statement.

Mr. SEYLER. Mr. President, I would like to comment on the remarks of the Minority Leader with regard to the procedure of putting a bill over in order. It is true that when this Body takes action to put a bill over in order, it is understood to be over in order until the next day.

I would remind the gentleman that this Body, at any time, by a majority vote has the ability to reverse any action that it has previously taken. This is not sharp practice, misunderstanding or anything else. It is simply a matter of this Body changing its mind. I would say with any kind of action that this Body takes, it has the right by a majority vote to reverse the action which it previously took by a majority vote.

Mr. BERGER. Mr. President, that was a slight digression. However, at the same time, before continuing in the matter of the quotation, I want to point out to Senator Seyler that he is absolutely, one hundred per cent correct; that this Body can reverse any action that it took by a majority vote; and that is exactly what I ob-

ject to in this. It was understood, and it was passed by motion, that the bill go over in order, and there was no attempt made to reverse that action on the floor of this Senate.

Mr. SEYLER. Mr. President, I would have to take exception to the gentleman's remarks again because, as a matter of fact, the action was reversed by unanimous consent. The Majority Leader asked that the bill be called up. There was no objection, and so it was called up. Unanimous consent is certainly a higher vote than majority action.

Mr. BERGER. Mr. President, that was a slight foul ball. There was no request for unanimous consent to bring the bill up again.

The statement that I made was that when a bill has been voted over in order, it has always been well understood that that bill was to appear upon the subsequent Calendar.

There was no reversal of that action or any attempt made to reverse it. It was simply that the bill was apparently in line to be called up, in spite of the well understood practice in this Senate.

Mr. WEINER. Mr. President, if I might address myself to the motion before us, I believe they are impugning the motives which we have in passing this measure. Might I respectfully suggest to the gentlemen on the other side that if they will vote for this measure, they will see that it will pass, with all the Democratic Members joining in with the Republican Members to pass this measure. I know of no better form of flattery than by imitation. If the gentlemen on the other side will follow us and give us their votes, they will see that this measure will pass. I think the gentlemen will find we are very sincere and the bill might find its way over to the House of Representatives, as well.

I do not know of any other way in which we can demonstrate our sincerity. If we were not sincere, we certainly would not be pressing for this measure to get through today. We would not have the bill before us, if we were not sincere, in order for you to definitely vote for or against it.

As I stated earlier— and I hate to waste the time of the Senate by repeating what has been said before— this is the first time we have ever had an opportunity to really vote on this measure. I think people have gone around this Commonwealth making statements, and they have been attributed to many Members of this Senate. I have never heard anybody make a statement against this measure publicly, by newspaper, television or radio. If I am wrong, I shall be very happy to be corrected. However, I have always heard people say that they are for this measure and want to vote for it. I think today is the day when you are called to task and you can demonstrate your own sincerity by doing just that.

Mr. BERGER. Mr. President, far from desiring to deny the opportunity to vote upon this measure, we had moved, and the motion was carried, to have the bill go over in order. This would afford an opportunity to vote upon the measure and also afford an opportunity to certain of our Senators to further satisfy themselves as to the propriety of this measure. If imitation is the sincerest form of flattery, Mr. President, then I want to say that on this side of the aisle, today's demonstration has changed several minds which, apparently, is an imitation of some persons on the other side of the aisle.

POINT OF ORDER

Mr. FLEMING. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. FLEMING. Mr. President, it seems to me that we are debating the bill rather than the motion to put the bill over in order. I do want to speak on the bill, whether it comes up for final passage today or on Monday, as we were all led to believe.

My point of order, Mr. President, is: Is not debate on the bill out of order on this particular motion?

The PRESIDING OFFICER. The gentleman is correct.

And the question recurring,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I ask for a roll call on the motion.

Mr. HALUSKA. Mr. President, about a half an hour ago, the record shows that I voted to have the bill go over in order. I felt that the Minority Party—they could be called that, but they are not—should study the bill further until Monday. I have no keen interest in the bill either way. However, since my vote was cast, I have found out that some of the Democratic Members cannot be here next week. It appears quite likely that it is the sincere desire of the Democratic Leadership to bring this measure to a vote today.

Therefore, Mr. President, I will vote to have the bill brought up on final passage when I cast my vote.

Mr. LANE. Mr. President, I will be very brief. Probably an explanation should be made here with reference to our endeavors to act on this bill today.

For the information of the Membership, we must act on this bill today because it is my understanding there will be one or probably two of our Members who will not be present next week. Therefore, we feel we should come to some conclusion today, while all of the Members are present. Let us be very frank about it.

Mr. VAN SANT. Mr. President, I question Senator Lane's remarks in view of the fact that I indicated earlier that I might vote for this bill next Monday. I think there are other Members on our side of the aisle who also might vote for it. Therefore, the absence of two people would not make a lot of difference.

I still think we owe the people of Pennsylvania the privilege of having the opportunity to digest the news which will reach them by radio, television and newspaper during the next several days. Perhaps, if the people understand this matter a little better, they probably will not be so eager to adopt it here in Pennsylvania.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. WEINER and were as follows, viz:

YEAS—22

Bell,	Hawbaker,	Pechan,	Stroup,
Berger,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,		

NAYS—25

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Stalsey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel.
Donolow,	McGinnis,	Sarraf,	Weiner,
Haluska,	McMenamin,	Sesler,	Yatron,
Hays,	Miller,	Seyler,	Ripp,
Kalman,			Presiding Officer

So the question was determined in the negative, and the motion was defeated.

And the question recurring,

Shall the bill pass finally?

Mr. BELL. Mr. President, I rise to oppose this bill. I feel, in my opposition, that I have as carefully studied radar as any Member of this Senate. In 1957, I sat as a member of the Joint State Government Study Commission on Traffic Safety. I heard testimony. I have observed it in other States and, until I went out on Route 22, some ten miles east of Harrisburg, this morning, I believe I would have voted for radar. The record of the House of Representatives in 1959, indicates that I not only voted for radar, but I took part in a floor debate—it was a bitter floor debate—strongly urging radar.

However, this morning, Mr. President, when I went out on Route 22, I saw the same thing which the majority of the Senators saw. I was severely shaken in my belief in radar and, in popular slang, I felt as though I had the rug pulled out from underneath me. After what I saw this morning, I do not think that anyone can say, because I am voting against radar tonight, that I am against highway safety. I will match my record on that point with anybody in this Senate.

Like all of us, I have been very much concerned with the carnage on the highways. There is not a man in this Senate Chamber who would not do everything possible in order to stop death on the highways. However, after what I saw this morning, I cannot believe that radar is the infallible machine that I thought it was yesterday.

I stood two feet from the indicator and I saw the indicator show a car approaching at fifty-four miles an hour. This was the green, State Police car. As it circled back and came to a stop, the question was asked: "How fast were you going?" The answer was: "Sixty-two miles an hour." In other words, Mr. President, there was an error of eight miles an hour. This State Police radar equipment and the vehicle in which it was set up, I am quite sure, if anybody wanted to spend the time by looking into it, was probably one of the most carefully set up radar sets that Pennsylvania will ever see or ever has seen. I have that much confidence in our State Police. They are a wonderful group of officers. I am sure they set that machinery up very, very carefully. I am sure they calibrated it very carefully. In fact, immediately before the test, I personally saw the officer in charge use three tuning forks. He called them the "radar tuning forks." One was set for fifty miles an hour. He hit it against the machine and the machine indicated forty-eight miles an hour. The officer said that the second tuning fork was a sixty-mile tuning fork. He hit it against the radar machine and it indicated fifty-nine miles an hour. He then got the third tuning fork and said it was the seventy-mile an hour tuning fork. He hit it against the machine and the machine showed sixty-eight miles an hour.

After the test, I personally went to the green, State Police car and asked when they had calibrated that speedometer. The State Officer—I do not know whether he was a State Policeman or somebody who was employed by the State Police—said that the speedometer on that green automobile had been calibrated last night. How much more accurate can you calibrate? Yet, there was an error of eight miles an hour.

I also read this newspaper and was amazed at what I read in it. I also saw the Associated Press dispatch that went out this afternoon wherein it stated that Colonel McCartney, who is a wonderful gentleman and Commissioner of the State Police of Pennsylvania, when he heard that the speedometer on that green automobile registered sixty-two miles an hour and the radar calibration was fifty-four miles an hour, is reported in the press as saying: "It cannot be; it cannot be." Well, gentlemen, if you or your constituents are driving down a road at forty-three miles an hour and a radar operator stops you and tells you that you are going fifty-one miles an hour, which is the same eight-mile an hour error—and they can go one way as well as another—how would you feel? Are you going to say that it cannot be possible? You are just a little guy.

This machine which we saw this morning was a very remarkable machine. It was remarkable in how inaccurate it was. I do not know the reason. I do not know why it would not work. However, if that machine, so carefully calibrated, did not work this morning, it will not work when it is not that carefully calibrated.

We have heard an awful lot about radar. I have heard both sides of the argument. I have heard people saying that it makes mistakes. I have heard people saying that it does not make mistakes. However, gentlemen, my two eyes saw this morning. They saw an error of eight miles an hour.

For that reason, Mr. President, although I voted for the radar bill in 1959 and have worked for the radar bill, I am going to vote against it tonight.

Mr. ROONEY. Mr. President, I was delighted to learn that my distinguished colleague, Senator Bell, agreed this morning that the radar set was accurate and that the radar set was properly calibrated, because, Senator Bell, I can assure you it was.

When Commissioner McCartney made the comment, "It cannot be," Commissioner McCartney was right.

For all of you Republican Senators who now have decided to make a political issue out of radar and highway safety, I have a revealing note that I have just received from Commissioner McCartney, and it may sway some of my Republican Colleagues who said publicly they would vote for the bill. They may now change their minds.

After this morning's demonstration, I asked Commissioner McCartney something about the automobile. I asked Commissioner McCartney to take the automobile back to the garage. I should like to read, for the record, the memo that I have just received from Commissioner McCartney:

> "Following the radar demonstration, the vehicle involved in the faulty reading was checked to determine the cause for this faulty speedometer reading.
>
> "The first indication was that the speedometer hand was not steady and actually wavered. The speedometer cable was removed and was found to be void of any lubrication. This is a brand new automobile with a mileage reading of less than 50 miles, and the lack of lubrication was a

factory omission. Several new cars delivered simultaneously with this particular unit were checked and found to be properly lubricated, which would establish that this unit in question was an exception.

"The automobile was returned to the delivering dealer and upon inspection, it was found that the frame cross member through which the speedometer cable housing passes, was [actually] bent. It was also noted that the speedometer's cable housing had a noticeable kink. This cable damage, together with a lack of proper lubrication, establishes clearly the reason for a faulty speedometer reading. To further confirm the results of this examination, a new speedometer cable and cable housing were installed, employing the same speedometer head. The new assembly registered accurately on a dynamometer.

"Other vehicles employed in this same radar demonstration this morning registered accurately with the radar unit. This would definitely establish our contention that the one unit in question was faulty and would have no direct bearing on the accuracy or dependability of the radar set [unit] itself."

Mr. FLEMING. Mr. President, I had intended yesterday to vote for this measure. I felt that the establishment of radar signs on our State highway system would certainly have a salutary effect on the drivers and would probably decrease the number of accidents. I felt if it saved any lives at all, it would be a good thing and in the best interest of the people of the Commonwealth of Pennsylvania.

This morning I had really not intended to go out, but I thought I should go out. I went out and saw the tests that were made. There is no question—and I think we are all in agreement—that there was an eight-mile variance. I certainly could not stand here today and vote to legalize radar, after the tests that were made under what were supposed to be ideal conditions. They were made with equipment furnished by the Pennsylvania State Police. They were made with the equipment operated by what we were told by Colonel McCartney were men who had been traind for some time in the accurate use of radar equipment.

Then we found after the vehicle was driven on two occasions, with the leading proponent of radar in the Senate of Pennsylvania, the leading opponent of radar in the Senate of Pennsylvania, along with an unbiased and not disinterested—certainly interested—member of the press of Pennsylvania in the car, there was no question of the fact that there was a variance of eight miles. I could not vote for a measure which would jeopardize the driving privileges and possibly the livelihood of millions of Pennsylvania operators. We cannot enact into law a measure that clearly, on an official demonstration to the Senate of Pennsylvania this morning, disclosed an inaccuracy to the point that was disclosed to us today.

I cannot, Mr. President, understand the Majority Leader's stand when he would not permit this bill to go over in order for a few days. I have no reason to believe that what Senator Rooney said might not be correct. However, if there was something wrong with those machines, then certainly it would appear to me that another set of tests should be made, and should be set up for sometime next week or the following week. If the conclusion which Colonel McCartney has given is correct and there was something wrong, I think we should not only have one additional test, but several should be drawn. Then if it is proven to be the vehicle that it is supposed to be, unquestionably I think many of us could vote for it.

I believe many feel as I do today that without being proven to us this morning, it would be impossible for us to vote for the measure now.

Mr. WEINER. Mr. President, if I wanted to engage in cliches, I would have to say to the gentlemen on the other side: "Gentlemen, deeds not words." All I keep hearing is: "I want to vote for this bill and I want to do everything I can for it." However, I never noticed when any of the amendments were brought up that there was a solid vote for every one of them and great feeling that every one of them would pass, even though they would eventually emasculate this bill. They would eventually put this bill in serious jeopardy,—if it passed the house so that it would be in position to actually be enacted into law—because of some of the actions that might be taken against this measure as not being too clear, not being clearly defined as to the intention of the Legislature, and so on and so forth.

These amendments were meant to cripple the bill. I am well aware that not one of them is new. I think everybody here who has lived with the radar bill and the amendments thereto has seen them all before.

I would like to point out to the gentlemen on the other side, who are quite concerned about radar generally, that if this is their great concern and they feel this is not a proper system, I would suggest that each and every one of them contact their Congressmen to make sure we do not spend another nickel on the radar that this Country is depending upon for its early warning system, for the defense of the Country, and the landing and take-off of planes every single day at our commercial airports.

I think we are spending a great deal of the taxpayers' money in this area. If these gentlemen feel this is not proper, I think they ought to address themselves to that subject first. This other mater is only secondary.

I would like to point out to the gentleman that the accuracy of radar, in most of the literature I have seen, is within about two per cent of being accurate. We saw this morning that where there was an error between the speedometer and the radar, it always erred in favor of the driver. I think if we are looking to help the driver, this is another way of doing it.

I would like to say to Senator Bell that I noticed on occasion he wears glasses. Most people do wear glasses or use some other aid to help them to see. Since he was depending completely upon his own two eyes on what he saw, it might be this might be open for question. I think the benefit of the doubt should be granted to the people who drive and who are engaged in this work every single day of the week.

I also feel that in handling this problem, we are making a great to-do about nothing. We are only asking that the State Police be given another aid to help them control the highway pattern, the highway traffic, and to keep fatalities down. What is so serious about that? What is so earth-shaking? What are we doing here that is going to change the course of history in the State of Pennsylvania? I do not see anything.

Even in the demonstration we saw this morning, it might very well be that the speedometer on this car was not properly calibrated. Nobody pointed out that

possibly the car was not working properly. Suppose the car did travel at sixty miles an hour and suppose the radar only showed a speed of fifty-eight miles an hour. Does that mean that radar is wrong? I would be inclined to believe that perhaps the car was not operating properly. How is this going to affect anybody? Suppose they stopped this automobile and they told the driver to slow down or issued him a warning.

Is this going to create any havoc in the Commonwealth of Pennsylvania? Suppose they stopped this man from going on and killing somebody, or at least warned him that he was traveling too fast and not using proper judgment. Is this going to change the course of history in the State of Pennsylvania?

Why are we spending these late hours here working on something that should be a matter of course? Why are all of these gentlemen saying they were going to vote for this measure, but now they are not going to vote for it? I do not think they ever intended to vote for it in the beginning, or else we would not be having this long harangue and putting this bill over every single day.

If we are going to vote on a measure, let us bring it up. Let us vote for it and let us get it out of here. If we are not going to vote for this bill, let us do that also today. I think the record should be pretty clear.

Mr. McMENAMIN. Mr. President, I think everyone can agree with the remarks just made by Senator Weiner. I am wondering then what is the reason for the heat that has been generated here in this debate. I am sure everyone here either is or should be interested in highway safety and is interested or should be in cutting down the terrible toll of death and injuries from accidents on our highways.

I think what is in the back of everyone's mind is the problem of enforcement. This has nothing to do with the radar bill. As Senator Weiner has said, I think we have confiidence in the State Police and we have confidence that radar is sufficiently accurate to help them in their efforts to cut down speeding and accidents.

I think many of us here have had experience, however, with the question of drivers' licenses and their suspensions. I believe all of us have been alarmed and dismayed by the often arbitrary, highhanded action of the bureaucrats in the Bureau of Highway Safety who frequently, for technical reasons, take away a man's right to drive. I think we have reached the point in America where a driver's license is not a privilege. I believe we have come to the point where we must consider that a citizen has some property rights in that license, because frequently it is the means of his earning his livelihood. All of us know cases where men have lost their drivers' licenses for thirty days or some other period of time and, as a result, have lost their jobs. One instance was reported to me this week of a man with eleven children who wound up on relief, as a result of having lost his license on a minor infraction.

I think the way to cure this fear is by subsequent legislation, such as we had in other Sessions, to either recreate a restricted driver's license or to have, for professional drivers, two types of licenses; namely, a professional license and a pleasure license. Then if a truck driver or a man who needs his license to work should be arrested for some infraction, while taking the family out on Sunday, he still would be able to go back to work on Monday morning. I am sure such a measure would receive considerable sympathy in this Session of the Legislature. I would look forward to supporting and sponsoring such legislation.

Mr. President, for the sake of all Pennsylvanians, I think we should give the State Police this further aid of radar in trying to crack down on speeders on our highways.

Mr. BELL. Mr. President, in the ramblings and scattergun speech of the Majority Leader, Senator Weiner, he made reference to the fact that I am semi-blind. I have been called other things, but never blind. As proof of this, Senator Weiner, if Senator Miller would hold up The Philadelphia Observer, which he just threw in the wastebasket, twenty-five feet away, I will read the top lines of it. Fortunately, I have very fine eyesight. The reason for my wearing glasses is to read the many bills which come across the desk. I did not need them until last Friday, however.

Mr. VAN SANT. Mr. President, as so many, I do not wish to prolong the debate on this subject, but I was rather astounded to learn there was faulty equipment and that a new vehicle was used in the test this morning. Admittedly, the driver of the car was traveling between fifty-four and sixty-two miles per hour and it was discovered there was a faulty speedometer in the vehicle.

Here we are, talking about highway safety, and it amazes me. I merely ask: "What would have happened if that faulty equipment had occurred in the steering or motor, traveling at sixty miles per hour? What would have happened?"

Mr. SILVERT. Mr. President, I was present, along with the rest of the Senators, at the radar test made today. It is true that the first car was registered by radar at fifty-four miles an hour. The person who drove it said that he was traveling at sixty-two miles an hour. However, we have heard the explanation that there was improper lubrication in this automobile.

We also saw the next car going by at sixty miles an hour and it was clocked at between fifty-nine and sixty miles an hour by radar.

Mr. President, no one here has contradicted this statement which has been issued by Commissioner McCartney and which is in the possession of every Senator here. I will read a very small part of it, as follows:

> "Highway radar is now in use in one form or another in forty-seven States in the Union, plus the District of Columbia. All of the States adjoining Pennsylvania are using highway radar as an enforcement tool; Ohio, since 1954; Maryland, since 1953; Delaware, since 1954; New York, since 1956; and New Jersey, for several years."

Is there a single Senator here who can deny these facts? Is it possible that all our surrounding States are subjecting their citizens to an improper control of their driving? Would anyone, who is fair-minded, say that here are forty-seven States using radar and they do not know what they are doing? Can anyone deny the statements made by Commissioner McCartney, which are in the possession of every Senator here?

Mr. PECHAN. Mr. President, I do not want to prolong this debate, but I think it is a matter of record that yesterday I supported an amendment to this bill. I think the Members on both sides of the aisle realize that I felt friendly toward the passage of this radar bill. I do not

want to go into the business of what we saw this morning. My nose—and it is a big one—was right near that needle. I was not more than six inches away from that needle.

I do not doubt that perhaps Commissioner McCartney's explanation was proper. However, I do not understand what is wrong with the request of Senator Confair who, earier this evening,—we have been debating this matter for a couple of hours and are no further along than when we started—said that he had received permission from the Commissioner of the State Police to have tests made in this area, in order to substantiate that the test which we saw this morning was incorrect.

Mr. President, I do not understand why this bill cannot go over in order until next Monday. The Majority side does not have the votes to pass it anyhow and, therefore, I think we are just wasting an awful lot of time.

In reply to Senator McMenamin, I did not tell him, but I talked to several Members on the other side of the aisle and told them that I have prepared for introduction, next Monday, a bill to restore restricted licenses. I talked to one of the heads of the Department of Revenue earlier this afternoon and I talked to a couple of other Senators. I, too, want to bring out the fact that in the area in which I live, a man who loses his license for fifteen days, where we have no bus transportation nor any motor pool for him to get to work, very often loses his job and goes on relief. I think that is unfair. I am hoping next week we can get this matter straightened out.

Mr. HALUSKA. Mr. President, I have taken the position of being against radar not because of radar itself, but, as I stated yesterday, because of a new method employed to prosecute our motorists.

Of course, I realize that without radar, they also have other methods. I am not too keenly interested in radar, either for or against it. However, the gentleman from Armstrong has spoken my feelings and the gentleman from Lackawanna has expressed my feelings. I told my colleagues in Caucus that I would vote for radar with one reservation. Regarding that reservation, my position holds pat. My reservation is to do something in this Session to assist these people who—many for the first time—have been caught speeding, thereby losing their driving privilege.

Yesterday morning, a friend in my county, who has driven for forty-five years, was caught speeding on a Sunday afternoon. I made every honest attempt to procure for him a special license, in order for him to drive his truck. I was laughed at. Yesterday, he applied for relief, with a wife and eleven children. We pick up that tab and we pay it.

If I have the assurance that the Members of my Party and the Members of the opposition Party will go along with me in sponsoring a bill to give such people an opportunity to drive their automobiles to work, I will vote for any safety measure.

Therefore, Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. HALUSKA. Senator Weiner, would you cosponsor a bill with me to make it possible for those who have lost their licenses, for any reason whatsoever, to at least have one opportunity to earn their livelihood? If they are then caught for speeding, I shall have no sympathy for them.

Mr. WEINER. Mr. President, I will answer the gentleman by saying that we are preparing such a bill and plan to introduce it on Monday, with the sponsorship of myself, the Members of the Democratic Caucus, and anyone else who wishes to join us.

Mr. HALUSKA. Thank you, Mr. President.

I now desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. HALUSKA. Senator Lane, would you join with me, Senator Weiner and others from both sides of the aisle, in sponsoring a bill and trying to pass it during this Session, making it possible for those poor unfortunates, who may lose their driving privileges, to once more have them restored?

Mr. LANE. Senator Haluska, you are talking my type of language and so is Senator McMenamin.

Unfortunately, you were not here during the last Session of the Legislature, but I had the opportunity and the responsibility of working on highway safety legislation. We had set up a point system here, Senator Haluska, which was unanimously approved by the Members of this Senate. In this point system, there were provisions for a limited operator's license. However, the legislation went over to the House and got lost in committee.

I firmly believe that the bureaucrats which exist in the Bureau of Highway Safety have overworked themselves in persecuting the public in Pennsylvania, with reference to restrictions of operators' licenses. I firmly believe, too, that this old hogwash about operating a vehicle on the highways being a privilege is not correct. I believe today it is a right. I strongly feel, Senator Haluska, that such legislation should be passed. I will guarantee you that I shall do everything possible to get it passed in this Senate.

Mr. HALUSKA. Mr. President, unfortunately, I was not here during the last Session of the Legislature and I had no knowledge of any attempt being made to pass a bill along the lines that my good friend from Washington County spoke about. Today, for the first time, I have heard on this floor, from both the Republicans and the Democrats, that they are inclined to go along with such legislation. This is possibly the only break which the small man in Pennsylvania will receive from this Session.

On the basis of the Members' words of honor and their sincerity, I will go along with any safety measure, providing I have their support to sponsor a bill, I repeat, to give those people who have had their licenses suspended one more opportunity.

Mr. STAISEY. Mr. President, my distinguished colleague, Senator Haluska of Cambria County, has interrogated the Majority Leader and the Majority Whip of this distinguished Body.

I occupy no position of leadership in the Party. However, if it is going to give the gentleman any reassurance, Senator, I will gladly join you in cosponsoring a restricted license bill and debate it for you.

Mr. EHRGOOD. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDING OFFICER. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. EHRGOOD. Senator Lane, do you recall that I was one of the four Members—two from the Senate and two from the House—who worked so hard with the Governor on the point system and the restricted license basis in 1959? Is that correct?

Mr. LANE. Mr. President, that is certainly correct. I might say, Senator Ehrgood, that you were a very important member of that committee.

Mr. EHRGOOD. Thank you, sir. I cannot help but agree.

Senator, is it not correct, as you stated, that we did pass the bill in this Senate, and it was killed in the House? Is that not correct?

Mr. LANE. That is correct, sir.

Mr. EHRGOOD. It is correct, is it not, that the House of Representatives in the 1959 Session was in control of the Democratic Party?

Mr. LANE. I might say that they had what you call a paper thin majority. They were in somewhat the same position as we are. You know, we have the blame and not the gain.

Mr. EHRGOOD. Senator Lane, did the bill ever come out of committee in the House of Representatives?

Mr. LANE. Not to my knowledge; I do not believe so.

Mr. EHRGOOD. Senator Lane, for the benefit of Senator Haluska, whose sentiments everyone re-echoes, would you be good enough to guarantee that the Governor of the Commonwealth of Pennsylvania will sign such a bill granting restricted licenses?

Mr. LANE. Mr. President, I do not believe I am in a position to make such a statement. My statement to Senator Haluska was, if you recall, that I would do everything possible to have this legislation passed in this Senate.

The PRESIDING OFFICER. Members of the Senate, may the Chair interpose? This type of interrogation is getting far afield. The question is: Will the Senate finally pass this bill? This type of debate is not in order. Therefore, let us confine ourselves to this bill.

Mr. EHRGOOD. Mr. President, the only reason I went into that is because Senator Haluska, of Cambria County, had given that as a basis for voting. I do not know how he is going to vote, to tell you the truth.

Certainly, I cannot be satisfied with such a measure. I think a bill like this should be put over in order until we have the companion restricted license bill to go along with it. Then I might go along and vote for the bill, too. It is very difficult.

I am hopeful that Senator Haluska will agree wholeheartedly with me, because if his basis for voting for the bill would be restricted licenses, he certainly would not put the cart in front of the horse.

Mr. SESLER. Mr. President, at the risk of being redundant, I would like to make two points.

I believe we are confusing the issue of whether or not we should use radar as a means of enforcement on the highways in the Commonwealth with the question of what penalties should be enforced in this Commonwealth in the event we violate those laws.

Some of my distinguished colleagues may consider this a ground for horse trading, but I do not believe so. I believe we should consider independently the merits of radar. If we are convinced that this is a proper and adequate means of enforcement in this Commonwealth and that it will be an aid to our State Police in enforcing the law, then I think we ought to consider it on that basis alone.

We all know—as our distinguished colleague from Philadelphia has pointed out—that many States have previously considered radar. Further, radar has been in operation at various points in this Commonwealth for a period of time, and it has been used and inspected by our State Police at great length.

I am prepared to place my confidence in our Commissioner and in our State Police who have inspected, who have examined and who have tested this, and also to rely on the fact that many other States have seen fit to use this as an arm of enforcement.

It was nice for us to go to the demonstration this morning. In that demonstration, we saw at least three runs. Two of those runs were very accurate, and one of them was inaccurate. I am prepared to accept the explanation that has been given to us by the Commissioner. However, moreover than that, I can go out next week on the highway, and I can look for repeated demonstrations. I can go back to my county, if that is necessary, and ask for an inspection. I do not think this is necessary. I have talked to the State Police on many occasions, and I am sure my distinguished colleagues in this Body have seen and read about radar for a number of years preceding this.

There is also a third question that has not been mentioned at all. That is the risk that we put to our State Policemen who must engage in these high speed chases frequently, and the wear and tear on the Commonwealth's property. These are factors to be considered.

If my distinguished colleagues in this Body feel the penalties are being enforced against those who violate the speed laws, then that is another subject for debate.

I, for one, feel that we can fairly and squarely face the issue tonight as to whether or not radar should be used as a means of enforcement. I believe the evidence is adequate, and that we should give this a fair test; a test without warning signs; a test designed to determine whether or not it is an aid to our State Police to enforce laws that we have seen fit to pass.

Mr. BERGER. Mr. President, I think there is probably a question in the minds of all of us as to the rapid deterioration of that speedometer on that police vehicle, because as I understand it, that speedometer was tested only the night before the vehicle was operated on the highway out here on Route 22. I do not say it is impossible—certainly, it is probably correct—that the cable needed greasing and possibly the speedometer this morning was not in as good shape as it was the night before.

Mr. President, I think the question that is in the minds of many people regarding this bill is not as to the use of radar, but as to the use of the evidence produced by radar and detailed to the court by the officer who read the dial. The fact that you cannot go into the instrument and interrogate it is a very, very important thing.

Mr. President, I believe radar does have a real place in the safety program on our highways, and it is being used for just that right now. I know there are signs all along the road indicating radar checks, and it is being used to instruct and educate the motorists. It is used in warning motorists, which is exactly a proper use for

it. The officers, having used the radar to note the speed of a vehicle, warn that motorist and that motorist knows that he is under surveillance. It has the same practical effect, by the use of a sign along the side of the highway stating there is a radar check being conducted, as has a police car plainly marked on the highway. It reminds the motorist that he is in jeopardy if he does not obey the speed laws and the safety laws of the Commonwealth.

If it is only for the purpose of making arrests, Mr. President, that is one thing. If it is to promote highway safety, that is definitely another thing. The use of it as is being presently made, is a reasonable and proper use, without the use of the evidence adduced by the needle as the automobile makes an impression upon the beam.

Mr. President, one thing I saw out there impressed me, and that is the very rapid indication that was made when the vehicle came within 150 feet of where that radar car was set up. If an officer is going to read that needle, identify the automobile by make and year, take the license number, and telephone down the road, I say there is considerable chance for human error as well as machine error in the use of radar to enforce the speed laws of the Commonwealth of Pennsylvania.

In conclusion, Mr. President, I would like to briefly interrogate the Majority Leader, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Senator Weiner, I believe you stated that you would like to have the radar bill passed in the Senate of Pennsylvania. Is that correct?

Mr. WEINER. I would, Mr. President.

Mr. BERGER. In order to pass the bill, Senator Weiner, I presume you would require twenty-six votes.

Mr. WEINER. I would say that is correct, Senator.

Mr. BERGER. Do you not believe, Senator, that if this bill is desirable and will have a very real value in promoting highway safety, it would not be too great an effort to allow the bill to appear upon the Calendar at a later date after the opportunity has been given to the Members of this Senate to verify the explanation which has been made, and to find out that the evidence of their eyes was, let us say, a little faulty, as you have implied here, and that the machine itself is accurate and that it does do the job?

Mr. WEINER. Mr. President, I can only answer that question in this way, and I am not trying to evade the question. I can only go by what has happened here in the past.

You heard one of the Republican Senators, Senator Bell, tell you he voted on this measure in the House and helped pass it over here to the Senate. The bill has come over here on a number of occasions, been introduced to this Senate, and has never gotten out of committee. On measure we have ever had on radar and requested that it be submitted to the floor, this request has always been denied.

At some stage of the game, if you are in a position of responsibility, you must take these measures as they are handed to you and bring them before the Body. If they are defeated, then as far as the people who have been going around saying they are in favor of this particular measure, but now vote against it, you can only take into consideration that their actions speak louder than their words.

At some date this must be done. I do not know how long we can postpone it. If the people who keep saying they are in favor of this measure—and they are on both sides of this aisle—decide to vote against this bill and it goes down in defeat, we may resurrect it and they will have another day on which to vote on it. However, we may not resurrect it, and so this may be their only opportunity to vote on this measure.

All I can say is that being in a position of responsibility,—and the Governor has asked that this program be put across—sometime during this Session we must do it, and today seems as good a day as any. The bill has been on the Calendar for a few weeks. One of the principal opponents of this bill, whose name I shall not mention to protect the guilty, has, I am sure, investigated this measure from one end to the other and has all kinds of data which he has brought to the attention of his Caucus and to the Members of this Senate. He has not convinced me, fortunately for him or for the Democratic Party. I do not know which. However, I am not convinced by those arguments, and I would like to vote on this bill. I am sure other Members feel the same way, and I am sure I have not convinced anybody else who is against the bill to be in favor of it.

Therefore, one of these days, we are going to have to look at this measure, and if there is anything particularly wrong with this day as compared with some other day, I would be very happy to be convinced on that subject as well.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr WEINER. I will, Mr. President.

Mr. BERGER. Senator Weiner, I would inquire whether it is your best judgment that this bill would be in greater jeopardy of not passing at a later date than it would be today?

Mr. WEINER. Mr. President, I am not clairvoyant. If I were, I would not be in the Senate. I would probably be in the stock market. That matter aside, I feel that when measures come before you, you must act on them.

There are many measures which come before us, Senator, that are not popular, and I have no way of knowing whether a measure is going to pass or not until the final roll is taken up yonder. When that comes down to us, then I know we have either passed the measure or it has gone down in defeat.

I have talked to the people in our own Caucus and have consulted with them. I have some idea of where they stand. I have also heard pronouncements in newspapers and publications, which I am sure you and every other Member receive, as to where they stand on this situation. When I do the addition of where our people stand and where your people stand, I feel there ought to be enough votes to pass this bill. If I am in error, we may correct that at some later date. If I am not in error, the bill will pass today.

Mr. BERGER. Mr. President, I thank the gentleman.

Mr. WADE. Mr. President, the evidence against the use of the electronic device known as radar, and the pitiful

demonstration given this morning, is so overwhelming that it would take hours to recite it in detail. Misinformation has been spread far and wide by those who would like to increase their power, and it is most misleading and confusing. The good points they attribute to it are not substantiated by facts. However, I have consolidated the information I have as best I can and will be as brief as possible. At the same time, I will endeavor to explain to this Body some of the shortcomings which have clearly developed.

I repeat, Mr. President, that in the demonstration given us this morning, it was explained by Commissioner McCartney and others of the State Police that the machine had been thoroughly gone over, as late as yesterday. That produces a very weak alibi. I refer to the statement made by the Chairman of the Highways Committee, Senator Rooney. I do not criticize him for one minute because the statement was issued by Colonel McCartney.

Let me make this statement clear and concise. If I thought the adoption of radar speed traps would save a single life on the highways of Pennsylvania, I would be heartily in favor of it. We all agree with the premise that an urgent need exists to do all we can for safety on our highways. I am just as strongly in favor of safety on the highways as any Member on either side of this Senate is.

Twenty years ago, the automobile fatality rate in the United States was 12.1 per hundred million miles traveled. In 1958, the national rate was 5.6. Incidentally, our Pennsylvania rate was 4.3. The 1958 national rate of 5.6 was a reduction of more than 45 per cent in eighteen years. This tremendous reduction in fatality rates was accomplished by the constant cooperative educational methods, modernization of vehicles and highways without, I repeat, without morbid enjoyment of using cruel and sleuthful methods of traffic law enforcement. Is it unreasonable to assume that a continuing effort toward more and improved highway facilities would continue this downward trend in the fatality rate? What I am trying to say is this: Have all reasonable and fair measures of traffic law enforcement been explored? Have our highways received proper maintenance? They have not, during recent years.

The popular notion that speed is the main contributing factor to the accident rate can stand much scrutiny. A national publication, the United States News, dated February 20, 1961, had the following to say:

> "Highway Hazards:
> "By making detailed studies of highway accidents, safety authorities are throwing new light on the causes. A study of 250,000 accidents in New York by the State Motor Vehicle Department showed that the three leading causes, by per sentage, were: Failure to yield the right-of-way, 25 per cent; following too closely, 22 per cent; and speeding, 13 per cent."

The Federal Government transmitted a report from the Secretary of Commerce on March 3, 1959, known as House Document No. 93, which had, among other things, the following to say about speed:

> "Speed and Accident Involvement:
> "Factual information on driving speed has unusual pertinence for the traffic-accident situation. The average speeds observed on the various study sections ranged from forty-two to fifty-nine miles per hour, with an over-all average of fifty-two. Night driving speeds at most locations were quite similar to those measured during the day, and the over-all night and day averages were almost the same.
> "High speeds, per se, have borne the brunt of criticism among many efforts in safety education, promotion, enforcement and regulation. The results of this extensive study of major highways in rural areas, however, show that drivers who were traveling at speeds below forty miles per hour were involved in accidents at a rate several times higher than that of drivers traveling at faster speeds. The daytime involvement rate was lowest for speeds between fifty-five and seventy miles per hour and increased at higher speeds.
> "Although reasonably reliable estimates of vehicle speed just prior to an accident can be made by experienced traffic police investigators, it is recognized that not all accidents used in the study were investigated and that involved drivers, especially those at fault, often underestimate their speed. Nevertheless, the differences in the involvment rates at the various speeds are substantial enough to suggest that relatively high speed driving is, on the average, safer than either low speed or excessively high speed driving on main rural highways where good design and other features are adequate to accomodate it. This finding does not apply necessarily to anything other than main rural highway conditions."

It is under these conditions that radar would be most frequently used, thus further negating the need.

Incidentally, this information, being revolutionary, was carried in many national publications, such as Newsweek, of March 16, 1959, and others.

Other States have legalized the use of this speed trapping device. That is true and has been said many times on this floor this evening. The use, however, is usually very short-lived. The reasons are that it does not change their fatality or accident rate. The record clearly proves this. Mr. George Lowe, now of the Atlantic Refining Company, who frequently honors us with his presence, sent me the results of a twenty-seven State survey, under date of March 9, 1959, in which radar had been legalized. Out of the total, ten States stated there had been no change in the number of accidents. Ten States did not even go to the trouble to reply. Most of the remaining States were evasive in their answers. The average length of time radar had been in use in these States was 3.6 years.

Now it is true that some few States persist in the use of this speed trapping device. There is no question about that. They have a vertiable gold mine and receive a generous portion of parasitic income from this source, particularly from visitors of other States.

Does radar work? We had a demonstration of radar this morning. Let us keep in mind that radar speed traps never stopped a speeder. It can only detect, accurately or inaccurately, the speed of a moving vehicle. Additional officers must be assigned to record the speed and this, indeed, if reported honestly, is a very delicate thing for any human being to do. Again, that was brought out very clearly here this afternoon. Those who observed the needle going over fast and right back, know that the human eye can hardly detect the extent to which that needle went. Other officers must be used to make the arrest.

How accurate is it? We witnessed its accuracy this morning. The technicalities of traffic radar application are a topic which would require hours to discuss. I have studied it at some length and have read much authoritative com-

ment that questions its reliability. Rather than burden you with this mass of detail, let me quote from a letter of our own Colonel Frank G. McCartney, who was with us this morning. He is our present Commissioner of State Police and he wrote this letter on March 12, 1959, to the Honorable Roy Shafer, Legislative Secretary to the Governor, and had the following to say. Remember, Colonel McCartney was then Colonel and Commissioner of the State Police, as he is now. The letter reads as follows:

> "The subject proposed legislation amends the Act of May 1, 1939, (P. L. 903) known as 'The Vehicle Code,' amended May 28, 1959, (P. L. 1769), section 1002, entitled 'Restrictions as to Speed,' subsection (d), to provide for the use of radar equipment and reduces, under all other conditions, the distance a vehicle will be timed from one-fourth of a mile to one-eighth of a mile, by a peace officer using either radar equipment or a motor vehicle equipped with a speedometer tested for accuracy within a period of 30 days prior to the alleged violation.
>
> "You are advised this Department objects to the proposed legislation on the basis it is our understanding radar equipment will not measure the speed of a vehicle for a distance of one-eighth of a mile with the radar equipment mounted at street level."

However, sometime subsequent to writing this letter, the Commissioner quickly changed his mind. It apparently was after an official visit. I do not know that to be certain, but I do know that he quickly got over to the other side of the issue.

Mr. President, let me repeat and read from a statement which the Commissioner intended to read this morning to the Members assembled to see the demonstration. He again quickly changed his mind and was very embarressed at the operation and did not read the statement. However, he had handed it to us. He had the following to say in his statement:

> "But if the object is moving, the frequency of the returning waves will vary, according to the speed of the object. On the highway, this means the greater the speed of the vehicle, the greater the frequency varies"—thereby, I might add, causing mistakes—"between the transmission waves and the returning waves."

That was the statement given to us by the Colonel this morning. I sense, perhaps, that he will have to change his mind on that.

Let us consider the possible effect of improved, well-maintained and new highways on the issue of traffic safety. I think we could get a pretty general agreement among highway users that the maintenance during the past several years has fallen much short of what might be expected.

In another area, during the past four years, $679,392,979 has been available for new construction. Now with new revenue measures already enacted, much additional money will be available. If the funds set aside were properly used, we could expect much improvement on our highways, which has been proven time and time again to be the best highway safety measure possible. Witness a local condition: The improvement of the so-called Gettysburg Pike, between Harrisburg and Dillsburg, four year ago. This has brought the accident rate down to the extent that where there were ten accidents before, now the records clearly prove that only three accidents occur. Again, gentlemen, I ask you to let us explore and use these proven measures which have contributed toward a steadily decreasing highway fatality rate over the years.

The use of radar speed traps is a heartless infringement upon the rights of Americans. When a citizen is brought before the bar of justice, he is traditionally innocent until proven otherwise. A party involved in a radar speed trap arrest has generally no technical knowledge of electronics and finds himself in court, bearing the burden of the presumed guilt and of proving himself innocent in a contest with an inanimate machine of questionable accuracy. This is not my opinion, alone. Writing in the "Electronics World" of December 1960, Mr. J. Kelly Johnson, an electrical engineer and a Fellow in the Institute of Radio and Radar Engineers, and a licensed professional Engineer in New York and Illinois, had the following to say in that publication:

> "I believe that the car riders, the police and the courts should be advised that the reliability of the evidence provided by these so-called radar instruments is by no means 100 per cent.
>
> "Because none of those parties involved in a 'radar arrest' and trial has, in general, any technical knowledge of electronics, the defendant finds himself in court, bearing the burden of presumed guilt and of proving himself innocent. This is contrary to the basic principles of American jurisprudence. In order to even attempt to prove his innocence, the accused must engage the services of an attorney and an electronic expert. This is a very considerable expense in order to avoid what is usually a very paltry fine. Even then he is not usually likely to win acquittal because of the 'aura of infallibility' which has been built up, undeservedly, about the device.
>
> "Radar speed meters are not only not radar, but may provide unreliable evidence due to errors falling in any one or in all of the following four categories: "System limitations,"—as we observed this morning—"equipment limitations, improper use of equipment,"—which might have been at fault this morning—"and incorrect interpretations of results."

Let me say at this point to the Majority Leader that the system of radar used in the National Defense is entirely different than the Koppler method which is used on the highways

> "Even if the device were as reliable, say, as the chase car's speedometer, which is certainly not the case,"—and I am continuing quoting from the article—"there are so many possibilities of error in the other three categories that neither the courts, the police, nor the arrested party should assume the speed-meter data to be accurate without specific proof and corroborative evidence, beyond a reasonable doubt, and this must be furnished by the prosecution.
>
> "I feel that it would be a disservice to the multitude of honest citizens, who in spite of veracious assertions of their innocence have been or may be arrested and convicted on the mechanical evidence of this fallible device, if you did not publish some statements calling attention to the facts which I have pointed out in this letter."

Mr. President, this will be verified by literally hundreds of those who have been accused of radar traffic violations in our neighboring States. It is an unfair and unjustified instrument to be used. Not all those who occupy the seat back of the wheel of an automobile are murderers or criminals, even though they occasionally exceed speed

limits. They have a right to a fair day in court. I suggest that each Member of this Body, who is considering voting for this measure, think back over the past 100 miles he has driven and reckon with himself as to whether or not he did, at least on one occasion, exceed the speed limit.

Gentlemen, you are Members of a deliberate Body, the Senate of Pennsylvania. Because one appointed official—and you might take a look at his record—says that we should adopt this speed trapping device is insufficient reason for us, as Legislators, to jump through the hoop.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDING OFFICER. Will the gentleman from Cumberland, Mr. Wade, allow himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. WEINER. Senator, suppose I were to say to you when they pick up a man for driving an automobile while under the influence of liquor that the only examination he receives is that of a physician who checks his temperature, possibly his blood pressure, has him walk around and looks into his eyes to see if his pupils are dilated, would you say this is an unfair method?

Mr. WADE. Mr. President, that question is irrelevant to the subject at hand. However, let me tell the gentleman this, for his information, because he reflected several times this afternoon on the actions of the Highways Committee.

The Chairman of the Highways Committee, as Mr. Rooney will bear out, is not the entire committee. We had that legislation and I was one hundred per cent in favor of it, and would vote for it tomorrow. I am speaking of the legislation to which you refer. However, I think it has no place at all in this discussion this evening.

Mr. WEINER. Mr. President, I would like to just ask the gentleman if he would answer my question, after which I will be very happy to listen to anything he has to say. Would you consider that a proper method of deducing whether a person is or is not drunk?

Mr. WADE. Mr. President, I refuse to answer that because of the fact that it is not germane to the problem before the Senate.

Mr. WEINER. Senator, this is the wrong time to take offense, especially when we are discussing this subject.

Might I point out to you, Sentor,—and I want to thank you very much for your responsive answer—that many people are picked up in automobiles who are presumed to have been drinking? The only test they will receive is that of a physician who is called to the police station and puts them through the tests that I have just pointed out to you. When these people are tried in court, the only thing that happens is that some policeman gets up and says he picked up this man because his car seemed to be zigzagging down the highway or whatever the reason may be. The physician then states his conclusions as a result of his examination. This is the point at which the person who has been accused begins to defend himself. How is that any different from what we are discussing here?

One of the authorities that you quoted, Senator, a Mr. J. Kelly Johnson, Electrical Engineer, a fellow of the Institute of Radio and Radar Engineers, and licensed professionally in New York and Illinois, says that the evidence produced by these radar instruments is by no means 100 per cent correct. He does not say it is faulty or goes down to zero. There are many things that are not 100 per cent, and we use them as having evidentiary value. They are not the sole test before anyone. They just are an aid or an adjunct to what is going on.

I also would like to point out to you, Senator,—

Mr. WADE. Mr. President, may I interrupt? I apoligize to the distinguished gentleman from Philadelphia. May I ask him whether he is giving me a personal lecture, is he interrogating me, or is he addressing the Senate?

Mr. WEINER. Mr. President, if I seem to be directing my remarks only to Senator Wade, it is just because I have been reading and listening to what he had to say. This is for the entire Senate, Senator.

I would just like to point out, also, that nothing has changed, Senator. I remember two years ago,—and I will pick up the record and it reads almost like this one does—two years before that, and two years before that. You excoriated Mr. Shipley at quite some length, and went on at the same rate as you went on here about these different problems and all of these hardship cases.

I do not think I have ever heard you say anything positive for radar. There must be something good about it. There must be somthing worth-while that you can point out to us about it, other than that we should not have it. I think if you did that and tempered those remarks about Mr. Shipley,—who, I understand, is ill and is now on a leave of absence from the State and from his duties—I think we could get to the heart of this problem. The problem is not Mr. Shipley. The problem is radar. Either we do or do not have it, and the enforcement of it is a different matter completely.

POINT OF ORDER

Mr. WADE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Cumberland, Mr. Wade, will state it.

Mr. WADE. Mr. President, I want to correct the gentleman in that I did not mention Mr. Shipley's name, and I intentionally avoided doing that knowing that he was—I was told this morning by Colonel McCartney—in the Harrisburg Hospital. I do not know that he said Harrisburg State Hospital. It was the Harrisburg Hospital.

Mr. WEINER. Mr. President, I think the gentleman is completely out of order on his point of order. I would like to also point out that he should have read his statement carefully. I will read to you what you stated about Mr. Shipley. If you want me to do that, I will be very happy to do so.

As a matter of fact, Senator Wade, you go on to point out his previous record at the close of your remarks, and you ask us to look at his record before we take his word about anything or want to follow his suggestions.

Mr. President, I am not going to carry this any further. The people who have this statement can look through it and decide whether Mr. Shipley's name is mentioned or his record or anything else about him.

Mr. DEVLIN. Mr. President, I just want to take one minute for a remark. It has been my privilege to attend the Mayor's Highway Safety Conference in Pittsburgh every year since 1956. I think, Mr. President and my colleagues that we only have one problem here. We only have one question here to answer, and that is whether we will accept and whether we will authorize the use of another deterrent against the highway carnage that has become so frightening Nation-wide. I would think and I

would hope that we would all bear this in our conscience when we are casting our votes on this bill.

Mr. WADE. Mr. President, one brief note. I did mention Mr. Shipley's name in my discourse, and I apologize to Senator Weiner for saying I did not. However, anything I said or thought about him, I will not take back.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. ROONEY. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I wish to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SILVERT. Mr. President, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, before the vote is announced, my reason for changing my vote—and I believe I speak on behalf of my colleagues—is that we do not have enough votes to pass this bill. Rather than see the bill completely defeated, we want to at least be in a position, if the gentlemen on the other side reconsider their position, to bring it back.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Camiel,	Kalman,	Miller,	Seyler,
Devlin,	Lane,	Mullin,	Stalsey,
DiSilvestro,	Mahady,	Murray,	Stiefel,
Donolow,	McCreesh,	Sarraf,	Yatron,
Haluska,	McGinnis,	Sesler,	Ripp,
Hays,	McMenamin,		Presiding Officer

NAYS—25

Bell,	Keller,	Propert,	Stroup,
Berger,	Kessler,	Rooney,	Van Sant,
Confair,	Kromer,	Scott,	Wade,
Ehrgood,	Madigan,	Shafer,	Wagner,
Flack,	Mallery,	Silvert,	Ware, III,
Fleming,	Pechan,	Stevenson,	Weiner,
Hawbaker,			

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

SECOND READING CALENDAR

BILLS ON SECOND READING

HB 44, 45 and **46**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 54—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

HB 73—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 88—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 93, 94 and **99**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 100—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 104 and **105**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 113—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON SECOND READING

SB 139 and **172**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 173—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 174 and **175**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 177—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. PECHAN offered the following amendment:

> Amend Sec. 1 (Sec. 1502-A, Page 3, Line 1, by striking out the word "Administer") and inserting the words "Cooperate with"

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

SB 188—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 194, SB 212, 213 and **258**—Mr. BERGER. Mr. President, I request that the remaining bills on today's Second Reading Calendar go over in their order until the next regular session of the Senate.

The PRESIDING OFFICER. There being no objection, the remaining bills will go over in their order.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 62, 78, 134, 159, 181, 185, 186, 189, 190, 197, 201, 231, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 293, HB 61, 70, 74, 302, 305** and **312.**

And said bills having been read at length for the first time,

Ordered, to be laid aside for second reading.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 140,** which was referred to the Committee on Corporations.

He also presented for concurrence **HB 263** and **394,** which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 310,** which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 365** and **395,** which were referred to the Committee on Local Government.

He also presented for concurrence **HB 366, 376** and **388,** which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 390,** which was referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 450** and **461,** which were referred to the Committee on State Government.

He also presented for concurrence **HB 480,** which was referred to the Committee on Insurance.

He also presented for concurrence **HB 529,** which was referred to the Committee on Appropriations.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTIONS

He also informed the Senate that the House has concurred in resolutions from the Senate, numbered and entitled:

Serial No. 105—Memorializing Congress to Establish a Civilian Conservation Corps

Weekly Adjournment.

BILLS INTRODUCED AND REFERRED

Messrs. KALMAN, MURRAY, WEINER, ROONEY, MAHADY, VAN SANT and SESLER, by unanimous consent, presented to the Chaair **SB 380,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," providing that title to property by eminent domain may be vested in the county upon filing of a bond.

Which was committed to the Committee on Local Government.

Messrs. KALMAN and VAN SANT, by unanimous consent, presented to the Chair **SB 381,** entitled:

An Act amending the act of May 16, 1921 (P. L. 579), entitled, as amended, "An act providing for the better management of the jails or county prisons in the several counties of this Commonwealth of the third, fourth and fifth classes by creating, in such counties, a board to be known by the name and style of inspectors of the jail or county prison, . . ." further providing for the composition of the board of inspectors of the jail or county prison.

Which was committed to the Committee on Local Government.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

REPUBLICAN CAUCUS ..... 1:00 P. M.

DEMOCRATIC CAUCUS ..... 1:30 P. M.

NOTICE

There will be a Public Hearing of the Joint Committee to study the abolition of Capital Punishment, Friday, March 10, 1961, at 10:00 a. m., in Room 1301, State Building, Broad and Spring Garden Streets, Philadelphia.

There will be a continuation of the joint committee meeting of the House and Senate Education Committee, Tuesday, March 14th, in the Senate Caucus Room at 9:00 a. m., to discuss with the Superintendent of Public Instruction important educational matters.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, March 13, 1961, at 3:00 p.m.

Mr. SILVERT. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:19 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 7, 1961

The House met at 1:00 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, in the affairs of life we are faced many, many times with the travesty of our fellowmen. We pray that this rank imitation may only serve to inspire us to greater service and higher fellowship in the communities we serve. Heavenly Father, in the turbulent affairs of world conditions, leadership of the highest quality is elicited from all men in positions of responsibility. Pour out Thy blessing upon these humble servants of Thine, so that Thy will may be accomplished in the society they represent. Prick their consciences with the obligation to truth, so that they may ever work for Thee and the advancement of Thy kingdom. And bestow upon them Thy everlasting peace. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, March 6, 1961 will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. MARSH. HOUSE BILL No. 714.

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051), prohibiting the requiring of security as a prerequisite to receiving assistance or general assistance.

Referred to the Committee on Welfare.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 715.

An Act amending the act of June 1, 1959 (P. P. 392), entitled "An act relating to the retirement of State employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 716.

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

Referred to the Committee on Appropriations.

By Mr. FINEMAN. HOUSE BILL No. 717.

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Messre. T. F. SULLIVAN, J. A. SULLIVAN, LAWSON and WARGO. HOUSE BILL No. 718.

An Act amending the "Bedding and Upholstery Law" approved May 27, 1937 (P. L. 926), adding a definition, changing tag, stamp and registration provisions; providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

Referred to the Committee on Public Health and Sanitation.

By Messrs. FINEMAN, GELFAND, TOMPKINS and STIMMEL. HOUSE BILL No. 719.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), eliminating duplicate suspensions arising out of same event or occurrence.

Referred to the Committee on Motor Vehicles.

By Messrs. WELSH, T. F. SULLIVAN, Mrs. S. A. ANDERSON and Mr. LAWSON. HOUSE BILL No. 720.

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744), changing the definitions of employer and age, and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

Referred to the Committee on Judiciary.

By Mrs. REIBMAN and Mr. GAILEY. HOUSE BILL No. 721.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), authorizing the appointment of educational specialists in lieu of assistant county superintendents.

Referred to the Committee on Education.

By Mr. McCANN, Mrs. REIBMAN and Messrs. AGNEW and HELM. HOUSE BILL No. 722.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), by further providing for the termination of contracts of professional employees.

Referred to the Committee on Education.

By Mrs. REIBMAN, Messrs. McCANN, DENGLER and GAILEY. HOUSE BILL No. 723.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for special education classes for certain detained children and providing for homebound instructions of children who are legally detained by court order in an institution directly and solely operated by the county.

Referred to the Committee on Education.

By Messrs. GOODRICH, FLYNN, CAPANO and ESHELMAN. HOUSE BILL No. 724.

An Act amending the "Municipality Authorities Act of 1945," approved May 2, 1945 (P. L. 382), limiting the indebtedness which Authorities may incur without the consent of the electorate.

Referred to the Committee on Municipal Corporations.

By Messrs. GOODRICH, FLYNN, CAPANO and ESHELMAN. HOUSE BILL No. 725.

An Act amending the "Municipal Borrowing Law,"

approved June 25, 1941 (P. L. 159), limiting the issuance of non-debt revenue bonds and providing for an ordinance and election to issue such bonds in excess of the limit.

Referred to the Committee on Municipal Corporations.

By Messrs. WILLARD, DOWN, CURWOOD and JIM.
HOUSE BILL No. 726.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), requiring the Fish Commission to erect fish nets above and below the construction area of new dams.

Referred to the Committee on Fisheries.

By Messrs. HAMILTON, STONE, DOWN and ESHBACK.
HOUSE BILL No. 727.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), providing for expenses in going to and returning from meetings.

Referred to the Committee on Counties.

By Messrs. BRANCA, WELSH, HARTLEY and MARSH.
HOUSE BILL No. 728.

An Act amending the "Elevator Regulation Law," approved May 2, 1929 (P. L. 1518), changing the definition of "elevator," and regulating the repairing and renovating of elevators; requiring permits; and fixing fees for permits, inspections and certificates.

Referred to the Committee on State Government.

By Mssrs. FLYNN, CAPANO, GOODRICH and ROVANSEK.
HOUSE BILL No. 729.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that no annexation of a portion of township shall be final or complete until payment has been made or agreement entered into for payment of certain costs by a city or borough.

Referred to the Committee on Townships.

By Messrs. FLYNN, CAPANO, GOODRICH and HORST.
HOUSE BILL No. 730.

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

Referred to the Committee on Townships.

By Messrs. FLYNN, CAPANO, GOODRICH and HORST.
HOUSE BILL No. 731.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

Referred to the Committee on Townships.

By Messrs. FLYNN, CAPANO, HORST and ROVANSEK.
HOUSE BILL No. 732.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing county associations of township supervisors, auditors, assessors and tax collectors to hold quarterly conventions, and increasing the amount payable by counties for expenses of the conventions of such associations.

Referred to the Committee on Townships.

By Merrs. FLYNN, CAPANO, GOODRICH and HORST.
HOUSE BILL No. 733.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), requiring copies of plans for relocation of State highways to be submitted by the Department of Highways to boards of supervisors of second class townships prior to the time of actual relocation.

Referred to the Committee on Townships.

By Messrs. FLYNN, CAPANO, GOODRICH and HORST.
HOUSE BILL No. 734.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to supervisors of townships of the second class.

Referred to the Committee on Counties.

By Messrs. FRASCELLA, KELLY, DOUGHTEN and LAWSON.
HOUSE BILL No. 735.

An Act regulating the manufacture of stuffed toys intended for sale, gift or use in Pennsylvania; providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers; * * * and providing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. TOMASCIK and BACHMAN.
HOUSE BILL No. 736.

An Act requiring executors and administrators to appoint attorneys-at-law designated by testators and fixing the amount of damages for failure to make such appointments.

Referred to the Committee on Judiciary.

By Messrs. TOMASCIK and BACHMAN.
HOUSE BILL No. 737.

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), increasing deductions to be made by administrators, executors or other trustees from certain legacies or shares in the distribution of estates subject to tax.

Referred to the Committee on Judiciary.

By Messrs. FLYNN, GOODRICH, ROVANSEK and RENWICK.
HOUSE BILL No. 738.

An Act providing that no township of the second class or any part thereof shall be annexed by any city, borough or township without the consent of the electors of the entire township, and prescribing the manner of commencing annexation proceedings.

Referred to the Committee on Townships.

By Messrs. FLYNN, CAPANO, RENWICK and MILLS.
HOUSE BILL No. 739.

An Act relating to apprenticeship and training; creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program; and defining its powers and duties and providing for administration.

Referred to the Committee on Labor Relations.

By Mr. DENGLER and Mrs. KERNAGHAN.
HOUSE BILL No. 740.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), excluding music from supplies of the second class.

Referred to the Committee on Education.

By Mrs. HENZEL and Messrs. GIBBONS, REIDENBACH and MILLS. HOUSE BILL No. 741.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), requiring the offices of any county of the third class to remain closed on Saturday.

Referred to the Committee on Counties.

By Messrs. EILBERG and A. M. LEE.
HOUSE BILL No. 742.

An Act amending the act of April 3, 1860 (P. L. 630), entitled "An act relative to Proceedings upon Mortgages and Recognizances," excluding counties of the first class from the provisions of the act.

Referred to the Committee on Cities—Counties First Class.

By Messrs. EILBERG and A. M. LEE.
HOUSE BILL No. 743.

An Act amending the act of April 25, 1850 (P. L. 569), entitled "An act relating to the bail of executrixes; to partition in the orphans' court and common pleas; to colored convicts in Philadelphia; to the limitation of actions against corporations; to actions enforcing the payment of ground rent; * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

Referred to the Committee on Cities—Counties First Class.

By Messrs. HAMILTON, KORNICK, WESCOTT and WILT. HOUSE BILL No. 744.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing the establishment and maintenance of certain places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WESCOTT and WILT. HOUSE BILL No. 745.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers, junk yards and scrap yards.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WESCOTT and WILT. HOUSE BILL No. 746.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers, junk yards and scrap yards.

Referred to the Committee on Cities—Third Class.

By Messrs. HAMILTON, KORNICK, WESCOTT and WILT. HOUSE BILL No. 747.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

Referred to the Committee on Boroughs.

By Mrs. PASHLEY, Mrs. MUNLEY and Mrs. KERNAGHAN. HOUSE BILL No. 748.

An Act amending the "Women's Labor Law," approved July 25, 1913 (P. L. 1024), prohibiting the working of women for more than six consecutive days without at least one day of rest.

Referred to the Committee on Labor Relations.

By Messrs. NEEDHAM, WARGO, STECKEL and DAVIS. HOUSE BILL No. 749.

An Act amending the "Korean Conflict Veterans' Compensation Act," approved July 8, 1957 (P. L. 569), defining "veteran" so as to include career servicemen.

Referred to the Committee on Military Affairs.

By Messrs. SNARE, WYND and ELVEY.
HOUSE BILL No. 750.

An Act amending the "Dog Law of 1921," approved May 11, 1921 (P. L. 522), increasing the additional fee.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. J. A. SULLIVAN, TAYLOR, FILO and SCARCELLI. HOUSE BILL No. 751.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) allowing magistrates to impose costs when a person is discharged and prohibiting the imposition of fine and costs when a person pleads guilty, nolo contendere or is found guilty.

Referred to the Committee on Judiciary.

By Messrs. FILO and WALSH. HOUSE BILL No. 752.

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; * * *," placing a limitation on increases in assessments or valuations from one triennial assessment to the next.

Referred to the Committee on Counties.

By Messrs. WEIDNER, RENWICK, GRAMLICH and DAVIS. HOUSE BILL No. 753.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) prohibiting the posting of signs upon trees or telephone poles.

Referred to the Committee on Judiciary.

By Messrs. PETROSKY, BRETH, BOIES, WOOD, FINEMAN, HELM and A. W. JOHNSON.
HOUSE BILL NO. 754.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), including the Oil and Gas Conservation Commission as a departmental administrative commission in the Department of Mines and Mineral Industries.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. PETROSKY, BRETH, BOIES, HOCKER, WOOD, FINEMAN, HELM and A. W. JOHNSON.

HOUSE BILL No. 755.

An Act defining and prohibiting waste in the production and duties of the Oil and Gas Conservation Commission and the Oil and Gas Division of the Department of Mines and Mineral Industries with respect to the prevention of waste in the production of oil and gas from certain geological horizons; * * * imposing penalties and making an appropriation.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. VARNER and DENNISON.

HOUSE BILL No. 756.

An Act declaring and adopting the poem "Pennsylvania" by Gerall G. Dovenspike a Pennsylvanian, as the official poem of the Commonwealth.

Referred to the Committee on Rules.

By Mr. POLEN. HOUSE BILL No. 757.

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 758.

An Act making an appropriation to the Department of Commerce for the Pennsylvania Industrial Development Authority.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 759.

An Act making an appropriation to the Department of Commerce for rendering financial assistance to Industrial development agencies engaged in promoting the development and expansion of business industry and commerce in the respective counties of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 760.

An Act making an appropriation to the Department of Commerce for housing and redevelopment assistance.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 761.

An Act making an appropriation to the Department of Commerce for payment of grants to local agencies for tourist promotional assistance.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 762.

An Act making an appropriation to the Water and Power Resources Board of the Department of Forests and Waters for payment into the Flood Control Fund for flood control purposes.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 763.

An Act making an appropriation to the Trustees of the Mary Bailey Foundation for Heart and Great Vessel Research.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 764.

An Act making an appropriation to the Department of Health for the use of the Institute for Cancer Research Incorporated Fox Chsae Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 765.

An Act making an appropriation to the Department of Health for the diagnosis treatment and study of cerebral palsy at St. Christopher's Hospital.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 766.

An Act making an appropriation to the Department of Health for payments to municipalities and municipality authorities under the provisions of the act of August 20, 1953 (P. L. 1217), entitled "An act provided for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Streams Program and the act approved the twenty-second day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1987), and making an appropriation" for the repaid improvements or addition of certain sewage treatment plants.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 767.

An Act making an appropriation to the Department of Justice for consumer protection.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 768.

An Act making an appropriation to the Department of Military Affairs for veterans' assistance.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 769.

An Act making an appropriation to the Department of Military Affairs for the payment of services of the Civil Air Patrol.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 770.

An Act making appropriations to the Department of Property and Supplies for the payment of grants to various municipalities or municipal authorities for the Commonwealth's share of expenses and charges in connection with utilities expansions.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 771.

An Act making an appropriation to the Department of Public Instruction for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 772.

An Act making an appropriation to the Department of Public Instruction for the improvement of library services.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 773.

A Supplement to the act of April 1, 1863 (P L 213),

entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural Colleges" making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 774.

An Act making appropriations to the Trustees of the University of Pittsburgh for the general maintenance and operation of the University for the School of Medicine for the Library School.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 775.

An Act making appropriations to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University for the School of Medicine and for the School of Veterinary Medicine.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 776.

An Act making appropriations to the Trustees of Temple University at Philadelphia Pennsylvania for the general maintenance and operation of the University and for the School of Medicine.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 777.

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 778.

An Act making an appropriation to the Women's Medical College of Pennsylvania East Falls Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 779.

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 780.

An Act making an appropriation to the Trustees of the Hahnemann Medcial College and Hospital of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 781.

An Act making an appropriation to the Philadelphia College of Osteopathy Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 782.

An Act making an appropriation to the Philadelphia Textile Institute at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 783.

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 784.

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 785.

An Act making an appropriation to the Berean Manual Trainng School at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 786.

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 787.

An Act making an appropriation to the National Agricultural College at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 788.

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania for maintenance and purchase of supplies and equipment.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 789.

An Act making an appropriation to the Williamson Free School of Mechanical Trades.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL. No. 790.

An Act making an appropriation to the Philadelphia Commercial Museum Philadelphia.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 791.

An Act making an appropriation to the Pennsylvania Museum School of Art Philadelphia.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 792.

An Act making an appropriation to the Philadelphia Academy of Natural Science of the State of Pennsylvania at Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 793.

An Act making an appropriation to the Carnegie Museum for maintenance and the purchase of apparatus supplies and equipment.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 794.

An Act making an appropriation to the Drexel Institute

of Technology of the State of Pennsylvania at Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 795.

An Act making an appropriation to the Dickinson School of Law Carlisle, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 796.

An Act making an appropriation to the Department of Public Welfare to reimburse State-aided hospitals and the Philadelphia General Hospital for part of the cost of training nurses in approved schools of nursing and making a deficiency appropriation for the same purpose.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 797.

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 798.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance and operation of the Western Psychiatric Institute and Clinic.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 799.

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for services for the aging.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 800.

An Act making an appropriation to the Glen Mills School in Delaware County Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 801.

An Act making an appropriation to Sleighton Farm School for Girls in Delaware County Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 802.

An Act making an appropriation to the Department of Public Welfare for payment of grants to political subdivisions for juvenile delinquency programs.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 803.

An Act making an appropriation to the Department of State for the administration of the Municipal Employes Retirement System.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 804.

An Act making an appropriation for the purpose of maintaining public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 805.

An Act making an appropriation for the maintenance repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 806.

An Act making an appropriation to the City of Harrisburg, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 807.

An Act making an appropriation to the Study Commission of the Philadelphia Metropolitan Area.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 808.

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and for public schools for the fiscal period June 1, 1961 to June 30, 1962 and for the payment of bills recurred and remaining unpaid at the close of the fiscal period ending May 31, 1961.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. MARSH. RESOLUTION No. 34.

In the House of Representatives, March 6, 1961

It has come to the attention of the members of the House of Representatives that inhuman and cruel treatment has been accorded dogs taken into custody by the personnel of the law enforcement agencies charged with the apprehension of these animals.

It has also come to our attention of promiscuous killing of dogs by these enforcement officers, which are properly tagged. In many of these instances if these dogs had been apprehended by the use of a chemical dart gun they could have been readily returned to their owners. It is the sense of this House that the treatment accorded many of these stray animals is cruel and inhuman; therefore be it

Resolved, That the Secretary of Agriculture be requested to instruct all enforcement agencies to cease any promiscuous killing of properly tagged dogs and that in the apprehension of these animals, a chemical dart gun be used so that they can safely be placed in custody until claimed by their owners. This resolution in no wise is meant to interfere with those provisions of the law pertaining to dogs with rabies or caught in the act of attacking a person or other animal; and be it further

Resolved, That the Secretary of Agriculture be sent a copy of this resolution.

Referred to the Committee on Rules.

SENIOR CLASS OF CENTRAL CITY UNION SCHOOL WELCOMED

The SPEAKER. In the gallery and members of the senior class of Shad-Central City Union Schools, Somerset County. They are here under the direction of Mr. Frank Severn and Miss Anna Mae Maurer. They are the guests of the gentlemen from Somerset, Mr. Korns and Mr. Stiteler.

SENATE MESSAGE

The Clerk of the Senate being introduced, informs the House of Representatives that the President Pro Tempore of the Senate, Honorable Anthony J. DiSilvestro, has made the following appointments:

PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

Charles R. Weiner
Harry E. Seyler
Thomas J. Kalman
William Vincent Mullin
James S. Berger
Robert D. Fleming
Henry J. Propert

LEGISLATIVE BUDGET AND FINANCE COMMITTEE

Anthony J. DiSilvestro
Charles R. Weiner
William J. Lane
James S. Berger
Robert D. Fleming
Henry J. Propert

REPORTS FROM COMMITTEES

Mr. McDONALD from the Committee on Mines and Mineral Industries, reported as amended, House bill No. 67, entitled:

An Act to protect the public safety by regulating the mining of anthracite coal; prescribing duties for certain municipal officers and imposing penalties.

Mr. SCARCELLI from the Committee on Counties, reported as committed, House bill No. 171, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

Mr. MAXWELL from the Committee on Professional licensure, reported as committed, House bill No. 216, entitled:

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto; creating the State Auctioneers Commission; * * * and providing penalties.

Mr. McCORMACK from the Committee on State Government, reported as amended, House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned, rebuilt or used weighing or measuring devices; regulating the conduct of such business; and providing penalties.

Mr. SAKULSKY from the Committee on Counties, reported as amended, House bill No. 264, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, House bill No. 316, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines and prescribing permit fees; and providing penalties," prohibiting the sale or delivery of explosives to persons not complying with this act and imposing penalties and imposing additional duties on manufacturers.

Mr. VERONA from the Committee on Townships, reported as committed, House bill No. 414, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), imposing costs in prosecutions for violations when evidence does not show the prosecution is well founded and requiring bonds.

Mr. RENWICK from the Committee on Townships, reported and committed, House bill No. 419, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that supervisors, assessors, auditors and tax collectors must be electors of the township in order to be eligible.

Mr. WM. JOSEPH LONG reported from the Committee on Game and Conservation, reported as committed, House bill No. 423, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 453, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 454, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as committed, House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1303), relating to the dissolution of and withdrawal from certain departments of health.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 472, entitled:

An Act amending "The General County Asssessment Law," approved May 22, 1933 (P. L. 853), designating certain house trailers as subjects of taxation.

Mr. DONALDSON from the Committee on State Government, reported as committed, House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands.

Mr. PRICE from the Committee on State Government, reported as committed, House bill No. 474, entitled:

An Act amending the act of May 20, 1921 (P. L. 984), entitled, as amended, "An act providing for the condemnation by the Commonwealth of lands suitable and desirable

for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish; * * *," providing for the payment of money into court for the benefit of persons entitled thereto, and for the crediting of such payments.

Mr. WOOD from the Committee on State Government, reported as committed, House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929," Approved April 9, 1929 (P. L. 177), authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department, independent administrative board, or commission, to the jurisdiction and control of another administrative department, independent administrative board, or independent commission.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House bill No. 485, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 522, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) increasing the time for reporting certain events; making it illegal to have in your possession certain documents; further providing for the statute of limitations in certain cases; making exceptions for vehicles with a pumper less than twelve inches from the ground; * * *.

Mr. LAWSON from the Committee on Public Health and sanitation, reported as committed, House bill No. 572, entitled:

An Act making an appropriation to the Department of Health for the purpose of extinguishing fires in refuse banks where same are creating health hazards.

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, House bill No. 584, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), creating permits for the importing, possessing, propagating, or selling of nutria, and providing for certain fees and penalties in connection therewith.

Mr. SNARE from the Committee on Game and Conservation, reported as committed, House bill No. 585, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), clarifying, changing and increasing certain fees.

Mr. WILLARD from the Committee on Game and Conservation, reported as committed, House bill No. 587, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 558, entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania; authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions.

Mr. HARTLEY from the Committee on State Government, reported as committed, House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

Mr. MORLEY from the Committee on Education, reported as committed, House bill No. 638, entitled.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

Mrs. PASHLEY from the Committee on State Government, reported as committed, Senate bill No. 31, entitled:

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

Mr. HAMILTON from the Committee on Education, reported as committed, Senate bill No. 128, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing assessment provisions relating to certain third class school districts.

Mrs. HENZEL from the Committee on Public Health and sanitation, reported as committed, House bill No. 10, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, and use of certain drugs and keeping records thereof; * * *" clarifying the definition of "drug" to include heroin in any quantity.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 482, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the power of the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals beneath Lake Erie.

Mr. RILEY from the Committee on Game and Conservation, reported as committed, House bill No. 367, entitled.

An Act amending "The Game Law," approved June 3, 1936 (P. L. 1225), prohibiting the killing or wounding of albino or white deer and imposing duties on the commission with respect to collecting and protecting them.

Mr. J. A. O'DONNELL from the Committee on Public Health and Sanitation, reported as committed, House bill No. 540, entitled:

An Act amending the act of May 23, 1945 (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; * * *," further regulating appeals.

Mr. McCANDLESS from the Committee on Counties, reported as committed, House bill No. 542, entitled:

An Act amending "The Fourth to Eighth Class County Assessment law," approved May 21, 1943 (P. L. 571), further specifying when tax levies shall first be based on

assessments from valuations made with the use of the permanent system of records.

Mrs. HENZEL from the Committee on Health and Sanitation, reported as committed, House bill No. 555, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending to thirty days in the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

Mr. GOODRICH from the Committee on Game and Conservation, reported as committed, House bill No. 580, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the use of automatic and magazine shotguns; and providing a penalty.

Mr. GIBB from the Committee on Law and Order, reported as committed, House bill No. 607, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), authorizing the production and performance of civic light opera between certain hours on Sundays in cities of the second class.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 171, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 216, entitled:

An Act to define, license and regulate resident and nonresident auctioneers and apprentice auctioneers in this Commonwealth and revising, consolidating and making the law uniform thereto; creating the State Auctioneers Commission; * * * and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 316, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines and prescribing permit fees; and providing penalties," prohibiting the sale or delivery of explosives to persons not complying with this act and imposing penalties and imposing additional duties on manufacturers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 414, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), imposing costs in prosecutions for violations when evidence does not show the prosecution is well founded and requiring bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 419, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing that supervisors, assessors, auditors and tax collectors must be electors of the township in order to be eligible.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 423, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 453, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 454, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 472, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), designating certain house trailers as subjects of taxation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the price to be paid for State forest lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 474, entitled:

An Act amending the act of May 20, 1921 (P. L. 984), entitled, as amended, "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish; * * *," providing for the payment of money into court for the benefit of persons entitled thereto, and for the crediting of such payments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929," approved April 9, 1929 (P. L. 167), authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department, independent administrative board, or commission, to the jurisdiction and control of another administrative department, independent administrative board, or independent commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 485, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 522, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing the time for reporting certain events; making it illegal to have in your possession certain documents; further providing for the statute of limitations in certain cases; making exceptions for vehicles with a bumper less than twelve inches from the ground; * * *.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 572, entitled:

An Act making an appropriation to the Department of Health for the purpose of extinguishing fires in refuse banks where same are creating health hazards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 584, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), creating permits for the importing, possessing, propagating, or selling of nutria, and providing for certain fees and penalties in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 585, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), clarifying, changing and increasing certain fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 587, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 558, entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania; authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies; conferring powers and imposing duties on the governing bodies of certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedidte the transition of government and providing for an appropriation in certain years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill 638, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 31, entitled:

An Act apthorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 128, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," changing assessment provisions relating to certain third class school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 10, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession, control, dealing in, and use of certain drugs and keeping records thereof; * * *" clarifying the definition of "drug" to include heroin in any quantity.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 482, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), further regulating the power of the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals beneath Lake Erie.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 367, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), prohibiting the killing or wounding of albino or white deer and imposing duties on the commission with respect to collecting and protecting them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 540, entitled:

An Act amending the act of May 23, 1945 (P. L. 926), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth; * * *," further regulating appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 542, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system or records.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 555, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 580, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further regulating the use of automatic and magazine shotguns; and providing a penalty.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 607, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), authorizing the production and performance of civic light opera betwene certain hours on Sundays in cities of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. POLASKI asked and obtained permission for the Committee on Municipal Corporations to meet during the session of the House.

Mr. LEONARD asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 635, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P L 1965), reducing the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 37, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 160, entitled:

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgments confessed on written instruments * * *" providing defenses in any county in which an execution, bill of discovery or attachment is issued on a judgment.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 3 by inserting after "transferred" [and in which an execution bill of discovery or attachment is issued thereon]

It was agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. McCANN offered the following amendments:

Amend Title, page 1, last two lines of Title, by striking out "an execution bill of discovery or attachment is issued on."

Amend Title, page 1, last line of Title, by inserting after "judgment"; is transferred.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 254, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736) requiring employers to furnish employes with instructions on their rights in the event of an accident.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 255, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566) requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 303, entitled:

An Act amending the act of April 30, 1929 (P. L. 885) entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 304, entitled:

An Act amending the act of June 12, 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations * * *.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 336, entitled:

An Act repealing the act of May 24, 1917 (P. L. 266) entitled "An act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on agricultural commodities imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 393, entitled:

An Act changing and making uniform the time in which appeals may be allowed from courts of record of inferior jurisdiction limiting the time when such appeals shall operate as supersedeas and repealing inconsistent acts and parts of acts inconsistent herewith.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BOWMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 418, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the basis for pensions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. POLASKI offered the following amendments:

Amend Sec. 1 (Sec. 4303), page 2, line 9, by striking out the bracket before "rate."

Amend Sec. 1 (Sec. 4303), page 2, lines 9 to 11, by striking out "] highest" in line 9, all of line 10, and "of service preceding" in line 11.

Amend Sec. 1 (Sec. 4303), page 2, line 11, by inserting after "retirement" or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge or retirement, whichever is the higher

Amend Sec. 1 (Sec. 4303), page 2, line 14, by striking out the brackets before and after "monthly" and inserting immediately thereafter: or

Amend Sec. 1 (Sec. 4303), page 2, line 14, by inserting after "rate" whichever is the higher

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. POLASKI offered the following amendments:

Amend Sec. 2 (Sec. 4322), page 3, line 3, by striking out the bracket before "monthly" and after "of" and inserting immediately thereafter: retirement or the

Amend Sec. 2 (Sec. 4322), page 3, line 5, by inserting after "tirement" whichever is the higher

Amend Sec. 2 (Sec. 4322), page 3, line 7, by striking out "said average"

Amend Sec. 2 (Sec. 4322), page 3, line 7, by striking out the bracket before "of"

Amend Sec. 2 (Sec. 4322), page 3, line 8, by inserting after "monthly" or average annual

Amend Sec. 2 (Sec. 4322), page 3, line 8, by striking out the bracket after "rate" and inserting immediately thereafter: whichever is the higher

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. POLASKI offered the following amendments:

Amend Sec. 3 (Sec. 4343), page 4, line 8, by striking out "highest"

Amend Sec. 3 (Sec. 4343), page 4, line 9, by striking out the brackets before and after "the last" and inserting immediately thereafter: or

Amend Sec. 3 (Sec. 4343), page 4, line 10, by inserting after "city" whichever is the higher,

They were agreed to.

The section was agreed to as amended.

The title was read.

On the quetion,

Will the House agree to the title?

Mr. POLASKI offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "for" certain

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 425, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for alternates to serve on the joint school committee.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 452, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to exchange State park land.

The first section was read.

On the question,

Will the House agree to the section?

Mr. RENWICK offered the following amendment:

Amend Sec. 1 (Sec. 1806), page 3, line 12, by inserting after "land" of a like or comparable value

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 636, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149) reducing the tax rate of fuels used in turbine propeller jet, turbo-jet or jet driven aircraft and aircraft engines for a certain period of time.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 180, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" authorizing occupation taxes to be abolished and per capita taxes to be levied and collected and limiting the levy and collection of certain taxes.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I would like to request permission of the House to amend certain bills before we go to caucus. I would also ask permission that a resolution be amended before we go to caucus.

HOUSE RESOLUTION No. 27

Mr. McCANN. Mr. Speaker, I call up on page 12 of today's calendar, House Resolution No. 27.

The resolution was read by the Clerk as follows:

In the House of Representatives, February 6, 1961.

The House of Representatives of the Commonwealth of Pennsylvania recognizes the importance of port facilities.

The City of Chester has port facilities which have been allowed to deteriorate and now serve very little if any useful purpose.

Rehabilitation of these facilities would promote the economy of the City of Chester in creating jobs advancing industrial production and generally ameliorating business conditions.

Even though civic minded persons and civic groups have urged the Honorable Joseph Eyre, Mayor of the City of Chester, to use his office to promote the development of the port facilities to date he has accomplished nothing therefore be it

Resolved That the House of Representatives urge the Honorable John Eyre, Mayor of the City of Chester, to forthwith do all in his power to rehabilitate and develop the port facilities of Chester, Pennsylvania, and be it further

Resolved, That he be urged to enlist the aid of Federal Government and State Agencies in furthering the development of the aforesaid port facilities and be it further

Resolved, That a copy of this resolution be sent to the Honorable John Eyre, Mayor of the City of Chester, and a copy to the City Council in care of Richard Larkin, Chief Clerk, City of Chester, Pennsylvania.

On the question,

Will the House adopt the resolution?

Mr. GREMMINGER offered the following amendments:

Amend fourth paragraph of preamble, page 1, last four lines, by striking out all of said lines.

Amend resolution, page 2, line 2, by striking out "John" and inserting: Joseph.

Amend resolution, page 2, line 2, by inserting after "Chester" and the Delaware River Port Authority.

Amend resolution, page 2, line 3, by striking out "his" and inserting: their.

Amend resolution, page 2, line 5, by striking out "he" and inserting: they.

Amend resolution, page 2, line 9, by striking out "John" and inserting: Joseph.

Amend resolution, page 2, line 10, by inserting after "Pennsylvania" and to the Delaware River Port Authority.

On the question,

Will the House agree to the amendments?

They were agreed to.

Ordered, That the resolution lie over for printing under the rules.

BILL ON THIRD READING POSTPONED

Mr. McCANN. Mr. Speaker. I call up House bill No. 53 on page 11 of the calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 9, by striking out "six months" and inserting ninety (90) days.

Amend Sec. 1 (Sec. 1), page 2, line 12, by striking out "sixty days" and inserting thirty (30) days.

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out "sixty days" and inserting thirty (30) days.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I call up House bill No. 29, bills on final passage, on page 5 of the calendar.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 29, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Sec. 4, page 3, lines 11 to 14 by striking out "If the experts conclude" in line 11 and all of lines 12, 13 and 14.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

REPORTS FROM COMMITTEE

Mr. GIBBONS from the Committee on Municipal Corporations, reported as committed, House bill No. 156, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employes of certain associations within the act.

Mr. BRANCA from the Committee on Judiciary Special, reported as committed, House bill No. 230, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt persons over the age of sixty-five years who are receiving pension or retirement payments, or social security payments, or who are unemployed from the payment of personal taxes.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 156, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), including officers and employes of certain associations within the act.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 230, entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, to exempt persons over the age of sixty-five years who are receiving pension or retirement payments, or social security payments, or who are unemployed from the payment of personal taxes.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, I am going to request a recess of one hour for the purpose of a Democratic Caucus to cover the bills on third reading which will be voted on today, and also to state to the members who have been inquiring that there will be a session tomorrow at 10 a. m. I also ask that committee chairmen plan committee meetings for tomorrow morning from 8:30 to 10 a. m.

Mr. Speaker, before I make the motion for the recess, I ask that all the Democratic members bring to the caucus with them their House calendars.

I yield to the gentleman from Cameron, Mr. Tompkins.

REPUBLICAN CAUCUS

Mr. TOMPKINS. Mr. Speaker, we will have a Republican caucus in the Republican caucus room for one hour and I request that the members bring their calendars with them. That will be immediately.

Mr. McCANN. Mr. Speaker, I think we have a couple groups of distinguished guests who are to be introduced before we go to caucus, and a former House member.

The SPEAKER. I have introduced one group and have not been notified that the other group is in the hall of the House.

MEMBERS OF GROUP STUDYING PRACTICAL POLITICS WELCOMED

The SPEAKER. There are present in the hall of the House 18 members who are from the West Shore Chamber of Commerce. They have been studying a course in practical politics as offered by the West Shore Chamber of Commerce. The course is an action course in practical politics.

The group is sponsored by the West Shore Chamber of Commerce and they are here under the leadership of Kenneth R. Minick.

FORMER MEMBER WELCOMED

Mr. McCANN. Mr. Speaker, there is present a former member of the House from Philadelphia who served with us. Honorable Albert Leven, of Philadelphia, is here today. Mr. Leven.

RECESS

The SPEAKER. At the request of the respective floor leaders, the Chair declares a recess of one hour for a Democratic and a Republican caucus, both caucuses to begin immediately in the accustomed meeting places.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. BOIES, MAXWELL, WHITTAKER, and MARSH. HOUSE BILL No. 809.

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216) further providing for advertising by dentists.

Referred to the Committee on Professional Licensure.

By Messrs. CAPANO, AUKER, DENGLER and Mrs. REIBMAN. HOUSE BILL No. 810.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for the employment of professional and temporary professional employes of county boards of school directors regulating the employment, dismissal, suspension, and demotion of such employes, and providing for their rights and obligations.

Referred to the Committee on Education.

By Messrs. LUTTY, KAMYK and GIBB.

HOUSE BILL No. 811.

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing a method of paying service increments from the pension fund to employes of the city after retirement.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. J. A. O'DONNELL, SHELTON, O'DELL and T. F. SULLIVAN.

HOUSE BILL No. 812.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), integrating existing law, giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles, into the act; providing additional penalties for violation of provisions relating to frogs, tadpoles and turtles; and repealing certain acts.

Referred to the Committee on Fisheries.

By Messrs. WILLARD, EDWARDS, GREMMINGER and T. F. SULLIVAN. HOUSE BILL No. 813.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing.

Referred to the Committee on Fisheries.

By Messrs. GREMMINGER, KELLY, O'DELL and T. F. SULLIVAN. HOUSE BILL No. 814.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

Referred to the Committee on Fisheries.

By Messrs. GRAMLICH, WILLARD, JIM and SCHAAF. HOUSE BILL No. 815.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), empowering the Commission to act as its own agent in acquiring real property and negotiating leases and other instruments.

Referred to the Committee on Fisheries.

By Messrs. EDWARDS, WILLARD, SHELTON and RILEY. HOUSE BILL No. 816.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), further regulating the issuance of artificial propagation licenses for fish, bait fish and fish bait and the fees for such licenses; providing for the issuance of such licenses for propagation of frogs, tadpoles and turtles and making special provision for live bait dealers licenses.

By Messrs. RILEY, SHELTON, WILLARD and GRAMLICH. HOUSE BILL No. 817.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), deleting the requirement of reports by artificial propogation licensees.

Referred to the Committee on Fisheries.

By Messrs. GREMMINGER, O'DELL, SCHAAF and KELLY. HOUSE BILL No. 818.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), giving fish wardens the power to enforce rules and regulations promulgated by the Commission.

Referred to the Committee on Fisheries.

By Messrs. SHELTON, J. A. O'DONNELL, EDWARDS and O'DELL. HOUSE BILL No. 819.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), regulating the sale of bait fish and changing the period for which purchased fish, bait fish or fish bait may be sold or held in possession.

Referred to the Committee on Fisheries.

By Messrs. SHUPNIK, CURWOOD, WILLARD and O'DELL. HOUSE BILL No. 820.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), prohibiting the taking of fish by use of skin diving equipment or mechanically propelled devices.

Referred to the Committee on Fisheries.

By Messrs. WILLARD, GRAMLICH, GREMMINGER and KELLY. HOUSE BILL No. 821.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing in the inland waters, boundary lakes and boundary waters on Sunday.

Referred to the Committee on Fisheries.

By Messrs. CURWOOD, SHUPNIK, O'DELL and MEHOLCHICK. HOUSE BILL No. 822.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), prohibiting employes of the Pennsylvania Fish Commission from engaging in certain political activities.

Referred to the Committee on Fisheries.

By Messrs. CURWOOD, MEHOLCHICK, STIMMEL and EDWARDS. HOUSE BILL No. 823.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the fishing license year.

Referred to the Committee on Fisheries.

By Messrs. OGILVIE, McCANN, HORST and WALSH. HOUSE BILL No. 824.

An Act amending the act of December 22, 1959 (P. L. 1997), entitled "An act amending 'The General State Authority Act of one thousand nine hundred forty-nine' approved March 31, 1949 (P. L. 372),"making an allocation for the construction of an auditorium at Scotland School for Veterans' Children.

Referred to the Committee on State Government.

By Messrs. EDWARDS and GIBB.

HOUSE BILL No. 825.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), permitting certain persons to vote notwithstanding the fact that their card is not in the district register and requiring such persons to register before voting in a subsequent election.

Referred to the Committee on Elections.

By Messrs. EDWARDS and GIBB.

HOUSE BILL No. 826.

An Act amending "The Permanent Registration Act of

Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), providing for registration by roving registrars and providing penalties.

Referred to the Committee on Elections.

By Messrs. R. P. JOHNSON, BONNER, PARLANTE and J. A. SULLIVAN. HOUSE BILL No. 827.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; * * *" further providing for the compensation of pension or retirement benefits.

Referred to the Committee on State Government.

By Messrs. EILBERG, NEEDHAM, OGILVIE and WARGO. HOUSE BILL No. 828.

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

Referred to the Committee on Military Affairs.

By Messrs. GRAMLICH, MERRY and and WILLARD. HOUSE BILL No. 829.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), prescribing the color and markings on vehicles used by the Pennsylvania State Police while patrolling highways.

Referred to the Committee on State Government.

By Messrs. GRAMLICH and DAVIS. HOUSE BILL No. 830.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), permitting county commissioners to use liquid fuel tax funds for construction of airports.

Referred to the Committee on State Government.

By Messrs. GRAMLICH and DAVIS. HOUSE BILL No. 831.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for an open season for the hunting of deer.

Referred to the Committee on Game and Conservation.

By Messrs. SCARCELLI and CAPITOLO. HOUSE BILL No. 832.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks, banking institutions, trust companies and similar depositories; penalizing the issuance of worthless checks by certain licensees; and requiring reports of such checks to the board.

Referred to the Committee on Liquor Control.

By Messrs. GUESMAN, JENKINS, CAPANO and T. F. SULLIVAN. HOUSE BILL No. 833.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), providing additional compensation for widows under certain circumstances.

Referred to the Committee on Workmen's Compensation.

By Messrs. PIPER, STIMMEL, Mrs. REIBMAN and Mr. HAMILTON. HOUSE BILL No. 834.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating applications for payment and approval of applications, plans and specifications by the Bureau of School Buildings in order for certain payments to be made for changes in buildings to certain boards of school directors, joint school boards and State colleges.

Referred to the Committee on Rules.

By Messrs. WELSH, T. F. SULLIVAN, HARTLEY and MORLEY. HOUSE BILL No. 835.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing for the taxation of real estate of public service companies, and providing exceptions.

Referred to the Committee on Rules.

By Messrs. WELSH, J. A. SULLIVAN, McDEVITT and GAILEY. HOUSE BILL No. 836.

An Act amending the act of May 18, 1937 (P. L. 654), entitled as amended, "an act to provide for the safety and to protect the health and morals of persons while employed; * * *" requiring employers to furnish personal protection devices free of charge.

Referred to the Committee on Labor Relations.

By Messrs. McKEEVER, WELSH, McDEVITT and WARGO. HOUSE BILL No. 837.

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

Referred to the Committee on Rules.

By Messrs. WELSH, TAYLOR, LEONARD and McDEVITT. HOUSE BILL No. 838.

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; * * *," requiring nurses to be on duty in certain establishments.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WELSH, TAYLOR, NEEDHAM and PETROSKY. HOUSE BILL No. 839.

An Act amending the "Mechanics Lien Law" approved June 4, 1901 (P. L. 431), requiring the owner or contractor in certain cases to post bond for payment of labor and material furnished.

Referred to the Committee on Judiciary.

By Messrs. WELSH, GREMMINGER, LEONARD and McDEVITT. HOUSE BILL No. 840.

An Act prohibiting the sale, transfer, ownership, possession and use of tear and noxious gas and tear gas guns; providing for certain exemptions and providing penalties.

Referred to the Committee on State Government.

By Messrs. J. H. GOLDSTEIN, A. W. JOHNSON, SCHAAF and GALLAGHER. HOUSE BILL No. 841.

An Act amending the "Public Assistance Law," ap-

proved June 24, 1937 (P. L. 2051), changing the property limitations relating to pensions to blind persons.

Referred to the Committee on Welfare.

By Messrs. FILO, WALSH and McLAUGHLIN.

HOUSE BILL No. 842.

An Act repealing subsections (b) and (c) of section 1716, of the "Second Class County Code," approved July 28, 1953 (P. L. 723), removing provisions requiring suspension of retirement allowances and service increments if a member of the retirement system has certain employment after retirement.

Referred to the Committee on Appropriations.

By Messrs. FILO, WALSH and McLAUGHLIN.

HOUSE BILL No. 843.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating the retirement age of county employes.

Referred to the Committee on Cities—Counties Second and Second Class A.

Mr. HELM IN THE CHAIR

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 7, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 13, 1961, at three o'clock P. M., E.S.T., and when the House of Representatives adjourns this week, it reconvene on Monday, March 13, 1961, at three-thirty o'clock P. M., E. S. T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

Mr. HAUDENSHIELD. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HAUDENSHIELD. Mr. Speaker, I have the authority to not only speak for myself, but for three other gentlemen from Allegheny, Mr. Gibb, Mr. Goldstein, and Mr. Donaldson.

Due to circumstances beyond our control, we were unable to attend yesterday's session. Our plane from Pittsburgh was delayed and ultimately grounded. We would like to go on record as favoring House bill 132. Had we been present, we all would have supported this measure. We so indidcated our feelings by telephone to the majority leader.

I would like the record to show that if we were present we would have voted yes on this bill.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the records of the House.

The SPEAKER pro tempore. The Chair recognizes the majority leader, the gentleman from Greene, Mr. McCann.

Mr. McCANN. May I confirm the statement of the gentleman, Mr. Haudenshield, who called from the airport in Pittsburgh yesterday, stating that the plane flight was cancelled, and by telephone they indicated they would vote "aye" on House bill 132. Then the plane trip was cancelled and they had to come by automobile. This will substantiate the statement entered in the record.

The SPEAKER pro tempore. The Chair thanks the gentleman.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. GROSS for today to attend funeral.

The SPEAKER pro tempore. The Chair would like to inquire of the majority leader if it is the desire of the majority leader to go ahead with resolutions awaiting the return of the members?

Mr. McCANN. Mr. Speaker, may we proceed with resolutions, to save time, until the committees come back.

HOUSE RESOLUTION No. 25

Mr. McCANN. Mr. Speaker, I call up House resolution No. 25 on page 12 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 6, 1961.

Two decades ago the General Assembly repealed miscellaneous civil service statutes applicable to specific departments and established uniform requirements and conditions for all employes of the Liquor Control Board Bureau of Employment Security Department of Public Assistance and the Civil Service Commission

Since the passage of the Civil Service Act of 1941 separate and distinct statutes have provided civil service for employes of the Board of Parole and the Department of Health In addition civil service has been established by departmental action in the Office of Children and Youth the Office of Mental Health the Office for the blind the Office for the Aged the Office of General and Special Hospitals and the Bureau of Rehabilitation Furthermore the Executive Board of the Commonwealth by resolutions established civil service for selected professional and technical employes for all departments

The uncoordinated actions of the legislature the departments and the Executive Board have well-nigh destroyed the uniformity of employment conditions established by the Civil Service Act of 1941

To day qualifications performance standards and employe rights differ markedly among Commonwealth departments and offices within departments Arbitrary differences affect an employe's morale adversely restrict the transfer of employes among agencies and departments impair employe advancement and impose excessive costs upon the Comomnwealth Again though the Act of 1941 explicity provides that "* * * no applicant shall be required to be possessed of any schollastic education in order to be permitted to take any competitive examination * * *" it has become a practice in departments in which civil service was administratively established to

require applicants "to be possessed of scholastic education" before they are permitted to take a competitive examination

The present heterogeneous conglomeration of civil service practices is in need of searching inquiry therefore be it

Resolved That the Joint State Government Commission be directed to examine present Commonwealth civil service practices and develop a unified simplified and equitable system of civil service for Commonwealth departments agencies and offices and be it further

Resolved That the Joint State Government Commission make a preliminary report of its findings to the 1961 Session of the General Assembly and report to the Session of 1963 its conclusions and recommendations together with drafts of legislation necessary to carry the recommendations into effect

SENATE RESOLUTION SERIAL No. 105

MEMORIALIZING CONGRESS TO ESTABLISH A CIVILIAN CONSERVATION CORPS

In the Senate, January 23, 1961.

Pennsylvania is proud of the many beautiful forests that dot our countryside. No other state can boast of such preserves, but without conservation some day our beautiful woodlands will be a barren area.

The same is true of our water supply. Today it is abundant but without care and conservation we might find ourselves faced with a shortage of water in the future.

A way to solve these problems would be to reestablish the Civilian Conservation Corps which worked so well during the thirties. The creation of this force would not only help our forests and water supply, but it would also aid in the curbing of juvenile delinquency, and the problems of unemployment which we face today; therefore be it

Resolved (the House concurring), That the General Assembly of Pennsylvania memorialize Congress to establish a Civilian Conservation Corps; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, that the clerk inform the Senate accordingly.

BILL CALLED UP OUT OF ORDER

The SPEAKER pro tempore. What is the desire of the majority leader at this time?

Mr. McCANN. Mr. Speaker, may I call up, with the permission of the House, one bill, on page 7, out of turn for the purpose of amendment, House bill No. 369.

The SPEAKER pro tempore. The Chair hears no objection.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 2, line 10, by inserting after "week": Provided, That the provisions of this act shall not apply where medical examination is required by law as a condition of employment.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House bill No. 20, printer's No. 735,

House bill No. 184, printer's No. 784 and

House bill No. 343, printer's No. 785,

were passed over at the request of the SPEAKER pro tempore.

RESOLUTION

CONDOLENCE

Mr. TOMPKINS, Mrs. KOOKER and Mr. A. D. WILLIAMS, Jr. offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 7, 1961.

The death of Senator Joseph R. Grundy on March 3, 1961 brings to an end the life of one of the Commonwealth's outstanding citizens. Senatory Grundy will long be remembered for his forceful and vigorous influence on the political history of this State.

His span of life covers almost a century of our State's history, and his memory and influence will remain with us for many years to come. We do express our extreme regret at his passing. Many of us here knew him as a true friend. We knew him as a man always willing to lend a helping hand and do his share in any public service effort; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby expresses its extreme sorrow in the death of Senator Joseph R. Grundy, and we hereby memorialize Senator Grundy for his many public services and his outstanding record as a citizen of this Commonwealth.

BIRTHDAYS

Mr. McCANN. While we are waiting for the gentleman to complete other business, I wish to note that today happens to be the birthday of two members of this House. I believe the gentlemen are here. I believe today is the birthday of the gentleman from Philadelphia, Mr. Sherman, and the birthday of the gentleman from Allegheny, Mr. Schuster.

The SPEAKER pro tempore. The Chair is wondering if our distinguished song leader, the gentleman from Delaware, Dr. Dengler, is in the House. The Chair sees

the gentleman from Delaware taking the microphone, so we will sing our customary song.

(Members joined in singing "Happy Birthday.")

Mr. SHERMAN. Thanks, Mr. Speaker. Sometimes we wish to forget our birthdays but at the same time we would like to hear them year after year for quite some time in the future.

Thank you again, Mr. Speaker, and all members of the House.

The SPEAKER pro tempore. The Chair thanks the gentleman and wishes him a very happy birthday.

We are now prepared to proceed with the calendar.

Mr. McCANN. Mr. Speaker, I call up on page 6 the first bill for a vote, bills on third reading. House bill No. 140, printer's No. 140.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 140, entitled:

An Act amending the act of June 13, 1883 (P. L. 122) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four providing for the improvement amendment and alteration of the charters of corporations of the second class * * *" removing a provision relating to construction of the act.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. Mr. Speaker, this is the first bill to be voted on today. There will be a series of approximately 15 pieces of legislation.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of ths Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Gailey,	Lawson,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Seltzer,
Boles,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Gremminger,	Maxwell,	Shupnik,
Bower,	Guesman,	May,	Simmons,
Bowman,	Guthrie,	McCandless,	Slack,
Branca,	Hamilton,	McCann,	Snare,
Breth,	Hankins,	McCormack,	Stank,
Buchanan,	Hartley,	McDevitt,	Steckel,
Bush,	Haudenshield,	McDonald,	Stimmel,
Capano,	Heavey,	McInroy,	Stiteler,
Capitolo,	Heffner,	McKeever,	Stone,
Cauley,	Helm,	McLaughlin,	Sullivan, J. A.,
Cianfrani,	Henzel,	McNally,	Sullivan, T. F.,
Cioffi,	Hocker,	Meholchick,	Taylor,
Clarke,	Holliday,	Merry,	Thompson,
Crossin,	Holman,	Mills,	Tomascik,
Curwood,	Horst,	Morley,	Tompkins,
Davis,	Irvis,	Munley,	Trusio,
Dengler,	Isaacs,	Murphy,	Varner,
Dennison,	Jenkins,	Musto,	Verona,
Donaldson,	Jim,	Needham,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Ellberg,	Jones,	Ogilvie,	Weidner,
Elvey,	Keiser,	Parlante,	Welsh,
Eshback,	Kelly,	Perry,	Wescott,
Eshleman,	Kernaghan,	Petrosky,	Whittaker,
Farabaugh,	Kessler,	Piper,	Willard,
Fetterolf,	King,	Polaski,	Willaredt,
Filo,	Kistler,	Polen,	Williams, A. D.,
Fineman,	Klein,	Prendergast,	Williams, E. S.,
Flynn,	Knecht,	Price,	Wood,
Foerster,	Kooker,	Pursley,	Worley,
Foor,	Kornick,	Reibman,	Wynd,
Fox,	Korns,	Reidenbach,	Yetter,
Frascella,	Kramer,	Renwick,	Zember,
Fry,	Lamb,	Riley,	Zimmerman,
Fulmer,			

NAYS—0

NOT VOTING—23

Agnew,	Gross,	Monroe,	Schuster,
Comer,	Kamyk,	Mullen,	Strausser,
Cooley,	Leonard,	Murray,	Ujobai,
Dougherty,	Lutty,	O'Donnell, J. P.,	Wilt,
Down,	Mihm,	Odorisio,	Andrews,
Ewing,	Miller,	Pashley,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 191, printer's No. 193,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 263, entitled:

An Act amending the act of April 4, 1925 (P. L. 127) entitled "An act relating to Adoption" authorizing the filing of foreign adoption records in the orphans' court and information relating thereto with the Department of Public Welfore.

And said bill having been read at length the third time, consideration and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Gailey,	Lawson,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Seltzer,
Boles,	Gramlich,	Markley,	Shelton,
Bonner,	Gray,	Marsh,	Sherman,
Bossert,	Gremminger,	Maxwell,	Shupnik,
Bowman,	Guesman,	May,	Simmons,
Branca,	Guthrie,	McCandless,	Slack,
Buchanan,	Hamilton,	McCann,	Snare,
Bush,	Hankins,	McCormack,	Stank,
Breth,	Hartley,	McDevitt,	Steckel,
Capano,	Haudenshield,	McDonald,	Stimmel,
Capitolo,	Heavey,	McInroy,	Stiteler,
Cauley,	Heffner,	McKeever,	Stone,
Cianfrani,	Helm,	McLaughlin,	Sullivan, J. A.,

Cioffi,	Henzel,	McNally,	Sullivan, T. F.,
Clarke,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Mills,	Tomascik,
Davis,	Horst,	Morley,	Tompkins,
Dengler,	Irvis,	Munley,	Trusio,
Dennison,	Isaacs,	Murphy,	Varner,
Donaldson,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Wall,
Down,	Johnson, A. W.,	O'Dell,	Walsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Eilberg,	Jones,	Ogilvie,	Weidner,
Elvey,	Keiser,	Parlante,	Welsh,
Eshleman,	Kelly,	Perry,	Wescott,
Farabaugh,	Kernaghan,	Petrosky,	Whittaker,
Fetterolf,	Kessler,	Piper,	Willard,
Filo,	King,	Polaski,	Willaredt,
Fineman,	Kistler,	Polen,	Williams, A. D.,
Flynn,	Klein,	Prendergast,	Williams, E. S.,
Foerster,	Knecht,	Price,	Wood,
Foor,	Kooker,	Pursley,	Worley,
Fox,	Kornick,	Reibman,	Wynd,
Frascella,	Korns,	Reidenbach,	Yetter,
Fry,	Kramer,	Renwick,	Zember,
Fulmer,	Lamb,	Riley,	Zimmerman,

NAYS—0

NOT VOTING—24

Agnew,	Ewing,	Miller,	Pashley,
Bower,	Gross,	Monroe,	Schuster,
Comer,	Kamyk,	Mullen,	Strausser,
Cooley,	Leonard,	Murray,	Ujobai,
Dougherty,	Lutty,	O'Donnell, J. P.,	Wilt,
Eshback,	Mihm,	Odorisio,	Andrews, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 297, printer's No. 326,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 310, entitled:

An Act repealing section 6 of the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—138

Anderson, J. H.,	Fry,	Korns,	Renwick,
Anderson, S. A.,	Fulmer,	Kramer,	Riley,
Arlene,	Gailey,	Lamb,	Rovansek,
Auker,	Gallagher,	Lawson,	Rubin,
Bachman,	Gelfand,	Lee, A. M.,	Rudisill,
Backenstoe,	George,	Limper,	Rutherford,
Boies,	Gibb,	Lippincott,	Sakulsky,
Bonner,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bower,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bowman,	Goldstein, M. H.,	Markley,	Seltzer,
Branca,	Gramlich,	Maxwell,	Shelton,
Breth,	Gray,	McCann,	Sherman,
Buchanan,	Gremminger,	McCormack,	Shupnik,
Capano,	Guesman,	McDevitt,	Simmons,
Capitolo,	Guthrie,	McDonald,	Snare,
Cauley,	Hamilton,	McKeever,	Stank,
Cianfrani,	Hankins,	McLaughlin,	Steckel,
Cioffi,	Hartley,	McNally,	Stimmel,
Clarke,	Heavey,	Mills,	Stone,
Crossin,	Helm,	Morley,	Sullivan, J. A.,
Dennison,	Henzel,	Munley,	Sullivan, T. F.,
Donaldson,	Hocker,	Murphy,	Taylor,
Doughten,	Horst,	Musto,	Thompson,
Edwards,	Irvis,	Needham,	Tomascik,
Eilberg,	Jim,	O'Donnell, J. A.,	Trusio,
Eshback,	Johnson, A. W.,	Parlante,	Varner,
Eshleman,	Johnson, R. P.,	Perry,	Verona,
Farabaugh,	Jones,	Petrosky,	Walsh,
Fetterolf,	Keiser,	Polaski,	Wargo,
Filo,	Kelly,	Polen,	Welsh,
Fineman,	Kessler,	Prendergast,	Willaredt,
Flynn,	Kistler,	Price,	Williams, A. D.,
Foerster,	Klein,	Pursley,	Worley,
Fox,	Kooker,	Reidenbach,	Yetter,
Frascella,	Kornick,		

NAYS—44

Adams.	Haudenshield,	May,	Tompkins,
Ashton,	Heffner,	McCandless,	Wall,
Blair,	Holliday,	McInroy,	Weidner,
Bossert,	Holman,	Meholchick,	Wescott,
Bush,	Isaacs,	Merry,	Whittaker,
Curwood,	Kernaghan,	O'Dell,	Willard,
Davis,	King,	Ogilvie,	Williams, E. S.,
Dengler,	Knecht,	Piper,	Wood,
Elvey,	Lee, K. B.,	Royer,	Wynd,
Foor,	Magee,	Slack,	Zember,
Goodrich,	Marsh,	Stiteler,	Zimmerman,

NOT VOTING—26

Agnew,	Jenkins,	Monroe,	Schuster,
Comer,	Kamyk,	Mullen,	Strausser,
Cooley,	Leonard,	Murray,	Ujobai,
Dougherty,	Long, Wm. Jas.,	O'Donnell, J. P.,	Wilt,
Down,	Lutty,	Odorisio,	Andrews, Speaker
Ewing,	Mihm,	Pashley,	
Gross,	Miller,	Reibman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) permitting additional members of the Authority to designate other persons to act on their behalf.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—83

Anderson, S. A.,	Frascella,	Limper,	Rovansek,
Arlene,	Fry,	Long, Wm. Jos.,	Rubin,
Bachman,	Gailey,	Maxwell,	Rudisill,
Boies,	Gallagher,	McDevitt,	Sakulsky,
Bonner,	Gray,	McDonald,	Scarcelli,
Branca,	Gremminger,	McKeever,	Schuster,
Breth,	Guesman,	McLaughlin,	Shelton,
Capano,	Hamilton,	McNally,	Shupnik,
Capitolo,	Hankins,	Meholchick,	Stank,
Cauley,	Hartley,	Mills,	Stone,
Cianfrani,	Heavey,	Morley,	Sullivan, J. A.,
Cioffi,	Irvis,	Munley,	Sullivan, T. F.,
Clarke,	Jenkins,	Musto,	Taylor,
Crossin,	Jim,	Needham,	Tomascik,

Curwood,	Jones,	O'Donnell, J. A.,	Trusio,
Doughten,	Kelly,	Parlante,	Verona,
Eilberg,	Klein,	Perry,	Walsh,
Filo,	Kornick,	Polaski,	Wargo,
Fineman,	Kramer,	Prendergast,	Welsh,
Flynn,	Lamb,	Reidenbach,	Yetter,
Foerster,	Lawson,	Riley,	

NAYS—104

Adams,	George,	Korns,	Rutherford,
Anderson, J. H.,	Gibb,	Lee, A. M.,	Schaaf,
Ashton,	Gibbons,	Lee, K. B.,	Seltzer,
Auker,	Goldstein, J. H.,	Lippincott,	Sherman,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jas.,	Simmons,
Blair,	Goodrich,	Magee,	Slack,
Bossert,	Gramlich,	Manbeck,	Snare,
Bower,	Guthrie,	Markley,	Steckel,
Bowman,	Haudenshield,	Marsh,	Stimmel,
Buchanan,	Heffner,	May,	Stiteler,
Bush,	Helm,	McCandless,	Thompson,
Davis,	Henzel,	McCann,	Tompkins,
Dengler,	Hocker,	McInroy,	Varner,
Dennison,	Holliday,	Merry,	Wall,
Donaldson,	Holman,	Murphy,	Weidner,
Down,	Horst,	Murray,	Wescott,
Edwards,	Isaacs,	O'Dell,	Whittaker,
Elvey,	Johnson, A. W.,	Ogilvie,	Willard,
Eshback,	Johnson, R. P.,	Petrosky,	Willaredt,
Eshleman,	Keiser,	Piper,	Williams, A. D.,
Farabaugh,	Kernaghan,	Polen,	Williams, E. S.,
Fetterolf,	Kessler,	Price,	Wood,
Foor,	King,	Pursley,	Worley,
Fox,	Kistler,	Reibman,	Wynd,
Fulmer,	Knecht,	Renwick,	Zember,
Gelfand,	Kooker,	Royer,	Zimmerman,

NOT VOTING—21

Agnew,	Kamyk,	Monroe,	Strausser,
Comer,	Leonard,	Mullen,	Ujobai,
Cooley,	Lutty,	O'Donnell, J. P.,	Wilt,
Dougherty,	McCormack,	Odorisio,	Andrews,
Ewing,	Mihm,	Pashley,	Speaker
Gross,	Miller,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fails.

Mr. McCANN. Mr. Speaker, I move that House bill 355, printer's No. 477 be reconsidered and placed on the postponed calendar.

The SPEAKER pro tempore. The motion is not in order. It is required to be in writing under the rules of the House.

Mr. McCANN. All right, I will make the motion in writing then next week.

BILL PASSED OVER

There being no objection

House bill No. 356, printer's No. 478

was passed over at the request of Mr. McCANN.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, before you call up House bill 365, I wish to state I have not checked the roll, but I believe there were no Republican votes cast on House bill 355 for its passage. House bills 355, 356 and 387 are a series of companion bills granting to the Governor and to other members the right to attend and to be prseent at that meeting by their highest deputy, secertary of administration.

We have given this same right to the legislative members now serving on these authorities by law. You passed in this House and the Senate the acts which gave to the Speaker and the President Pro Tempore, the minority floor leaders of the House and the Senate, the right to designate a substitute to attend the meetings, or to appoint someone in their stead. Yet, here in the executive branch you deny that right and do not cast any single affirmative votes in support of the measure.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 365, entitled:

An Act authorizing political subdivisions of the Commonwealth to avail themselves of services offered by the State Civil Service Commission in connection with the employment of personnel for civil defense purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fulmer,	Lawson,	Royer,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rudisill,
Arlene,	Gelfand,	Limper,	Rutherford,
Ashton,	George,	Lippincott,	Sakulsky,
Auker,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Magee,	Schuster,
Blair,	Goldstein, M. H.,	Manbeck,	Seltzer,
Boles,	Goodrich,	Markley,	Shelton,
Bonner,	Gramlich,	Marsh,	Sherman,
Bossert,	Gray,	Maxwell,	Shupnik,
Bower,	Gremminger,	May,	Simmons,
Bowman,	Guesman,	McCandless,	Slack,
Branca,	Guthrie,	McCann,	Snare,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McDonald,	Steckel,
Bush,	Hartley,	McInroy,	Stimmel,
Capano,	Haudenshield,	McKeever,	Stiteler,
Capitolo,	Heavey,	McLaughlin,	Stone,
Cauley,	Heffner,	McNally,	Sullivan, J. A.,
Cianfrani,	Helm,	Meholchick,	Sullivan, T. F.,
Cioffi,	Henzel,	Merry,	Taylor,
Clarke,	Hocker,	Mills,	Thompson,
Crossin,	Holliday,	Morley,	Tomascik,
Curwood,	Holman,	Mullen,	Tompkins,
Davis,	Horst,	Munley,	Trusio,
Dengler,	Irvis,	Murphy,	Varner,
Dennison,	Isaacs,	Murray,	Verona,
Donaldson,	Jenkins,	Musto,	Wall,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	Ogilvie,	Welsh,
Elvey,	Keiser,	Parlante,	Wescott,
Eshback,	Kelly,	Perry,	Whittaker,
Eshleman,	Kernaghan,	Petrosky,	Willard,
Farabaugh,	Kessler,	Piper,	Willaredt,
Fetterolf,	King,	Polaski,	Williams, A. D.,
Filo,	Kistler,	Polen,	Williams, E. S.,
Fineman,	Klein,	Prendergast,	Wood,
Flynn,	Knecht,	Price,	Worley,
Foerster,	Kooker,	Pursley,	Wynd,
Foor,	Kornick,	Reibman,	Yetter,
Fox,	Korns,	Reidenbach,	Zember,
Frascella,	Kramer,	Riley,	Zimmerman,
Fry,	Lamb,	Rovansek,	

NAYS—0

NOT VOTING—21

Agnew,	Kamyk,	Monroe,	Strausser,
Comer,	Leonard,	O'Donnell, J. P.,	Ujobai,
Cooley,	Lutty,	Odorisio,	Wilt,
Dougherty,	McCormack,	Pashley,	Andrews,
Ewing,	Mihm,	Renwick,	Speaker
Gross,	Miller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 366, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing the bag limit in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gelfand,	Limper,	Royer,
Anderson, S. A.,	George,	Lippincott,	Rubin,
Arlene,	Gibb,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Auker,	Goldstein, J. H.,	Magee,	Sakulsky,
Bachman,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Backenstoe,	Goodrich,	Markley,	Schaaf,
Blair,	Gramlich,	Marsh,	Schuster,
Boles,	Gray,	Maxwell,	Seltzer,
Bonner,	Gremminger,	McCandless,	Shelton,
Bossert,	Guesman,	McCann,	Sherman,
Bower,	Guthrie,	McCormack,	Shupnik,
Bowman,	Hamilton,	McDevitt,	Simmons,
Branca,	Hankins,	McDonald,	Slack,
Breth,	Hartley,	McInroy,	Snare,
Buchanan,	Heavey,	McKeever,	Stank,
Bush,	Heffner,	McLaughlin,	Steckel,
Capano,	Helm,	McNally,	Stimmel,
Capitolo,	Henzel,	Meholchick,	Stone,
Cauley,	Hocker,	Merry,	Sullivan, J. A.,
Cianfrani,	Holliday,	Mills,	Sullivan, T. F.,
Cioffi,	Holman,	Morley,	Taylor,
Clarke,	Horst,	Mullen,	Thompson,
Crossin,	Irvis,	Munley,	Tomascik,
Curwood,	Isaacs,	Murphy,	Tompkins,
Davis,	Jenkins,	Murray,	Trusio,
Dengler,	Jim,	Musto,	Varner,
Donaldson,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Down,	Jones,	O'Donnell, J. A.,	Walsh,
Edwards,	Keiser,	Ogilvie,	Wargo,
Eilberg,	Kelly,	Parlante,	Weidner,
Elvey,	Kernaghan,	Pashley,	Welsh,
Eshback,	Kessler,	Perry,	Wescott,
Eshleman,	King,	Petrosky,	Whittaker,
Farabaugh,	Kistler,	Piper,	Willard,
Fetterolf,	Klein,	Polaski,	Willaredt,
Filo,	Knecht,	Polen,	Williams, E. S.,
Flynn,	Kooker,	Prendergast,	Wood,
Foerster,	Korns,	Price,	Worley,
Foor,	Kramer,	Pursley,	Wynd,
Fox,	Lamb,	Reibman,	Yetter,
Frascella,	Lawson,	Renwick,	Zember,
Fry,	Lee, A. M.,	Riley,	Zimmerman,
Gailey,			

NAYS—2

Haudenshield,	Williams, A. D.,

NOT VOTING—25

Agnew,	Fulmer,	Mihm,	Stiteler,
Comer,	Gross,	Miller,	Strausser,
Cooley,	Kamyk,	Monroe,	Ujobai,
Dennison,	Kornick,	O'Donnell, J. P.,	Wilt,
Dougherty,	Leonard,	Odorisio,	Andrews,
Ewing,	Lutty,	Reidenbach,	Speaker
Fineman,	May,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 376, entitled:

An Act amending "The Fish Low of 1959" approved December 15, 1959 (P. L. 1779) authorizing the Pennsylvania Fish Commission to set aside certain waters to be used exclusively for fishing by children and disabled persons.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I wonder if the sponsors of this legislation can tell me how they are going to select an area that is going to be set aside for children and to say that persons can fish? I wonder if they can tell me where they are going to designate that area and how they can tell there is going to be fish in that particular place?

The SPEAKER pro tempore. Does the gentleman desire to interrogate someone on the bill?

Mr. McCANN. Mr. Speaker, so the record will show clearly, the Fish Commission would have the authority to designate such places on the streams, and I believe it is the Fish Commission that stocks the fish in the streams, so I would certainly hope that they would place some fish in that designated area.

The SPEAKER pro tempore. The Chair thanks the majority leader for his explanation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Lippincott,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Magee,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schaaf,
Blair,	Goldstein, M. H.,	Markley,	Schuster,
Boles,	Goodrich,	Marsh,	Seltzer,
Bonner,	Gramlich,	Maxwell,	Shelton,
Bossert,	Gray,	May,	Sherman,
Bower,	Gremminger,	McCandless,	Shupnik,
Bowman,	Guesman,	McCann,	Simmons,
Branca,	Guthrie,	McCormack,	Slack,
Breth,	Hamilton,	McDevitt,	Snare,
Buchanan,	Hankins,	McDonald,	Stank,
Bush,	Hartley,	McInroy,	Steckel,
Capano,	Haudenshield,	McKeever,	Stimmel,
Capitolo,	Heavey,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cianfrani,	Helm,	Meholchick,	Sullivan, J. A.,
Cioffi,	Henzel,	Merry,	Sullivan, T. F.,
Clarke,	Hocker,	Mills,	Taylor,
Crossin,	Holliday,	Morley,	Thompson,
Curwood,	Holman,	Mullen,	Tomascik,
Davis,	Horst,	Munley,	Tompkins,
Dengler,	Irvis,	Murphy,	Trusio,

Dennison,	Isaacs,	Murray,	Varner,
Donaldson,	Jenkins,	Needham,	Verona,
Doughten,	Jim,	O'Dell,	Wall,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Edwards,	Johnson, R. P.,	Ogilvie,	Wargo,
Eilberg,	Jones,	Parlante,	Weidner,
Elvey,	Keiser,	Pashley,	Welsh,
Eshback,	Kelly,	Perry,	Wescott,
Eshleman,	Kernaghan,	Petrosky,	Whittaker,
Farabaugh,	Kessler,	Piper,	Willard,
Fetterolf,	King,	Polaski,	Willaredt,
Filo,	Kistler,	Polen,	Williams, A. D.,
Fineman,	Klein,	Prendergast,	Williams, E. S.,
Flynn,	Knecht,	Price,	Wood,
Foerster,	Kooker,	Pursley,	Worley,
Foor,	Korns,	Reibman,	Wynd,
Fox,	Kramer,	Reidenbach,	Yetter,
Frascella,	Lamb,	Renwick,	Zember,
Fry,	Lawson,	Riley,	Zimmerman,

NAYS—0

NOT VOTING—20

Agnew,	Kamyk,	Miller,	Strausser,
Comer,	Kornick,	Monroe,	Ujobai,
Cooley,	Leonard,	Musto,	Wilt,
Dougherty,	Lutty,	O'Donnell, J. P.,	Andrews,
Ewing,	Mihm,	Odorisio,	Speaker
Gross,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 387, printer's No. 424

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 388, entitled:

An Act amending the act of May 19, 1945 (P. L. 1134), entitled "An act to create a commission to act jointly with commissions appointed for like purpose by the States of West Virginia and Maryland the Commonwealth of Virginia and the District of Columbia which together with three members to be appointed by the President of the United States shall constitute the Interstate Commission on the Potomac River Basin * * *" providing for the appointment of alternate members and conferring additional powers upon the Commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Gallagher,	Lee, K. B.,	Royer,
Anderson, J. H.,	Gelfand,	Limper,	Rubin,
Anderson, S. A.,	George,	Lippincott,	Rudisill,
Arlene,	Gibb,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Auker,	Goldstein, J. H.,	Magee,	Scarcelli,
Bachman,	Goldstein, M. H.,	Manbeck,	Schaaf,
Backenstoe,	Goodrich,	Markley,	Schuster,
Boies,	Gramlich,	Marsh,	Seltzer,
Bonner,	Gray,	Maxwell,	Shelton,
Bossert,	Gremminger,	May,	Sherman,
Bower,	Guesman,	McCandless,	Shupnik,
Bowman,	Guthrie,	McCann,	Simmons,
Branca,	Hamilton,	McCormack,	Slack,
Breth,	Hankins,	McDevitt,	Snare,
Buchanan,	Hartley,	McDonald,	Stank,
Bush,	Haudenshield,	McInroy,	Steckel,
Capano,	Heavey,	McKeever,	Stimmel,
Capitolo,	Heffner,	McLaughlin,	Stiteler,
Cianfrani,	Helm,	McNally,	Stone,
Cioffi,	Henzel,	Meholchick,	Sullivan, J. A.,
Clarke,	Hocker,	Merry,	Sullivan, T. F.,
Crossin,	Holliday,	Mills,	Taylor,
Curwood,	Holman,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomascik,
Dengler,	Irvis,	Munley,	Tompkins,
Dennison,	Isaacs,	Murphy,	Truslo,
Donaldson,	Jenkins,	Murray,	Varner,
Doughten,	Jim,	Musto,	Verona,
Down,	Johnson, A. W.,	Needham,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Walsh,
Eilberg,	Jones,	O'Donnell, J. A.,	Wargo,
Elvey,	Keiser,	Ogilvie,	Weidner,
Eshback,	Kelly,	Parlante,	Welsh,
Eshleman,	Kernaghan,	Pashley,	Wescott,
Farabaugh,	Kessler,	Perry,	Whittaker,
Fetterolf,	King,	Petrosky,	Willard,
Filo,	Kistler,	Piper,	Willaredt,
Fineman,	Klein,	Polaski,	Williams, A. D.,
Flynn,	Knecht,	Polen,	Williams, E. S.,
Foerster,	Kooker,	Prendergast,	Wood,
Foor,	Kornick,	Pursley,	Worley,
Fox,	Korns,	Reibman,	Wynd,
Frascella,	Kramer,	Reidenbach,	Yetter,
Fry,	Lamb,	Renwick,	Zember,
Fulmer,	Lawson,	Riley,	Zimmerman,
Gailey,	Lee, A. M.,	Rovansek,	

NAYS—2

Blair,	Price,

NOT VOTING—19

Agnew,	Ewing,	Mihm,	Strausser,
Cauley,	Gross,	Miller,	Ujobai,
Comer,	Kamyk,	Monroe,	Wilt,
Cooley,	Leonard,	O'Donnell, J. P.,	Andrews,
Dougherty,	Lutty,	Odorisio,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 390, entitled:

An Act repealing the act of July 29, 1953 (P. L. 996), entitled as amended "An act creating an Anthracite Mine Drainage Study Commission for the purpose of making a study investigation and legislative recommendations relating to the drainage of anthracite mines * * *".

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fulmer,	Lawson,	Rovansek,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rubin,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	George,	Lippincott,	Rutherford,
Auker,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Magee,	Schaaf,
Blair,	Goldstein, M. H.,	Manbeck,	Schuster,
Boies,	Goodrich,	Markley,	Shelton,
Bonner,	Gramlich,	Marsh,	Sherman,
Bossert,	Gray,	Maxwell,	Shupnik,
Bower,	Gremminger,	May,	Simmons,
Bowman,	Guesman,	McCandless,	Slack,
Branca,	Guthrie,	McCann,	Snare,
Breth,	Hamilton,	McCormack,	Stank,

Buchanan,	Hankins,	McDevitt,	Steckel,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McKeever,	Stiteler,
Capitolo,	Heavey,	McLaughlin,	Stone,
Cauley,	Heffner,	McNally,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Sullivan, T. F.,
Cioffi,	Henzel,	Mills,	Taylor,
Clarke,	Hocker,	Morley,	Thompson,
Crossin,	Holliday,	Mullen,	Tomascik,
Curwood,	Holman,	Munley,	Tompkins,
Davis,	Horst,	Murphy,	Trusio,
Dengler,	Irvis,	Murray,	Varner,
Dennison,	Isaacs,	Needham,	Verona,
Donaldson,	Jenkins,	O'Dell,	Wall,
Doughten,	Jim,	O'Donnell, J. A.,	Walsh,
Down,	Johnson, A. W.,	Ogilvie,	Wargo,
Edwards,	Johnson, R. P.,	Parlante,	Weidner,
Eilberg,	Jones,	Pashley,	Welsh,
Elvey,	Keiser,	Perry,	Wescott,
Eshback,	Kelly,	Petrosky,	Whittaker,
Eshleman,	Kernaghan,	Piper,	Willard,
Farabaugh,	Kessler,	Polaski,	Willaredt,
Fetterolf,	King,	Polen,	Williams, A. D.,
Filo,	Kistler,	Prendergast,	Williams, E. S.,
Fineman,	Klein,	Price,	Wood,
Flynn,	Knecht,	Pursley,	Worley,
Foerster,	Kooker,	Reibman,	Wynd,
Foor,	Kornick,	Reidenbach,	Yetter,
Fox,	Korns,	Renwick,	Zember,
Frascella,	Kramer,	Riley,	Zimmerman,
Fry,	Lamb,		

NAYS—0

NOT VOTING—22

Agnew,	Kamyk,	Miller,	Strausser,
Comer,	Leonard,	Monroe,	Ujobai,
Cooley,	Lutty,	Musto,	Wilt,
Dougherty,	McInroy,	O'Donnell, J. P.,	Andrews,
Ewing,	Meholchick,	Odorisio,	Speaker
Gross,	Mihm,	Seltzer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 394, entitled:

An Act amending the "Uniform Acknowledgment Act" approved July 24, 1941 (P. L. 490) deleting reference to the Philippine Islands from the specification of domestic jurisdictions in which acknowledgements of written instruments may be made before certain officers * * *.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Gailey,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gallagher,	Limper,	Royer,
Anderson, S. A.,	Gelfand,	Lippincott,	Rubin,
Arlene,	George,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jos.,	Rutherford,
Auker,	Gibbons,	Magee,	Sakulsky,
Bachman,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Markley,	Schaaf,
Blair,	Goodrich,	Marsh,	Schuster,
Boies,	Gramlich,	Maxwell,	Seltzer,
Bonner,	Gray,	May,	Shelton,
Bossert,	Gremminger,	McCandless,	Sherman,
Bower,	Guesman,	McCann,	Shupnik,
Bowman,	Guthrie,	McCormack,	Simmons,
Branca,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald,	Snare,

Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenshield,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cauley,	Helm,	Meholchick,	Stone,
Cianfrani,	Henzel,	Merry,	Sullivan, J. A.,
Cioffi,	Hocker,	Mills,	Sullivan, T. F.,
Clarke,	Holliday,	Morley,	Taylor,
Crossin,	Holman,	Mullen,	Thompson,
Curwood,	Horst,	Munley,	Tomascik,
Davis,	Irvis,	Murphy,	Tompkins,
Dengler,	Isaacs,	Murray,	Trusio,
Dennison,	Jenkins,	Musto,	Varner,
Donaldson,	Jim,	Needham,	Verona,
Doughten,	Johnson, A. W.,	O'Dell,	Wall,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Edwards,	Jones,	Ogilvie,	Wargo,
Eilberg,	Keiser,	Parlante,	Weidner,
Elvey,	Kelly,	Pashley,	Welsh,
Eshback,	Kernaghan,	Perry,	Wescott,
Eshleman,	Kessler,	Petrosky,	Whittaker,
Farabaugh,	King,	Piper,	Willard,
Fetterolf,	Kistler,	Polaski,	Willaredt,
Filo,	Klein,	Polen,	Williams, A. D.,
Fineman,	Knecht,	Prendergast,	Williams, E. S.,
Flynn,	Kooker,	Price,	Wood,
Foerster,	Kornick,	Pursley,	Worley,
Foor,	Korns,	Reibman,	Wynd,
Fox,	Kramer,	Reidenbach,	Yetter,
Frascella,	Lamb,	Renwick,	Zember,
Fry,	Lawson,	Riley,	Zimmerman,
Fulmer,	Lee, A. M.,		

NAYS—0

NOT VOTING—18

Agnew,	Gross,	Miller,	Ujobai,
Comer,	Kamyk,	Monroe,	Wilt,
Cooley,	Leonard,	O'Donnell, J. P.,	Andrews,
Dougherty,	Lutty,	Odorisio,	Speaker
Ewing,	Mihm,	Strausser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 395, entitled:

An Act relating to the satisfaction of mortgages in counties of the second third fourth fifth sixth seventh and eighth class by the recording of a satisfaction piece, prescribing forms therefor and fixing fees for the recording threeof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H.,	Gailey,	Limper,	Rovansek,
Anderson, S. A.,	Gallagher,	Lippincott,	Royer,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rubin,
Ashton,	George,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibb,	Magee,	Rutherford,
Bachman,	Gibbons,	Manbeck,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Markley,	Scarcelli,
Blair,	Goodrich,	Marsh,	Schaaf,
Boies,	Gramlich,	Maxwell,	Schuster,
Bonner,	Gray,	May,	Seltzer,
Bossert,	Gremminger,	McCandless,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Guthrie,	McCormack,	Shupnik,
Branca,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald,	Snare,

Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenshield,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Helm,	McNally,	Stiteler,
Cauley,	Henzel,	Meholchick,	Stone,
Cianfrani,	Hocker,	Merry,	Sullivan, J. A.,
Cioffi,	Holliday,	Mills,	Sullivan, T. F.,
Clarke,	Holman,	Morley,	Taylor,
Crossin,	Horst,	Mullen,	Thompson,
Curwood,	Isaacs,	Munley,	Tomascik,
Davis,	Irvis,	Murphy,	Tompkins,
Dengler,	Jenkins,	Murray,	Trusio,
Dennison,	Jim,	Musto,	Verona,
Donaldson,	Johnson, A. W.,	Needham,	Wall,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Keiser,	Ogilvie,	Weidner,
Eilberg,	Kelly,	Parlante,	Welsh,
Eshback,	Kernaghan,	Pashley,	Wescott,
Eshleman,	Kessler,	Perry,	Whittaker,
Farabaugh,	King,	Petrosky,	Willard,
Fetterolf,	Kistler,	Piper,	Willaredt,
Filo,	Klein,	Polaski,	Williams, A. D.,
Fineman,	Knecht,	Polen,	Williams, E. S.,
Flynn,	Kooker,	Prendergast,	Wood,
Foerster,	Kornick,	Price,	Worley,
Foor,	Kramer,	Pursley,	Wynd,
Fox,	Lamb,	Reibman,	Yetter,
Frascella,	Lawson,	Reidenbach,	Zember,
Fry,	Lee, A. M.,	Renwick,	Zimmerman,

NAYS—3

Goldstein, M. H.,	Simmons,	Varner,

NOT VOTING—21

Agnew,	Gross,	Mihm,	Strausser,
Comer,	Heffner,	Miller,	Ujobai,
Cooley,	Kamyk,	Monroe,	Wilt,
Dougherty,	Korns,	O'Donnell, J. P.,	Andrews,
Elvey,	Leonard,	Odorisio,	Speaker
Ewing,	Lutty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 400, printer's No. 437
House bill No. 416, printer's No. 453
House bill No. 417, printer's No. 782, and
House bill No. 442, printer's No. 481

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 450, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Forests and Waters and the Governor to grant and convey a certain tract of land to the Borough of Ebensburg.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lamb,	Renwick,
Anderson, J. H.,	Gailey,	Lawson,	Riley,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rovansek,
Arlene,	Gelfand,	Lee, K. B.,	Royer,
Ashton,	George,	Limper,	Rubin,
Auker,	Gibb,	Lippincott,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Magee,	Scarcelli,
Boles,	Goodrich,	Manbeck,	Schaaf,
Bonner,	Gramlich,	Markley,	Schuster,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Gremminger,	Maxwell,	Shelton,
Bowman,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Steckel,
Cauley,	Heavey,	McKeever,	Stimmel,
Cianfrani,	Heffner,	McLaughlin,	Stiteler,
Cioffi,	Helm,	McNally,	Stone,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Crossin,	Hocker,	Merry,	Sullivan, T. F.,
Curwood,	Holliday,	Mills,	Taylor,
Davis,	Holman,	Morley,	Thompson,
Dengler,	Horst,	Mullen,	Tomascik,
Dennison,	Irvis,	Munley,	Tompkins,
Donaldson,	Isaacs,	Murphy,	Trusio,
Doughten,	Jenkins,	Musto,	Varner,
Down,	Jim,	Needham,	Verona,
Edwards,	Johnson, A. W.,	O'Dell,	Wall,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elvey,	Jones,	Ogilvie,	Weidner,
Eshback,	Keiser,	Parlante,	Welsh,
Eshleman,	Kelly,	Pashley,	Wescott,
Farabaugh,	Kernaghan,	Perry,	Whittaker,
Fetterolf,	Kessler,	Petrosky,	Willard,
Filo,	King,	Piper,	Willaredt,
Fineman,	Kistler,	Polaski,	Williams, A. D.,
Flynn,	Klein,	Polen,	Williams, E. S.,
Foerster,	Knecht,	Prendergast,	Wood,
Foor,	Kooker,	Price,	Wynd,
Fox,	Kornick,	Pursley,	Yetter,
Frascella,	Korns,	Reibman,	Zember,
Fry,	Kramer,	Reidenbach,	Zimmerman,

NAYS—0

NOT VOTING—20

Agnew,	Leonard,	Murray,	Walsh,
Comer,	Lutty,	O'Donnell, J. P.,	Wilt,
Cooley,	Mihm,	Odorisio,	Worley,
Dougherty,	Miller,	Strausser,	Andrews,
Ewing,	Monroe,	Ujobai,	Speaker
Kamyk,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—90

Anderson, S. A.,	Gallagher,	McDevitt,	Rubin,
Arlene,	Gray,	McDonald,	Rudisill,
Bachman,	Gremminger,	McKeever,	Sakulsky,
Boies,	Guesman,	McLaughlin,	Scarcelli,
Bonner,	Hamilton,	McNally,	Schaaf,
Branca,	Hankins,	Meholchick,	Schuster,
Breth,	Hartley,	Mills,	Shelton,
Capano,	Heavey,	Morley,	Sherman,
Capitolo,	Irvis,	Mullen,	Shupnik,
Cauley,	Jenkins,	Munley,	Stank,
Cianfrani,	Jim,	Musto,	Stone,
Cioffi,	Jones,	Needham,	Sullivan, J. A.,
Clarke,	Kelly,	O'Donnell, J. A.,	Sullivan, T. F.,
Crossin,	Klein,	Parlante,	Taylor,
Curwood,	Kornick,	Pashley,	Tomascik,
Doughten,	Korns,	Perry,	Trusio,
Eilberg,	Kramer,	Polaski,	Verona,
Filo,	Lamb,	Prendergast,	Wargo,
Fineman,	Lawson,	Reibman,	Welsh,
Flynn,	Limper,	Reidenbach,	Yetter,
Foerster,	Long, Wm. Jas.,	Renwick,	Andrews,
Frascella,	Long, Wm. Jos.,	Riley,	Speaker
Gailey,	Maxwell,	Rovansek,	

NAYS—100

Adams,	Fulmer,	King,	Royer,
Anderson, J. H.,	Gelfand,	Kistler,	Rutherford,
Ashton,	George,	Knecht,	Seltzer,
Auker,	Gibb,	Kooker,	Simmons,
Backenstoe,	Gibbons,	Lee, A. M.,	Slack,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Snare,
Bossert,	Goldstein, M. H.,	Lippincott,	Steckel,
Bower,	Goodrich,	Magee,	Stimmel,
Bowman,	Gramlich,	Manbeck,	Stiteler,
Buchanan,	Gross,	Markley,	Thompson,
Bush,	Guthrie,	Marsh,	Tompkins,
Davis,	Haudenshield,	May,	Varner,
Dengler,	Heffner,	McCandless,	Wall,
Dennison,	Helm,	McCann,	Weidner,
Donaldson,	Henzel,	McCormack,	Wescott,
Down,	Hocker,	McInroy,	Whittaker,
Edwards,	Holliday,	Merry,	Willard,
Elvey,	Holman,	Murphy,	Willaredt,
Eshback,	Horst,	O'Dell,	Williams, A. D.,
Eshleman,	Isaacs,	Ogilvie,	Williams, E. S.,
Farabaugh,	Johnson, A. W.,	Petrosky,	Wood,
Fetterolf,	Johnson, R. P.,	Piper,	Worley,
Foor,	Keiser,	Polen,	Wynd,
Fox,	Kernaghan,	Price,	Zember,
Fry,	Kessler,	Pursley,	Zimmerman,

NOT VOTING—18

Agnew,	Kamyk,	Monroe,	Strausser,
Comer,	Leonard,	Murray,	Ujobai,
Cooley,	Lutty,	O'Donnell, J. P.,	Walsh,
Dougherty,	Mihm,	Odorisio,	Wilt,
Ewing,	Miller,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 461, entitled:

An Act authorizing the conveyance of certain lands in Leidy Township, Clinton County to the government of the United States.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lamb,	Riley,
Anderson, J. H.,	Gailey,	Lawson,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Royer,
Arlene,	Gelfand,	Lee, K. B.,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibb,	Lippincott,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boies,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Breth,	Guthrie,	McCann,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Holman,	Mullen,	Tomascik,
Dengler,	Horst,	Munley,	Tompkins,
Dennison,	Irvis,	Murphy,	Trusio,
Donaldson,	Isaacs,	Musto,	Varner,
Doughten,	Jenkins,	Needham,	Verona,
Down,	Jim,	O'Dell,	Wall,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Eilberg,	Johnson, R. P.,	Ogilvie,	Weidner,
Elvey,	Jones,	Parlante,	Welsh,
Eshback,	Keiser,	Pashley,	Wescott,
Eshleman,	Kelly,	Perry,	Whittaker,
Farabaugh,	Kernaghan,	Petrosky,	Willard,
Fetterolf,	Kessler,	Piper,	Willaredt,
Filo,	King,	Polaski,	Williams, A. D.,
Fineman,	Kistler,	Polen,	Williams, E. S.,
Flynn,	Klein,	Prendergast,	Wood,
Foerster,	Kooker,	Price,	Worley,
Foor,	Kornick,	Pursley,	Wynd,
Fox,	Korns,	Reibman,	Yetter,
Frascella,	Knecht,	Reidenbach,	Zember,
Fry,	Kramer,	Renwick,	Zimmerman,

NAYS—0

NOT VOTING—20

Agnew,	Leonard,	Monroe,	Ujobai,
Comer,	Lutty,	Murray,	Walsh,
Cooley,	McCormack,	O'Donnell, J. P.,	Wilt,
Dougherty,	Mihm,	Odorisio,	Andrews,
Ewing,	Miller,	Strausser,	Speaker
Kamyk,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 480, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789) by continuing the provisions of section 211.1 in effect for a further period.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fulmer,	Lamb,	Riley,
Anderson, J. H.,	Gailey,	Lawson,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Royer,
Arlene,	Gelfand,	Lee, K. B.,	Rubin,
Ashton,	George,	Limper,	Rudisill,

Auker,	Gibb,	Lippincott,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boies,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Breth,	Guthrie,	McCann,	Slack,
Buchanan,	Hamilton,	McDevitt,	Snare,
Bush,	Hankins,	McDonald,	Stank,
Capano,	Hartley,	McInroy,	Steckel,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stiteler,
Cianfrani,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Holman,	Mullen,	Tomascik,
Dengler,	Horst,	Munley,	Tompkins,
Dennison,	Irvis,	Murphy,	Trusio,
Donaldson,	Isaacs,	Musto,	Varner,
Doughten,	Jenkins,	Needham,	Verona,
Down,	Jim,	O'Dell,	Wall,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Eilberg,	Johnson, R. P.,	Ogilvie,	Weidner,
Elvey,	Jones,	Parlante,	Welsh,
Eshback,	Keiser,	Pashley,	Wescott,
Eshleman,	Kelly,	Perry,	Whittaker,
Farabaugh,	Kernaghan,	Petrosky,	Willard,
Fetterolf,	Kessler,	Piper,	Willaredt,
Filo,	King,	Polaski,	Williams, A. D.,
Fineman,	Kistler,	Polen,	Williams, E. S.,
Flynn,	Klein,	Prendergast,	Wood,
Foerster,	Knecht,	Price,	Worley,
Foor,	Kooker,	Pursley,	Wynd,
Fox,	Kornick,	Reibman,	Yetter,
Frascella,	Korns,	Reidenbach,	Zember,
Fry,	Kramer,	Renwick,	Zimmerman,

NAYS—0

NOT VOTING—20

Agnew,	Kamyk,	Miller,	Strausser,
Comer,	Leonard,	Monroe,	Ujobai,
Cooley,	Lutty,	Murray,	Walsh,
Dougherty,	McCormack,	O'Donnell, J. P.,	Wilt,
Ewing,	Mihm,	Odorisio,	Andrews, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 517, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) prohibiting certain acts relating to counterfeit or facsimile registration plates numbers or markers.

On the question,

Will the House agree to the bill on third reading?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I would like to yield to the gentleman from Delaware, Mr. Lippincott, to clarify some of the confusion over this bill.

Mr. LIPPINCOTT. Mr. Speaker, I had not intended to debate this bill and I will not, except to say that it seems to me that this is a good piece of legislation. There was some objection raised in our caucus through a misunderstanding, I think. The misunderstanding was that if a person, for example, wrote his own license number on a piece of cardboard if somebody had taken his license plate that that would be a crime under this bill. It is not a crime under this bill as amended.

I would also like to say there is some objection that the penalty may be too high. However, the bill allows the penalty to be at the discretion of the court. I think in instances where there is a deliberate business of manufacturing forged plates there should be a severe penalty. I think it is a good bill.

Mr. BOWMAN. Mr. Speaker, I was under the impression that this bill was to be passed over. As I quickly read the bill, and I so advised the majority leader, I think there are printing errors which change the meaning of this bill. As I read the bill, it, in effect, says:

"No person shall sell, offer for sale, make, procure, attempt to procure, or knowingly possess a counterfeit or any registration plate or marker issued by the secretary . . ."

Now, reading that correctly, we cannot procure something that the secretary issued which was a counterfeit in the first instance.

I mentioned this to the majority leader. I do not think it is a serious error, but I think it is an error that should be corrected before we act on this legislation.

Mr. FINEMAN. Mr. Speaker, I think the gentleman is absolutely correct.

On page 3, line 2, that should read:

"a counterfeit of any" rather than "or any".

The gentleman is correct.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. FINEMAN. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, I want to call to the attention of the House that in the act as amended the word "facsimile" has been deleted. However, in your calendar for today the word "facsimile" is included in the title.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 529, entitled:

An Act amending the act of March 15, 1899 (P L 8) entitled "An act to regulate the manner in which appropriations to educational penal reformatory charitable benevolent or eleemosynary institutions shall be paid" further providing for reversion of unexpended balances of sums appropriated for specific purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Schaaf,
Blair,	Goodrich,	Markley,	Seltzer,
Boles,	Gramlich,	Marsh,	Shelton,
Bonner,	Gray,	Maxwell,	Sherman,
Bossert,	Gremminger,	May,	Shupnik,
Bower,	Gross,	McCandless,	Simmons,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Guthrie,	McCormack,	Snare,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McDonald,	Steckel,
Bush,	Hartley,	McInroy,	Stimmel,
Capano,	Haudenshield,	McKeever,	Stiteler,
Capitolo,	Heavey,	McLaughlin,	Stone,
Cauley,	Heffner,	McNally,	Sullivan, J. A.,
Cianfrani,	Helm,	Meholchick,	Sullivan, T. F.,
Cioffi,	Henzel,	Merry,	Taylor,
Clarke,	Hocker,	Mills,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Musto,	Verona,
Doughten,	Jenkins,	Needham,	Wall,
Down,	Jim,	O'Dell,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Johnson, R. P.,	Ogilvie,	Welsh,
Elvey,	Jones,	Parlante,	Wescott,
Eshback,	Keiser,	Pashley,	Whittaker,
Eshleman,	Kernaghan,	Perry,	Willard,
Farabaugh,	Kessler,	Petrosky,	Willaredt,
Fetterolf,	King,	Piper,	Williams, A. D.,
Filo,	Kistler,	Polaski,	Williams, E. S.,
Fineman,	Klein,	Polen,	Wood,
Flynn,	Knecht,	Prendergast,	Worley,
Foerster,	Kooker,	Price,	Wynd,
Foor,	Kornick,	Pursley,	Yetter,
Fox,	Korns,	Reibman,	Zember,
Frascella,	Kramer,	Reidenbach,	Zimmerman,
Fry,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker

NAYS—0

NOT VOTING—21

Agnew,	Kamyk,	Miller,	Schuster,
Comer,	Kelly,	Monroe,	Strausser,
Cooley,	Leonard,	Murray,	Ujobai,
Crossin,	Lutty,	O'Donnell, J. P.,	Walsh,
Dougherty,	Mihm,	Odorisio,	Wilt,
Ewing,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Schuster, rise?

Mr. SCHUSTER. I rise to a question of personal privilege, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHUSTER. Mr. Speaker, I got locked out on that last vote, and I would like to be recorded as voting "aye."

The SPEAKER pro temopre. The remarks of the gentleman will be spread upon the record of the House.

BILL CALLED UP OUT OF ORDER

Mr. McCANN. Mr. Speaker, I desire to call up on page 11 Senate bill 178, printer's No. 343.

The SPEAKER pro tempore. The Chair hears no objection.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 178, entitled:

An Act amending the act of May 25 1945 (P L 1050) entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I would like to interrogate someone who can explain the last amendment placed in this bill.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, the gentleman from Fayette, Mr. Kornick, a member of Local Government Commission, may answer.

The SPEAKER pro tempore. Will the gentleman from Fayette, Mr. Kornick, permit himself to be interrogated?

Mr. KORNICK. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ISAACS. Mr. Speaker, will you explain the amendments which were placed in the bill by the House having reference to the county commissioners?

Mr. KORNICK. Before this amendment was placed in the bill it was discussed very thoroughly with the representatives of the various governments concerning second-class townships, boroughs and the county commissioners.

The purpose of this amendment is to try to secure better government at home. There is not any motive on my part to destroy the bill, or to wreck it, or to hold it up. My intentions are honest and sincere. It was my amendment. It was not given to me by anyone, and it is my desire with this amendment that the county commissioners shall meet with the local taxing authorities and try to agree severally to a commission or wage paid to a tax collector.

Mr. ISAACS. Well, Mr. Speaker, in my county, which is a third-class county, there are about 52 political subdivisions. Does it mean that the county commissioners would have to meet with the taxing authorities of every one of those?

Mr. KORNICK. Yes, sir, Mr. Speaker. That is the purpose of the amendment.

Mr. ISAACS. Mr. Speaker, it seems to me this is a rather cumbersome thing. I was not aware until today that this bill had been amended, and I certainly do not question the gentleman's intentions. I do not care too much about what the various gentlemen he referred to think of this bill. However, I am certainly interested in what the tax collectors think of it and what the Pennsylvania State Association of Tax Collectors think of it. I cannot see the rush in passing this bill today. I ask that

it be held up. As I understand it, it only has to be passed two days before the last date for withdrawal.

Mr. KORNICK. Mr. Speaker, I wish I could concede to the gentleman's request, but it is impossible for we are now fighting time. The bill either passes or falls today. I wish I could concede to his request but it is impossible.

Mr. ISAACS. Mr. Speaker, I would certainly like to have been here when the amendment was offered. I would have been aware of it, but I believe we were in caucus at the time and I just became aware of it today. Inasmuch as I have had no chance to contact the Pennsylvania State Tax Collectors' Association or any of my tax collectors, I am going to vote against the bill.

Mr. LIPPINCOTT. Mr. Speaker, I would also like to interrogate the gentleman.

The SPEAKER pro tempore. Will the gentleman from Fayette, Mr. Kornick, permit himself to be interrogated?

Mr. KORNICK. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. LIPPINCOTT. Mr. Speaker, does this amendment which Mr. Issacs discussed mean that the commissioners and the local school districts in boroughs must agree on a uniform commission, or salary?

Mr. KORNICK. No, sir, Mr. Speaker, it does not. The use of the word "severally" does not mean that they must.

Mr. LIPPINCOTT. It says that they shall severally agree at that time. Now does that mean that they must agree, since it uses the word "shall"?

Mr. KORNICK. No, the word "severally," I understand, takes care of that. The purpose was to give the local government a voice and no one group to overpower the other group. In other words, we have three separate values here.

Mr. LIPPINCOTT. I think, Mr. Speaker, that this is a desirable piece of legislation to let boroughs and school districts fix the salary if they want to for the tax collector, but it seems to me that you get into a very unwieldy situation with this amendment. I would like to ask the gentleman, whether a county will be able to fix a salary for a tax collector for the collection of county taxes?

Mr. KORNICK. Yes, they can, Mr. Speaker.

Mr. LIPPINCOTT. Is the gentleman aware of the fact that under the county code, I believe it is, or another statute, that the county must charge a commission?

Mr. KORNICK. Under the present act, is that what you mean?

Mr. LIPPINCOTT. Yes.

Mr. KORNICK. Under this bill, districts will have the right to set a salary or a commission. They now have the right to set a salary or a commission. They now have the right to set a commission of not more than 5 percent.

Mr. LIPPINCOTT. Is there anything in here to repeal the existing statute?

Mr. KORNICK. No, they have the right of either or both under this amendment.

Mr. LIPPINCOTT. Must the commissioners and the tax district agree unanimously on what is to be charged by a tax collector?

Mr. KORNICK. No, sir. Not under this bill, they do not, sir.

Mr. LIPPINCOTT. I thank the gentleman.

Mr. Speaker, I realize that there is a time element involved here. It seems to me that there is a very clear-cut way this can be corrected.

The present law provides that the tax collector's compensation shall not be changed unless it is done at least ten days prior to the day fixed by law for candidates to withdraw from the nomination, previous to the day of the municipal election. Now I think the words "municipal election" are pretty clear. At least it always seemed so to me. I thought that meant the election in November. I think this situation has arisen because of a lower court case which held that the municipal election meant the primary election. I think that decision is wrong, but nevertheless that is on the books. I think we could easily correct this by just saying that they can change the compensation ten days before the municipal election, the last day to withdraw before the municipal election in November. That will give all these municipalities the rest of the summer to correct this.

I think this is a very faulty piece of legislation the way it is drawn now.

Mr. FETTEROLF. Mr. Speaker, I would like to say a few words with respect to this amendment and perhaps answer a question or two which the gentleman from Delaware, Mr. Isaacs and Mr. Lippincott, have brought out.

I have been informed that the purpose of the county commissioners gathering together the various taxing agencies and agreeing upon either a commission or a salary is frankly only to divide the onus of a situation which might arise from the time the original commission was set by the taxing body and the time when that commission might expand from, say, $8,000 annually to, perhaps, $15,000, and the public finally point a finger at one of the taxing authorities and say, you did this.

In this manner all of them get together, agree upon a collector's salary, and all carry the load of the public wrath. That is exactly the way it was explained to me.

In section 36.1, on page 3 of the bill, where an amendment has been entertained, they change the number of days prior to the last day fixed by law for candidates to withdraw from ten to two. The reason for that, as I understand it, is to allow this bill to pass this House, be concurred in by the other body and to become effective for the primary elections this spring. Those are points which were outlined to me prior to this session.

The SPEAKER pro tempore. Does the gentleman from Centre, Mr. Fulmer, desire to be recognized?

Mr. FULMER. Mr. Speaker, I want to say that I, for one, am in favor of this amendment which permits the taxing body to set a wage, or salary, or commission. But I must confess that this amendment to which we are addressing ourselves now has left me in somewhat of an awkward position, because when I read this it says: "The respective taxing authorities shall meet at the call of the county commissioners at a time prior to the last day permitted by law for the fixing of the tax collectors' commissions and shall severally agree at that time to the commission salary or wages to be paid the tax collector."

This leaves a couple questions in my mind. Number one, on line 16 it says, "law for the fixing of the tax collectors' commissions." It says nothing at all about setting the salary or the wages, and this seems to be

inconsistent in itself because at one place we are amending the bill to include either salary, wages or a commission, but yet in line 16 and prior lines it says that the "county commissioners at a time prior to the last day permitted by law for the fixing of the tax collectors' commissions," and nothing is mentioned therein about the setting of a salary or wages.

While I am sure that Mr. Kornick has good intentions with this, it seems to me, further, that he is putting himself in a bind and just ruling himself right out of the picture of getting what he wants. Furthermore, the time set here is only prior to the last day as set forth by law, and the law says it shall be at least two days prior to the date fixed for the candidates to withdraw.

Now, I can see a real confusion here if the county commissioners would try to set a particular day for all these people to come in at one time and prevent the various taxing bodies from meeting at any other time to set these. The gentleman can very easily defeat himself by this amendment, and I am sure that we want to do what you want to have accomplished, but you are defeating yourself in trying to help yourself.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery, Mr. Fetterolf.

Mr. FETTEROLF. Mr. Speaker, I would like to make one more comment with regard to the bill.

I had a conversation with the secretary of the State Association of Township Supervisors, and he is in favor of this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS. Mr. Speaker, I have carefully discussed this bill with the sponsor of the amendment. I think he agrees with me and with Mr. Fulmer, Mr. Lippincott, and Mr. Isaacs that perhaps this amendment is not as perfect as it should be. But I think those of us who are interested in reducing the compensation of certain tax collectors in this State and who think the best way to do that is to legalize the paying of a salary or wages are in a position where we will either vote for this bill today, even though we know that this amendment is not perfect, or we do not do anything for the next four years. These tax collectors, at least in my county, are all being elected at this municipal election. I think that is true over the entire State.

I, for one, am going to vote for this bill as it is, and I think Mr. Kornick, the sponsor of this amendment, will agree with me at some future time to either take out this amended language entirely or to clear up the objections to it. I think he will so agree.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Bucks, Mr. Williams.

The SPEAKER pro tempore. Will the gentleman from Bucks, Mr. Williams, permit himself to be interrogated?

Mr. A. D. WILLIAMS. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, is it not true that we are going to regulate wages and salaries here for tax collectors and this can be done under present law without this legislation? It is true that they get a commission, they are allowed 5 percent commission, but, by the same token, this commission can be reduced at any time and the wages can be brought down, as we have done. I cannot see any reason for this legislation when the commissioners, the boroughs and townships have the same authority.

Mr. A. D. WILLIAMS. I think I heard most of what the gentleman had to say. It is your understanding that the rate of commission to the tax collectors can be changed from year to year?

Mr. FILO. No, not from year to year.

Mr. A. D. WILLIAMS. Then my answer to your question is simply this: I come from Bucks County, one of the fastest growing counties in the State. We have townships where the assessed valuation will increase as much as 30, 40 and 50 percent during the four-year term of office of the tax collector. So when that tax collector initially goes into office, if you set a rate of 2 percent, this will provide what you think is an adequate income, but by the time that tax collector goes out of office, doing the same amount of work, he will be collecting perhaps 50 to 100 percent more than you originally intended that he would receive.

We think the best way to accomplish our purpose is to fix a fair salary or wage, which this bill will allow us to do, and which will not change during those four years. A fixed commission will result in a difference in salary or wage as a result of multiplying that commission by the taxes collected. We understand your objection; we understand what you have to say; but we do not think that the present law provides for the situation.

Mr. FILO. Mr. Speaker, by the same token, is it possible that we may set pretty high standards of wages for tax collectors in some boroughs and municipalities? Say in a small community, where the yield would probably be so small, you would set a salary for this tax collector at an enormous sum. That is possible?

Mr. A. D. WILLIAMS. Mr. Speaker, the answer to that question is simple. This bill provides for the complete and ultimate home rule. It permits the local township or borough to provide a salary or a wage, or a commission, in those small communities to which the gentleman refers, and perhaps the commission will work. We are concerned with the larger townships and boroughs in the State where commissions do not work, where commissions provide an inequitable and a high salary, a high wage, which the tax collector should not receive for the work done. We think this bill solves the gentleman's problem. I wish he would vote for it and solve our problem.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, we are asked to support here this afternoon a piece of legislation which is admittedly faulty. It is badly written and, if passed, can be subject to attack in the courts.

We have had since the first of the year to pass this kind of legislation if we were anxious to pass it. And I, for one, think we are being certainly not very smart in voting "aye" on a piece of legislation which admittedly and has been admitted in this House this afternoon is not in order. It is not right. It even contradicts itself. I think if we have to run this bill this afternoon the members of this House should defeat it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, will the gentleman from Fayette, Mr. Kornick, consent to be interrogated?

Mr. KORNICK. I shall, Mr. Speaker.

Mr. STECKEL. Mr. Speaker, I have two questions. Will the gentleman agree that under the present law the second-class township or the borough determines its own rate of compensation for the tax collectors in its district?

Mr. KORNICK. I do, sir.

Mr. STECKEL. Now, under this bill, will it not be necessary for the local township supervisors or the borough council to first procure an agreement with the county commissioners before they can set their rates?

Mr. KORNICK. No, sir. That is not true.

Mr. STECKEL. That is not true?

Mr. KORNICK. That is right.

Mr. STECKEL. But does not the amendment require that they shall meet at the call of the county commissioners?

Mr. KORNICK. It says they shall meet and certainly agree, but it does not mean they have to accept the decision of the county commissioners.

Mr. STECKEL. Well, at any rate, will the gentleman agree that the local township or borough can no longer on their own initiative, wthout first meeting with the county commissioners, change the rate, either salary or commission or whatever it be?

Mr. KORNICK. Will you repeat the question again?

Mr. STECKEL. I will.

To restate it: presently the township or the borough decides in its own meeting what the rate of return shall be for the tax collector.

Mr. KORNICK. That is right.

Mr. STECKEL. Under this bill they are required to have some sort of an agreement or a meeting or something of that nature with the county commissioners. Therefore, they do not determine the new rate on their own initiative and by their own passage. Is that correct?

Mr. KORNICK. No. The amendment says the respective taxing authorities shall meet at the call of the county commissioners at a time prior to the last day permitted by law for the fixing of the tax collectors' commission and shall severally agree at that time to the commission, salary or wages to be paid the tax collector.

They can certainly set their own commission or salary; the commission can do the same thing; and the authority can do the same thing. The only thing is, you cannot compel or make someone agree to something that they do not want. I thoroughly agree.

The SPEAKER pro tempore. For what purpose does the gentleman from Greene rise?

Mr. McCANN. Mr. Speaker, I would like to know if the gentleman from Lehigh would like to have me clear a point on the bill for him?

The SPEAKER pro tempore. The gentleman from Lehigh yields to the majority leader.

Mr. McCANN. There is no disagreement that this bill pertains only to boroughs and townships. That is what the proposed legislation deals with. The taxing bodies in the boroughs and townships are three of a kind. It is either a borough council, a board of supervisors of the township, or the school district. There are no other taxing bodies in that class of government.

At the present time there is no law that permits a tax collector to be paid a salary. That is agreed. The tax collector is paid a commission. That commission can be from zero to five percent. That is now the law. That commission is determined by the taxing body, the taxing body being the council, the supervisors, or the school board.

Under Mr. Kornick's amendment, if I follow this correctly, the county commissioners would call the taxing authorities, taxing authorities being borough councils, supervisors, to a meeting. Now, if I follow the next part clearly, my township, under this bill if it were law, could still, if they so decided and they have the right now, pay the tax collector a commission, that commission being from zero to five percent, determined by them.

But if they decided to eliminate the commission and pay the salary, they would set the salary of the tax collector. Now the question of salary in there becomes the question of more than one political subdivision meeting together to determine. Take our legislative district with twenty townships and six boroughs. Each of them would fall into this bill. Would they have to meet together, all of them, and determine together? My opinion was that they did not. They would meet but they would determine separately, each one of them, what they wanted to do.

Now I believe I have tried to cover the points of the amendments placed in this bill by Mr. Kornick as it appears on the House calendar.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh, Mr. Steckel.

Mr. STECKEL. Mr. Speaker, I thank the majority leader.

Under the present situation the school districts already had the rgiht to pay their tax collector a salary rather than a commission, and to do this they are not required to meet with the county commissioners.

Now, we give, under this bill, as I understand it, the right to the townships and the boroughs, requiring, however, that they must first meet with the commissioners, even though they may theoretically come to a different tax rate in different townships.

But we are requiring of the townships and the boroughs, before they determine a salary rather than a commission, something which is not required of the school district presently.

Can the majority leader explain why this restriction is put on townships and boroughs and not on the school districts?

The SPEAKER pro tempore. Will the gentleman from Greene permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

I cannot answer the question directly but we are in the municipal election year. We are now in sufficient time. I do not know that I can answer for Mr. Kornick the exact schedule of this, but now candidates are circulating their petitions for tax collectors in their respective political subdivisions, boroughs and townships.

At this point, if I follow the bill, the withdrawal date becomes an important date as well as filing your petitions. Carefully check this and see.

Now if you are a candidate for tax collector, you are a candidate for a job that pays so much money. This is what the present tax collector receives. In some cases we will say, there would be some $500 on commissions to,

perhaps, $20,000. I would not know the highest. But if this were law, the taxing authority could change the salary, which they do not have the right to do now. Therefore, if you did not want to become a candidate under the change, you could withdraw. Does that tie into the dates right?

The SPEAKER pro tempore. The Chair recognizes the gnetleman from Lehigh, Mr. Steckel.

Mr. STECKEL. I thank the gentleman.

Actually, I am not concerned with the time element of the bill. I realize why the time is in there. I am simply questioning the addition of the paragraph requiring the extra negotiation of the county commissioners which procedure is not required of school districts when they place a salary on a tax collector's job rather than a commission. I am not discussing whether commissions or salaries are correct. I am simply trying to inquire as to why the procedures for setting the salary should not be the same for these municipalities as it is for the school districts, and I do not believe that requiring the joinder of the, or a meeting with, or whatever the terminology is, the county commissioners is any improvement on home rule as we know it presently. It is rather a restriction.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Filo.

Mr. FILO. Mr. Speaker, I do not know whether I am confused or whether the majority leader is confused, but I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I will.

Mr. FILO. Mr. McCann, did you state that where a taxing body would have to go before the county commissioners, in the case of a borough they would have to go before the county commissioners to set a salary? Did you make that statement?

Mr. McCANN. Mr. Speaker, I was talking about the amendment that is in the bill. If you will read carefully, it says, "at the call of the county commissioners," doesn't it?

Mr. FILO. Yes, Mr. Speaker.

Mr. McCANN. It says, "the taxing authorities." There are only two taxing authorities involved in this bill, borough councils and township supervisors.

Mr. FILO. Mr. Speaker, the county commissioners have no say whatsoever what the school board or the taxing boards in the various boroughs can put on for a tax collector. They do not regulate his commission. It is strictly up to the local borough, up to the people in the borough, the taxing authority, which Mr. McCann states. It is the school board and the council. I cannot see where the county commissioners should come into this act and set a standard of tax commissions or wages.

Mr. McCANN. Mr. Speaker, I do not think you can read that in the amendment that has been proposed here. No one can take away from the taxing authorities their right to set the commision now in law. That is vested solely in council and township supervisors.

Mr. FILO. That is what I was wondering.

Mr. McCANN. But it says at a meeting at the call of the commissioners. Now, the county commissioners, I suppose, say 10 townships and 15 boroughs cannot set anything. The only people who have the power to set it are the taxing authorities which this bill deals with. This bill deals only with council and township supervisors.

Mr. FILO. I completely disagree with the amendment of even having the county commissioners call a meeting. I think this should be up to the local municipalities, or the boroughs and townships. They can clean their own house and we do not have to do that for them. By the same token, I just read a good article, apropos here, in the Pittsburgh Post Gazette. I would like to read it. It might clarify the thinking of some of the members here. It says:

> "Scott Township Tax Collector Facing Cut. School Board Votes To Cut His Pay More Than Half."
>
> "The Scott Township School Board has voted to cut the income of the township tax collector in half, a move which would save the township an estimated $50,000 in the four-year term served by the tax collector.
>
> "Under the new plan, the collector could make up to $12,000 a year, $7,400 of which would be in salary and the remainder in commissions. The present tax collector makes $25,000 a year.
>
> "The new pay schedule would go into effect in 1962. The tax collector must run for election this November.
>
> "Commissioners to Vote.
>
> "Still to vote on the plan are the township commissioners, but indications are they will approve it because a joint committee from the School Board and the commissioners drew up the plan.
>
> "Richard McMurray, treasurer of the school board, said, 'The collector's job is not a $25,000 job.
>
> " 'The savings will be plowed back into the township's educational facilities,' he said.
>
> "McMurray described the plan as having a 'built in incentive' since some $4,600 of the salary will be in commissions.
>
> "The collector will receive a 10 percent commission on all collections in excess of 90 percent of the amount of tax collected in the previous years, except in the case of property tax.
>
> " 'This would put the bug on his back, so to speak, because the last 10 percent of the tax is the hardest to collect,' Mr. Murray explained."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I would like to interrogate the majority leader.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I will, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. FOOR. Mr. Speaker, may I ask what would happen under the provisions of this bill, if it became law, if the county commissioners neglected or refused to call such a meeting?

Mr. McCANN. I would say to you, Mr. Speaker, in trying to check that very point out, there are no provisions that say other than what the law says, they would have to hold the meeting. But if they did not hold one, I find no prohibitive or corrective measures. Isn't that right?

Mr. FOOR. Mr. Speaker, in that event then, could not the county commissioners sabotage the intent of this law by refusing or neglecting to call such a meeting?

Mr. McCANN. Except by the very fact that commissioners are public elected officials and it is my honest

opinion that all public elected officials carry out whatever their solicitor interprets to be the law. This is what they try to do, and that is my honest answer.

Mr. FOOR. I thank the gentleman.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I should like to interrogate the gentleman from Fayette, Mr. Kornick, or the majority leader.

The SPEAKER pro tempore. Will the gentleman from Fayette, Mr. Kornick, permit himself to be interrogated?

Mr. KORNICK. Just a minute, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. We have a basic agreement worked out, but our timetable will not work out. In trying to remove the county commissioners' section, if I do this in trying to help the gentleman to straighten this out, tomorrow is the last legislative day this week. A bill cannot be voted on unless it is in print. In an effort to find an honest answer, I would like to propose a recommendation. I can have the amendments prepared in the evening, which will take out this item. Those amendments would do this, remove the county commissioners' part. If the House will permit me, I can prepare it tonight and insert it in the bill and have it printed for the purpose of being on the calendar to be voted on; otherwise it is all over with.

Mr. TOMPKINS. Do we understand that you mean to remove that whole section on the county commissioners?

Mr. McCANN. It is my understanding that in their conferences they have agreed to amend out the section dealing with the county commissioners.

Can I revert? Mr. Parliamentarian, can you answer this question: If a bill is now amended to its original position, to its previous print number, can I, even though it has a new print number but is word for word as in its original position, vote on a printed bill which has a previous print number?

PARLIAMENTARY INQUIRY

Mr. TOMPKINS. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TOMPKINS. If the proposal is to strike out an amendment which has been inserted instead of to add to it or to change it, can that then be done without the necessity of reprinting the bill?

The SPEAKER pro tempore. The Chair would like to inquire from the majority and minority leaders if there presently is in print a bill which accomplishes the very thing they are trying to do by amendment? The Chair has been informed there is such a bill.

Mr. McCANN. Mr. Speaker.

The SPEAKER pro tempore. The Chair has been informed that if the original printer's number is in print as the bill is desired to be now with the amendment, which would strike out the material that has been inserted by the House, that that bill is now in print and we could vote on that particular bill.

Mr. McCANN. Mr. Speaker, after I have checked the effective date and number of the statutory act, it would not be effective for 60 days, or until September. Therefore, I would still have to amend to get to the position that we are talking about. So there is only one answer, only one answer, that I ask this House to allow me to present and draw amendments to strike out everything, as agreed, to place in the effective date so this act shall take effect immediately, and that bill would be in a position to be voted on tomorrow in printed form. Then the Senate could concur in it on Monday and it can be signed into law. Otherwise, it is no good after Tuesday.

Mr. TOMPKINS. Does that still give them the time element that is necessary for them to comply?

Mr. McCANN. It is my understanding that Tuesday is the so-called dead-line, and that when it passes it is over with.

Mr. TOMPKINS. Mr. Speaker, once before in this session we had an amended bill placed on our desk 15 minutes after the amendments were offered. I do not see any particular objection to that being done.

The SPEAKER pro tempore. For what purpose does the gentleman from Delaware, Mr. Isaacs, rise?

Mr. ISAACS. Mr. Speaker, to ask permission to interrogate the majority leader to determine if I understand what he is doing here.

The SPEAKER pro tempore. Will the gentleman from Greene, Mr. McCann, permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ISAACS. Mr. Speaker, do I understand the majority leader agrees to put this bill back in the position it was when it left the Senate?

Mr. McCANN. Yes, except on page 3, the last line, which says, "This act shall take effect immediately," must be in this bill. All other new material placed in the bill, in the amended Senate bill, would be removed except, "This act shall take effect immediately."

Mr. TOMPKINS. How about reducing the ten days to two days? That is an amendment that has to stay in the bill.

Mr. ISAACS. Mr. Speaker, can one of us talk at a time, please?

The SPEAKER pro tempore. The House will be in order. The gentleman from Delaware has the floor.

Mr. McCANN. Will the gentleman repeat his question, Mr. Speaker?

Mr. ISAACS. My question was: Is the majority leader, under what he said, going to put this bill back in the same position as it was when it came over here from the Senate? I think his answer was very clear, he was, with the exception of the effective date. Am I correct?

Mr. McCANN. That is right. Then some of my fine legal counsel, Mr. Williams and others, tell me that I must take into consideration the two days' section, which is line 14. Is that right? Other than that, it would remove all other items in the bill.

Mr. ISAACS. I think well of the gentleman's side talent, Mr. Speaker, but if I may interject, up until now they have really murdered this bill, so I do not know whether the gentleman should listen to them or not. But if that is what the majority leader can do, I have no objection, I think that is what we should vote on.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I still say there is a very easy way out of this whole thing, and that is merely

to allow the change in compensation ten days before candidates can withdraw from the November election. This would solve the whole problem.

Mr. TOMPKINS. Would that still qualify under the Constitution, Mr. Speaker, regarding what the ————

Mr. McCANN. Mr. Speaker——I ask unanimous consent for the majority and minority leaders to prepare amendments to Senate bill 178 and have the bill printed tonight.

The SPEAKER pro tempore. Without objection from the floor, the Chair will rule that the majority and minority leaders shall prepare the amendments and have the bill in proper form for consideration tomorrow.

Will the House give its unanimous consent to have the majority and the minority leaders prepare amendments and have the bill printed?

The Chair hears no objection.

The Chair will wthdraw its decision as to the bill having been agreed to on third reading.

BILLS PASSED OVER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I move that all other bills on today's calendar go over in order, except one bill that we will call up for amendment.

BILL ON THIRD READING POSTPONED

Mr. McCANN. Mr. Speaker, I call up House Bill 517, bill on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCann.

The House resumed the consideration on third reading of House bill No. 517, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) prohibiting certain acts relating to counterfeit or facsimile registration plates numbers or markers.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 507.1), page 3, line 2 by striking out "or" where it appears the first time and inserting: "of."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. SCHAAF asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILL RE-REFERRED

Mrs. REIBMAN from the Committee on Education, returned with the recommendation that it be re-referred to the Committee on Appropriations, House bill No. 476, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), changing definition of final average salary for classroom school teachers with thirty-five or more years of service.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Appropriations.

REPORTS FROM COMMITTEE

Mr. KNECHT from the Committee on Boroughs, reported as committed, House bill No. 328, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

Mr. SIMMONS from the Committee on Boroughs, reported as committed, House bill No. 546, entitled:

An Act amending "The Borough Code," approved May 24, 1927 (P. L. 519), requiring sale of water-works or system and property upon payment into court by the borough of the amount of the valuation finally fixed.

Mr. ZIMMERMAN from the Committee on Boroughs, reported as committed, House bill No. 620, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing boroughs to have a recreation board of either five or seven members.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 328, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 546, entitled:

An Act amending "The Borough Code," approved May 24, 1927 (P. L. 519), requiring sale of water-works or system and property upon payment into court by the borough of the amount of the valuation finally fixed.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 620, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing boroughs to have a recreation board of either five or seven members.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I ask that the gentleman from Allegheny, Mr. Walsh, who desires to make a brief statement for the record, be permitted to do so. We will then announce committee meetings for tomorrow morning and the hour of the session for tomorrow.

PERMISSION TO ADDRESS HOUSE

Mr. WALSH asked and obtained unanimous consent to address the House.

Mr. Speaker, on January 23, 1961, I introduced in this House, House Resolution No. 11. I considered it very, very important to the safety and the welfare of the Country. At that time, I was asked by the University of Pittsburgh to allow them to make their own investigation prior to pressing this resolution. I consented to that. That was on January 25. Now, on March 3, 1961, I received a letter from Phillip H. Powers, the Assistant Chancellor of Development, University of Pittsburgh, as follows:

"Dear Mr. Walsh:

"The purpose of this letter is to inform you concerning the status of the Colodny investigation and an estimate of the ensuing timetable.

"As you know, a search of this kind has of necessity to reach all across the United States and involve scores of people. While we have usually had excellent cooperation and response, it takes much time to get replies from so many sources and to explore all of the leads. While there are still a number of people to be heard from and some additional leads to be searched out, we now feel that by the end of March we will have completed our correct collection of information, including our final discussion with Colodny, and our counsel will have put together a summary of all material accumulated.

"Our committee working with counsel will then undertake to incorporate in the report the facts so found. We hope to submit this report to the Chancellor of the University of Pittsburgh by mid-April.

"Respectfully yours,
P. H. Powers"

Mr. Speaker, you thanked me for being patient. I think I am very patient. I think I am very patient in waiting from January until March to hear from them. I feel that the University of Pittsburgh could have received this information a whole lot faster, had they so desired. I am going to be a gentleman and accede to their request and wait.

Since this has been made public, I have been besieged by quite a few people, by telephone calls, and by letters asking me what has become of the Colodny investigation. They assume it is going to be a whitewash, and they assume that I have dropped it. For that purpose I make these statements today.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, chairman, Room 245, Wednesday, March 8, at 9:00 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Wednesday, March 8, at 9:45 a.m.

RESOLUTION

CONGRATULATIONS

Messrs. REIDENBACH and NEEDHAM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 7, 1961.

It is with much regret that we here in the Commonwealth of Pennsylvania are called upon to part company with so sterling a character as Anthony Joseph Drexel Biddle, Adjutant General of this State since 1955. His span of public service covers the years from the beginning of World War I, except for a brief period of private business, down to the present time. Once again public service beckons him not in any new venture but in one that he already has distinguished himself to a very marked degree, this time as Ambassador to Spain.

His record of public service covers the fields of the military and diplomatic service, distinguishing himself in both fields. His accomplishments are too well known and the acknowledgements by his native State, by our Nation, and by the many fooreign governments that have been recipients of his labors, are indelibly recorded in history's pages so as to make repetition here a useless gesture.

We will miss General Biddle; we will miss his warm friendship; we will miss the helping hand that he has always offered to those in need of his services; we will miss that insatiable desire which is inherent in him to be of public service; therefore be it

Resolved, That the House of Representatives hereby commends General Anthony Joseph Drexel Biddle for the many services he has performed for this his native State as well as our Nation. We wish him God's speed in his new venture in Spain. We regret his leaving us, but our loss is our national government's gain and we look forward to the day of his return to again be our neighbor and friend; and be it further

Resolved, That a copy of this resolution be sent to General Biddle.

ADJOURNMENT

Mr. ELVEY. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 8, 1961, at 10 a. m., e. s. t.

The motion was agreed to, and (at 5:44 p. m., e. s. t.), the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., WEDNESDAY, MARCH 8, 1961. No. 26.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 8, 1961

The House met at 10:00 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Dr. Martin L. Tozer, Superintendent of Synodical Home Missions and Church Planning of the Lutheran Church of the Central Pennsylvania Synod, guest Chaplain and guest of the House Chaplain, offered the following prayer:

Almighty God, the Father of all mankind, hear the prayers of Thy children in all places and conditions of life. Accept the gratitude we render unto Thee for all the blessings of Thy grace. Look with forgiving love, we pray, upon us in this our day. The evidences of Thy love and powers are all about us.

Hear the petitions of our hearts and grant Thy protection and care upon us. Grant us a sense of obligation and duty to Thee and our fellowmen and then the strength to accept that duty as an opportunity to render service to our neighbors and all in our communities.

Grant us we pray, the keen insights necessary to distinguish personal desires from community good, right from wrong, and lead us to make the right decisions and proper judgments for the people of this Commonwealth and our beloved County.

Grant that we may be the instruments of Thy power and that delegated to us by our fellowmen to prevent injustice, evil and delinquency among us so that we may live together in the peaceful pursuits of happiness and righteousness all our days.

These things and whatsoever we may ask in the silence of our hearts grant unto us we pray, not because we are deserving, but because of the merits of Jesus Christ, Thy Son our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 7, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. SAKULSKY, NEEDHAM, WARGO and KORNICK. HOUSE BILL No. 844.

An Act amending the act of July 10, 1957 (P. L. 685) entitled "An act regulating the use of explosives in certain blasting operations; requiring examination and licensing of certain explosives' detonators and prescribing the fee thereof; and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

Referred to the Committee on State Government.

By Messrs. SAKULSKY, WARGO, MEHOLCHICK and CROSSIN. HOUSE BILL No. 845.

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees ;and providing penalties," prescribing additional enforcement powers to the Secretary of Labor and Industry and increasing cretain fees.

Referred to the Committee on State Government.

By Messrs. FARABAUGH, PRENDERGAST and KORNS. HOUSE BILL No. 846.

An Act amending the act of June 27, 1947 (P. L. 1000), entitled "An act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants, which are or may hereafter become approved by any health authority, as sources of milk for New York City and the counties of Westchester, Suffolk or Nassau in the State of New York;***" extending the provisions of the act to include other states, prescribing additional duties for the Milk Compact Commissioner and changing certain terms of the compact.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. SHERMAN, McCANN, TOMPKINS and GELFAND. HOUSE BILL No. 847.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for the refund of operators' license fees in certain cases.

Referred to the Committee on Motor Vehicles.

By Mr. McCORMACK. HOUSE BILL No. 848.

An Act amending the act of May 31, 1893 (P. L. 188), entitled "An act designating the days and half days to be observed as legal holidays, and for the payment, acceptance and protesting of bills, notes, drafts, checks and other negotiable paper on such days," making St. Patrick's Day a legal holiday.

Referred to the Committee on Rules.

By Messrs. CURWOOD, MEHOLCHICK, GRAMLICH, and PURSLEY. HOUSE BILL No. 849.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), removing a provision

earmarking a portion of fishing license fees for the study of problems related to better fishing.

Referred to the Committee on Fisheries.

By Messrs. CURWOOD, MEHOLCHICK, JIM, and GRAMLICH. HOUSE BILL No. 850.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting the purchase and sale of the flesh of raccoons.

Referred to the Committee on Game and Conservation.

By Messrs. VARNER, DENNISON and PURSLEY. HOUSE BILL No. 851.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), providing for a minimum retirement allowance after twenty-five years' service and voluntary retirement.

Referred to the Committee on Appropriations.

By Messrs. VARNER, PURSLEY, DAVIS, and DENNISON. HOUSE BILL No. 852.

An Act amending the "Law fixing Annual Charge on Forest Lands" approved May 17, 1929 (P. L. 1798), increasing the amount of the fixed charge payable by the Commonwealth.

Referred to the Committee on State Government.

By Messrs. GUESMAN, JENKINS, THOMPSON, and MURRAY. HOUSE BILL No. 853.

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), authorizing a change in the compensation of certain township commissioners.

Referred to the Committee on Townships.

By Messrs. TOMPKINS, MILLS and MAXWELL. HOUSE BILL No. 854.

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744), further regulating enforcement and judicial review of the Commission's orders.

Referred to the Committee on Welfare.

By Messrs. HORST, FLYNN, McNALLY and DENNISON. HOUSE BILL No. 855.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the issuance of a restricted operator's license upon proof that such a license is necessary for earning a livelihood, and imposing penalties for violation of a restricted license.

Referred to the Committee on Motor Vehicles.

By Messrs. KAMYK, McLAUGHLIN, M. H. GOLDSTEIN and SIMMONS. HOUSE BILL No. 856.

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class;***" providing for payments to dependent parents.

Referred to the Committee on Welfare.

By Mr. STONE, Mrs. MUNLEY, Mrs. S. A. ANDERSON and Mr. EILBERG. HOUSE BILL No. 857.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

Referred to the Committee on Welfare.

By Messrs. MURPHY, CAPANO, FLYNN and POLEN. HOUSE BILL No. 858.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), providing that returns of unpaid taxes shall not be made until the taxes have been unpaid for nine years.

Referred to the Committee on State Government.

By Messrs. MURPHY, CAPANO, FLYNN and POLEN. HOUSE BILL No. 859.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), imposing restrictions on the provisions of the act.

Referred to the Committee on Counties.

By Messrs. MURPHY, CAPANO, FLYNN and POLEN. HOUSE BILL No. 860.

An Act authorizing the abatement of certain interest charges, expenses and fees added to county, city . . . or poor district claims imposed or assessed for improvements, or for the abatement of nuisances.

Referred to the Committee on State Government.

By Messrs. MURPHY, CAPANO, FLYNN and POLEN. HOUSE BILL No. 861.

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town, township, school district (except school district of the first class), and poor district taxes;***.

Referred to the Committee on State Government.

By Messrs. MURPHY, CAPANO, FLYNN and POLEN. HOUSE BILL No. 862.

An Act amending the "Local Tax Collection Law," approved May 25, 1945 (P. L. 1050) authorizing taxing districts to make the imposition of penalties optional.

Referred to the Committee on State Government.

By Messrs. WELSH, J. A. SULLIVAN, LEONARD and PERRY. HOUSE BILL No. 863.

An Act amending the "Labor Anti-Injunction Act," proved June 2, 1937 (P. L. 1198), by removing certain restrictions on the application of the act.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, MORLEY, LAWSON and PERRY. HOUSE BILL No. 864.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), requiring employers to insure the payment of compensation in the State Workmen's Insurance Fund unless exexmpted from insurance.

Referred to the Committee on Workmen's Compensation.

By Messrs. WELSH, GREMMINGER, GALLAGHER and PERRY. HOUSE BILL No. 865.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) eliminating residence requirements

for individuals, partnerships and associations and for officers, directors and stockholders of corporations that may be licensed as malt and brewed beverage manufacturers, and requiring stockholders to be citizens.

Referred to the Committee on Liquor Control.

By Messrs. MURRAY, JENKINS and CURWOOD.
HOUSE BILL No. 866.

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), requiring banks, bank and trust companies and savings banks to pay interest on certain savings accounts.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. SCHAAF, SHUPNIK, DOWN, McDEVITT, GALLAGHER, GOODRICH, OGILVIE and ESHLEMAN. HOUSE BILL No. 867.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), extending school employes who were not contributors prior to serving in the armed forces of the United States upon certain conditions.

Referred to the Committee on Appropriations.

By Messrs. EILBERG, CLARKE, DONALDSON, and GIBB. HOUSE BILL No. 868.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the production and performance of ice shows and ice hockey between certain hours on Sunday in cities of the first and second class.

Referred to the Committee on Law and Order.

By Messrs. STONE and BONNER, Mrs. MUNLEY, and Mrs. MARKLEY. HOUSE BILL No. 869.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), regulating voluntary admission of minors to institutions, and further regulating emergency commitments.

Referred to the Committee on Welfare.

By Messrs. STONE and BONNER, Mrs. MUNLEY and Mrs. MARKLEY. HOUSE BILL No. 870.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) removing from the jurisdiction of the Department of Public Welfare, jails, prisons and penal institutions and inmates thereof.

Referred to the Committee on Welfare.

By Messrs. STONE, BONNER, MURPHY and Mrs. MARKLEY. HOUSE BILL No. 871.

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants;***," further defining terms;** imposing powers and duties on the Department of Public Welfare;**and making repeals.

Referred to the Committee on Welfare.

By Messrs. STONE and MURPHY and Mrs. MARKLEY. HOUSE BILL No. 872.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing for the use of interest on patients' funds.

Referred to the Committee on Welfare.

By Messrs. STONE and BONNER and Mrs. MARKLEY. HOUSE BILL No. 873.

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045), qualifying the liability of property owners with respect to minor children.

Referred to the Committee on Welfare.

By Messrs. STONE, BONNER and MURPHY and Mrs. MUNLEY, Mr. BUCHANAN and Mrs. MARKLEY. HOUSE BILL No. 874.

An Act amending "The Administrative Code," approved April 9, 1929 (P. L. 177), creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

Referred to the Committee on Welfare.

By MESSRS. STONE, BONNER, MURPHY, BUCHANAN and Mrs. MARKLEY. HOUSE BILL No. 875.

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

Referred to the Committee on Welfare.

By Messrs. STONE, BONNER, MURPHY and Mrs. MARKLEY. HOUSE BILL No. 876.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), limiting the Department of Public Welfare's power in purchasing services.

Referred to the Committee on Welfare.

By Messrs. STONE, KLEIN, HAMILTON and DONALDSON. HOUSE BILL No. 877.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), extending the scope of the manufacturing exemption to taxation.

Referred to the Committee on Ways and Means.

By Messrs. STONE, KLEIN, HAMILTON and DONALDSON. HOUSE BILL No. 878.

An Act amending the act of June 1, 1889 (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," defining manufacturing for tax purposes.

Referred to the Committee on Ways and Means.

By Messrs. GUESMAN, CLARKE, BUSH and VARNER. HOUSE BILL No. 879.

An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled, as amended, "An act providing for the preservation of the records or photographic film reproductions***of banks***," extending the provisions thereof to employes' mutual banking associations.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GUESMAN, CLARKE, BUSH and VARNER. HOUSE BILL No. 880.

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch, the period of public

notice for the discontinuance of a branch, and the provisions relating to honorary directors, directors emeritus and members of advisory boards;***.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GRAMLICH, WILLARD, SCHAAF and CURWOOD. HOUSE BILL No. 881.

An Act requiring outboard motors to be titled; providing for the issuance of titles by the Department of Revenue; fixing fees, providing penalties, and allocating funds.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. WILLARD and DOWN.
(Concurrent) RESOLUTION No. 35.

In the House of Representatives, March 7, 1961.

There is considerable unemployment in the area in and around the location in which the Shenango River Flood Control Project is now under construction, and employment of persons from the area can bolster the area's economy; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and make every effort that employment in the construction of the Shenango River Flood Control Project be given to the unemployed who have their residence in the general area of the project; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. GRAMLICH, DAVIS, MAGEE and HELM.
(Concurrent) RESOLUTION No. 36.

In the House of Representatives, March 7, 1961.

Economic growth has within recent years been widely propagandized both from a National as well as a State standpoint. One of the vital factors is the flow of commerce from one section of the country to other sections. Every facility, both natural and man made for the movement of commercial and industrial products, is essential to this economic growth.

We have in northwestern Pennsylvania a natural waterway which is not being utilized. This natural waterway is the Allegheny River which flows through the northwest section of this State. This river flows near the oil fields of this State and either through or close to many large centers of our State industrial empire, before joining with the Monongahela to form the Ohio. The Allegheny is potentially a strong facility for water borne shipments but only potentially because of the lack of slack water improvements which has been for many years promoted by the Allegehny River Valley Improvement Association.

Ironically this northwest community is handicapped by undeveloped transport services, especially along the Upper Allegheny Valley. If this area is to enjoy its full economic growth, its natural waterway must be developed; therefore be it

Resolved, (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to enact such legislation and appropriate such funds as may be necessary to build at least two dams between East Brady, Clarion County, Pennsylvania, and Oil City, Venango County, Pennsylvania; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each House of the Congress of the United States, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEE

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction, fixing the qualifications and compensation of members and imposing certain duties on the commission.

Mr. HAMILTON from the Committee on Appropriations, re-reported as committed, House bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

Mr. WOOD from the Committee on Appropriations, re-reported as committed, House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on agricultural commodities imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

Mrs. ANDERSON from the Committee on State Government, reported as committed, House bill No. 422, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments for property acquired by the Commonwealth for recreational purposes.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 567, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), authorizing transfers from and to the Municipal Employes' Retirement System and the State Employes' Retirement System.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 571, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund;***," authorizing the transfer of funds during each fiscal year the requiring the retransfer of the funds during the fiscal year.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 648, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres, respectively situate in Woodbury Township, Blair County.

Mr. MUSTO from the Committee on Appropriations, reported as committed, House bill No. 681, entitled:

An Act amending the act of June 1, 1959 (P. L. 392),

entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further defining compensation and final average salary in the case of certain members of the General Assembly.

Mr. MUSTO from the Committee on Appropriations, reported as committed, House bill No. 682, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further providing for retirement of members of the General Assembly.

Mr. MUSTO from the Committee on Appropriations, reported as committed, House bill No. 683, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," further providing for multiple service credit in the case of certain members.

Mr. MUSTO from the Committee on Appropriations, reported as committed, House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional cntributions.

Mr. MUSTO from the Committee on Appropriations, reported as committed, House bill No. 716, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction, fixing the qualifications and compensation of members and imposing certain duties on the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 422, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for payments for property acquired by the Commonwealth for recreational purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 567, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886), authorizing transfers from and to the Municipal Employes' Retirement System and the State Employes' Retirement System.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 571, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund; * * *," authorizing the transfer of funds during each fiscal year and requiring the retransfer of the funds during the fiscal year.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 648, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres, respectively, situate in Woodbury Township, Blair County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 681, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further defining compensation and final average salary in the case of certain members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 682, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," further providing for retirement of members of the General Assembly.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 683, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," further providing for multiple service credit in the case of certain members.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 716, entitled:

An Act amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes, amending, revising, consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RE-REFERRED

Mr. FINEMAN, from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 234, entitled:

An Act limiting landowner's liability for personal injuries suffered by persons while hunting or fishing on the landowner's property.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Eilberg for Mr. CLARKE for today to attend funeral.

Mr. Eilberg for Mr. LAMB for today to attend funeral.

Mr. Eilberg for Mr. KRAMER tor today to attend funeral.

Mr. Eilberg for Mr. CAULEY for today to attend funeral.

Mr. Tompkins for Mr. A. M. LEE for today.

BILLS ON FINAL PASSAGE

BILL CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up out of order, Senate bill No. 178 on page 15 of the calendar.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 168, entitled:

An Act amending the act of May 25, 1945 (P. L. 1050) entitled "Local Tax Collection Law," further regulating compensation of tax collectors in boroughs and townships of the second class.

On the question,

Will the House agree to the bill on third reading?

Mr. KORNICK asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 35), page 2, lines 13 to 17, by striking out "the respective taxing authorities" in line 13 and all of lines 14 to 17.

Amend Sec. 1 (Sec. 35), page 3, lines 1 and 2, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

The SPEAKER. Further action on this bill will be postponed until after the respective caucuses are held.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 67, entitled:

An Act to protect the public safety by regulating the mining of anthracite coal prescribing duties for certain municipal officers and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 264, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 10, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in and use of certain drugs and keeping records thereof * * *"

clarifying the definition of "drug" to include heroin in any quantity.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 156, entitled:

An Act amending the "Municipal Employes' Retirement Law," approved June 4, 1943 (P. L. 886) including officers and employes of certain associations within the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 171, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323) authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 230, entitled:

A Joint Resolution proposing an amendment to article nine of section one of the Constitution of the Commonwealth of Pennsylvania to exempt persons over the age of sixty-five years who are receiving pension or retirement payments or social security payments or who are unemployed from the payment of personal taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 367, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) prohibiting the killing or wounding of albino or white deer and imposing duties on the commission with respect to collecting and protecting them.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 414, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) imposing costs in prosecutions for violations when evidence does not show the prosecution is well founded and requiring bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 419, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) providing that supervisors assessors auditors and tax collectors must be electors of the township in order to be eligible.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 423, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating field meets and trials.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304) relating to the dissolution of and withdrawal from certain departments of health.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 472, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853) designating certain house trailers as subjects of taxation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendments:

Amend Sec. 1 (Sec. 201), page 2, line 9 by striking out "municipally owned."

Amend Sec. 1 (Sec. 201), page 2, lines 10 and 11 by striking out "privately owned water supply systems" and inserting: any utility.

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 474, entitled:

An Act amending the act of May 20, 1921 (P. L. 984) entitled as amended "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish * * *" providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929," approved April 9, 1929 (P. L. 177) authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department independent administrative board or commission to the jurisdiction and control of another administrative board or independent commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 485, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 522, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) increasing the time for reporting certain events making it illegal to have in your possession certain documents further providing for the statute of limitations in certain cases making exceptions for vehicles with a bumper less than twelve inches from the ground * * *.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 540, entitled:

An Act amending the act of May 23, 1945 (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth * * *" further regulating appeals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 542, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571) further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 546, entitled:

An Act amending "The Borough Code," approved May 24, 1927 (P. L. 519) requiring sale of water-works or system and property upon payment into court by the borough of the amount of the valuation fixed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 555, entitled:

An Act amending the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304) extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 558, entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 572, entitled:

An Act making an appropriation to the Department of

Health for the purpose of extinguishing fires in refuse banks where same are creating health hazards.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 580, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating the use of automatic and magazine shotguns and providing a penalty.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 584, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) creating permits for the importing possessing propagating or selling of nutria and providing for certain fees and penalties in connection therewith.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 585, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) clarifying changing and increasing certain fees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 587, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) permitting a nonresident who is not a resident of the United tates to purchase a three-day license for hunting on regulated shooting grounds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 607, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) authorizing the production and performance of civic light opera between certain hours on Sundays in cities of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 620, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing boroughs to have a recreation board of either five or seven members.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 635, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965) reducing the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 638, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for annual estimates of expenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 31, entitled:

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for collection and disposition of license fees and imposing penalties for violations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 128, entitled:

An Act amending the act of March 10, 1949 (P. L. 30)

entitled "Public School Code of 1949" changing assessment provisions relating to certain third class school districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

REPORT FROM COMMITTEE

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances; authorizing him to transfer certain funds to a special fund for that purpose; and making an appropriation.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances; authorizing him to transfer certain funds to a special fund for that purpose; and making an appropriation.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, I am going to ask for a 30-minute caucus and ask the members to bring their calendars with them. We have marked the bills on which we desire to caucus. Upon return from caucus we will proceed straight through and finish today's session.

I yield to the minority leader.

Mr. TOMPKINS. Mr. Speaker, may I suggest that amendments to Senate bill 178, on page 15, be offered at this time in order that the bill may be printed in time for our consideration when we come back.

Mr. McCANN. Mr. Speaker, we did offer the amendments and the bill is now being printed.

Mr. TOMPKINS. I just wanted to be sure you got your 15 minutes in on that one.

The SPEAKER. Is there a Republican caucus?

REPUBLICAN CAUCUS

Mr. TOMPKINS. We will have a Republican caucus for one-half hour. Bring your calendars with you, please. We will go to the caucus room immediately so we will not lose too much time.

Mr. McCANN. Mr. Speaker, I request all the Democratic House members to bring their calendars with them and come to caucus. If everyone comes right away, we can start and the sooner you will get back here and get done today.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess of one-half hour for the purpose of Democratic and Republican caucuses.

The Chair hears none and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN CHAIR

BILLS REPORTED FROM COMMITTEE

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 597, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

Mr. LAWSON from the Committee on Public Health and Sanitation, reported as committed, House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 597, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

BILL ON FINAL PASSAGE

Mr. McCANN. Mr. Speaker, I call up Senate bill No. 178, bill on final passage.

The SPEAKER. The Chair has been informed that the electric roll call is temporarily indisposed. It will therefore be necessary to resort to primitive practices and call the roll name by name. We also, with the permission of the floor leaders, will resort to a fast roll call on bills on which there is very little opposition.

Mr. McCANN. We cannot have it fixed in a few minutes, Mr. Speaker?

The SPEAKER. The experts say no, they cannot get it fixed. They have been working on it all night. There is one station, apparently, that went on the blink yesterday and affected the other stations.

The bill before the House is Senate bill 178, printer's No. 375.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 178, entitled:

An Act amending the act of May 25, 1949 (P. L. 1050) entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kornick.

Mr. KORNICK. Mr. Speaker, I want to inform the members that the bill has been amended as per the request of many of the members, and, as far as debate, I think we did all the debating that is necessary yesterday. Therefore, I ask that the bill be voted on.

Mr. FETTEROLF. Mr. Speaker, in looking over this legislation which we are about to vote on, it comes to my mind that the last day for a candidate to withdraw is March 20. This bill provides that the local taxing authorities of either the boroughs or the townships must arrive at either a commission or a wage for the tax collector two days prior to the last date of withdrawal, which would be the 18th of March.

If we pass this bill today and on Monday it goes to the other body for concurrence in the amendments, it would seem to me that the Governor, in order to make this law, would have to sign the bill sometime prior to Saturday.

I give this preface because I understand that in recent days the Governor has not been in his office. I understand he is in Florida on a vacation. I am anxious to know from the majority leader if the Governor, in the event this bill passes the House and is concurred in by the Senate, will be back in time to sign it so this will be effective at the primary of this year?

The SPEAKER. Will the Majority Leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall be most pleased to answer.

I cannot say whether the Governor will sign or veto the bill, but I do know that the bills will be flown to Florida for signature. I have asked to make the trip and they tell me I am not the right person.

Mr. Speaker, we will have then a verbal roll call.

The SPEAKER. That is right. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, if there is to be any courier to Florida, I think the minority whip should be sent down to assure the Governor that there has been no oposition to the legislation.

The SPEAKER. If the minority whip will agree to stay down there for a four weeks' vacation, we will have it arranged.

Mr. McCANN. This is the first roll call and a slow roll call. Ring the bell again, Mr. Speaker.

Mr. TOMPKINS. I would like to inquire if our roll call is done by way of radar?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—123

Adams,	Gailey,	Kernaghan,	Petrosky,
Anderson, J. H.,	Gallagher,	Kessler,	Piper,
Anderson, S. A.,	Gelfand,	King,	Price,
Arlene,	George,	Kistler,	Riley,
Ashton,	Gibb,	Klein,	Royer,
Auker,	Gibbons,	Knecht,	Rubin,
Backenstoe,	Goldstein, M. H.,	Kooker,	Rudisill,
Boies,	Goodrich,	Kornick,	Rutherford,
Bossert,	Gramlich,	Lawson,	Scarcelli,
Bower,	Gray,	Lippincott,	Shelton,
Bowman,	Gremminger,	Long, Wm. Jas.,	Sherman,
Buchanan,	Gross,	Magee,	Snare,
Bush,	Guthrie,	Markley,	Steckel,
Cioffi,	Hamilton,	Marsh,	Stimmel,
Crossin,	Hankins,	May,	Stone,
Curwood,	Hartley,	McCandless,	Sullivan, J. A.,
Davis,	Haudenshield,	McCann,	Taylor,
Dengler,	Heavey,	McCormack,	Thompson,
Dennison,	Heffner,	McDevitt,	Tompkins,
Donaldson,	Helm,	McInroy,	Trusio,
Doughten,	Henzel,	McKeever,	Varner,
Down,	Hocker,	Merry,	Weidner,
Edwards,	Holliday,	Miller,	Welsh,
Eilberg,	Holman,	Morley,	Whittaker,
Elvey,	Horst,	Musto,	Willaredt,
Eshleman,	Irvis,	Needham,	Williams, A. D.,
Fetterolf,	Johnson, A. W.,	O'Donnell, J. A.,	Wood,
Fineman,	Johnson, R. P.,	Ogilvie,	Worley,
Fox,	Jones,	Parlante,	Zember,
Fry,	Keiser,	Pashley,	Andrews,
Fulmer,	Kelly,	Perry,	Speaker

NAYS—48

Bachman,	Isaacs,	Polaski,	Slack,
Blair,	Jim,	Polen,	Stank,
Bonner,	Korns,	Prendergast,	Stiteler,
Breth,	Lee, K. B.,	Pursley,	Tomascik,
Capano,	Limper,	Reibman,	Verona,
Capitolo,	Long, Wm. Jos.,	Renwick,	Wall,
Cianfrani,	Manbeck,	Rovansek,	Wargo,
Eshback,	Maxwell,	Sakulsky,	Willard,
Farabaugh,	McDonald,	Schaaf,	Williams, E. S.,
Flynn,	McNally,	Seltzer,	Wynd,
Foor,	Munley,	Shupnik,	Yetter,
Goldstein, J. H.,	O'Dell,	Simmons,	Zimmerman,

NOT VOTING—37

Agnew,	Frascella,	McLaughlin,	Odorisio,
Branca,	Guesman,	Meholchick,	Reidenbach.
Cauley,	Jenkins,	Mihm,	Schuster,
Clarke,	Kamyk,	Mills,	Strausser,
Comer,	Kramer,	Monroe,	Sullivan, T. F.,
Cooley,	Lamb,	Mullen,	Ujobai,
Dougherty,	Lee, A. M.,	Murphy,	Walsh,
Ewing,	Leonard,	Murray,	Wescott,
Filo,	Lutty,	O'Donnell, J. P.,	Wilt,
Foerster,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. In connection with the bill just voted on, Senate bill No. 178, I would like to offer for the record the following letter.

The SPEAKER. The letter will be spread upon the record.

March 2, 1961

Honorable Edwin W. Tompkins,
House of Representatives
Harrisburg, Pennsylvania

Dear Mr. Tompkins:

Your letter of March 1, 1961, addressed to the Attorney General, has been referred to me for attention.

Senate Bill No. 178, Printer's No. 184, amends the Act of May 25, 1945, P. L. 1050, known as the "Local Tax Collection Law", 72 P. S. Sections 5511.1 et seq.

Section 3 of the act, 72 P. S. Section 5511.3, provides in subsection (d) as follows:

"The provisions of this act shall not repeal or supply any local or special act."

This provision was in the original local Tax Collection Law and has not been repealed.

It is, therefore, my opinion that the Act of

March 4, 1867, P. L. 306, which was enacted prior to our present Constitution, will not be affected by Senate Bill No. 178.

Sincerely yours,
Harrington Adams,
Deputy Attorney General.

MA:miw
CC: Honorable Herbert Fineman

WELCOME

The SPEAKER. The Chair notes the presence in the gallery of 105 seniors of the William Tennet High School, Johnsville, Pa., Lower Bucks County. They are especially interested in State Government. They are here in the charge of Mrs. Ella Rhoads, Mr. Swider and Mr. Wolfe. They are the guests of the gentleman from Bucks, Mr. Gallagher.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House bill No. 20, printer's No. 735

was passed over at the request of the Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, I would like to call up on page 10 on final passage, House bill No. 29. That is now in print on the members' desks.

Mr. McCANN. That is printer's No. 883.

Mr. Speaker, that bill has arrived here now. If we begin on page 9 on final passage, House bill No. 29 is o. k. now.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 29, entitled:

An Act authorizing the court to order the parties under certain circumstances to submit to blood grouping tests under certain conditions and the effect thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Gallagher,	Lee, K. B.,	Rubin,
Anderson, J. H.,	Gelfand,	Limper,	Rudisill,
Anderson, S. A.,	George,	Lippincott,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Ashton,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Auker,	Goldstein, J. H.,	Magee,	Schaaf,
Bachman,	Goldstein, M. H.,	Manbeck,	Seltzer,
Backenstoe,	Goodrich,	Markley,	Shelton,
Blair,	Gramlich,	Marsh,	Sherman,
Boies,	Gray,	Maxwell,	Shupnik,
Bonner,	Gremminger,	May,	Simmons,
Bossert,	Gross,	McCandless,	Slack,
Bower,	Guthrie,	McCann,	Snare,
Bowman,	Hamilton,	McCormack,	Stank,
Breth,	Hankins,	McDevitt,	Steckel,
Buchanan,	Hartley,	McDonald,	Stimmel,
Bush,	Haudenshield,	McInroy,	Stiteler,
Capano,	Heavey,	McKeever,	Stone,
Capitolo,	Heffner,	McNally,	Sullivan, J. A.,
Cianfrani,	Helm,	Meholchick,	Taylor,
Cioffi,	Henzel,	Merry,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Munley,	Trusio,
Dengler,	Horst,	Musto,	Varner,
Dennison,	Irvis,	Needham,	Verona,
Donaldson,	Isaacs,	O'Donnell, J. A.,	Wall,
Doughten,	Jim,	Ogilvie,	Wargo,
Down,	Johnson, A. W.,	Parlante,	Weidner,
Edwards,	Johnson, R. P.,	Pashley,	Welsh,
Eilberg,	Jones,	Perry,	Whittaker,
Elvey,	Keiser,	Petrosky,	Willard,
Eshback,	Kelly,	Piper,	Willaredt,
Eshleman,	Kernaghan,	Polaski,	Williams, A. D.,
Farabaugh,	Kessler,	Polen,	Williams, E. S.,
Fetterolf,	King,	Prendergast,	Wood,
Fineman,	Kistler,	Price,	Worley,
Flynn,	Klein,	Pursley,	Wynd,
Fox,	Knecht,	Reibman,	Yetter,
Frascella,	Kooker,	Renwick,	Zember,
Fry,	Kornick,	Riley,	Zimmerman,
Fulmer,	Korns,	Rovansek,	Andrews,
Gailey,	Lawson,	Royer,	Speaker

NAYS—2

Foor,	O'Dell,

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 53, printer's No. 884.
House bill No. 184, printer's No. 784.
House bill No. 343, printer's No. 785.
House bill No. 369, printer's No. 926 and
House bill No. 517, printer's No. 780

were passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 37, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adams,	Gailey,	Lawson,	Royer,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gelfand,	Limper,	Rudisill,
Arlene,	George,	Lippincott,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Seltzer,
Blair,	Goodrich,	Markley,	Shelton,
Boies,	Gramlich,	Marsh,	Sherman,

Bonner,	Gray,	Maxwell,	Shupnik,
Bossert,	Gremminger,	May,	Simmons,
Bower,	Gross,	McCandless,	Slack,
Bowman,	Guthrie,	McCann,	Snare,
Breth,	Hamilton,	McCormack,	Stank,
Buchanan,	Hankins,	McDevitt,	Steckel,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stiteler,
Capitolo,	Heavey,	McKeever,	Stone,
Cianfrani,	Heffner,	McNally,	Sullivan, J. A.,
Cioffi,	Helm,	Meholchick,	Taylor,
Crossin,	Henzel,	Merry,	Thompson,
Curwood,	Hocker,	Miller,	Tomascik,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Holman,	Munley,	Trusio,
Dennison,	Horst,	Musto,	Varner,
Donaldson,	Irvis,	Needham,	Verona,
Doughten,	Isaacs,	O'Dell,	Wall,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	Ogilvie,	Weidner,
Eilberg,	Johnson, R. P.,	Parlante,	Welsh,
Elvey,	Jones,	Pashley,	Whittaker,
Eshback,	Keiser,	Perry,	Willard,
Eshleman,	Kelly,	Petrosky,	Willaredt,
Farabaugh,	Kernaghan,	Piper,	Williams, A. D.,
Fetterolf,	Kessler,	Polaski,	Williams, E. S.,
Fineman,	King,	Polen,	Wood,
Flynn,	Kistler,	Prendergast,	Worley,
Foor,	Klein,	Price,	Wynd,
Fox,	Knecht,	Pursley,	Yetter,
Frascella,	Kooker,	Reibman,	Zember,
Fry,	Kornick,	Renwick,	Zimmerman,
Fulmer,	Korns,	Riley,	Andrews,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 160, printer's No. 886.

House bill No. 191, printer's No. 193.

House bill No. 254, printer's No. 279.

House bill No. 255, Printer's No. 280 and

House bill No. 297, printer's No. 326

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 303, entitled:

An Act amending the act of April 30, 1929 (P. L. 855) entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas adn nays were taken and were as follows:

YEAS—173

Adams,	Gailey,	Lawson,	Royer,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gelfand,	Limper,	Rudisill,
Arlene,	George,	Lippincott,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Seltzer,
Blair,	Goodrich,	Markley,	Shelton,
Boles,	Gramlich,	Marsh,	Sherman,
Bonner,	Gray,	Maxwell,	Shupnik,
Bossert,	Gremminger,	May,	Simmons,
Bower,	Gross,	McCandless,	Slack,
Bowman,	Guthrie,	McCann,	Snare,
Breth,	Hamilton,	McCormack,	Stank,
Buchanan,	Hankins,	McDevitt,	Steckel,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stiteler,
Capitolo,	Heavey,	McKeever,	Stone,
Cianfrani,	Heffner,	McNally,	Sullivan, J. A.,
Cioffi,	Helm,	Meholchick,	Taylor,
Crossin,	Henzel,	Merry,	Thompson,
Curwood,	Hocker,	Miller,	Tomascik,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Holman,	Munley,	Trusio,
Dennison,	Horst,	Musto,	Varner,
Donaldson,	Irvis,	Needham,	Verona,
Doughten,	Isaacs,	O'Dell,	Wall,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	Ogilvie,	Weidner,
Eilberg,	Johnson, R. P.,	Parlante,	Welsh,
Elvey,	Jones,	Pashley,	Whittaker,
Eshback,	Keiser,	Perry,	Willard,
Eshleman,	Kelly,	Petrosky,	Willaredt,
Farabaugh,	Kernaghan,	Piper,	Williams, A. D.,
Fetterolf,	Kessler,	Polaski,	Williams, E. S.,
Fineman,	King,	Polen,	Wood,
Flynn,	Kistler,	Prendergast,	Worley,
Foor,	Klein,	Price,	Wynd,
Fox,	Knecht,	Pursley,	Yetter,
Frascella,	Kooker,	Reibman,	Zember,
Fry,	Kornick,	Renwick,	Zimmerman,
Fulmer,	Korns,	Riley,	Andrews,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 304, entitled:

An Act amending the act of June 12, 1919 (P. L. 466) entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations * * *.

And said bill having been read at lenth the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Adams,	Gailey,	Lawson,	Royer,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gelfand,	Limper,	Rudisill,
Arlene,	George,	Lippincott,	Rutherford,
Ashton,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Manbeck,	Seltzer,
Blair,	Goodrich,	Markley,	Shelton,
Boies,	Gramlich,	Marsh,	Sherman,
Bonner,	Gray,	Maxwell,	Shupnik,
Bossert,	Gremminger,	May,	Simmons,
Bower,	Gross,	McCandless,	Slack,
Bowman,	Guthrie,	McCann,	Snare,
Breth,	Hamilton,	McCormack,	Stank,
Buchanan,	Hankins,	McDevitt,	Steckel,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stiteler,
Capitolo,	Heavey,	McKeever,	Stone,
Cianfrani,	Heffner,	McNally,	Sullivan, J. A.,
Cioffi,	Helm,	Meholchick,	Taylor,
Crossin,	Henzel,	Merry,	Thompson,
Curwood,	Hocker,	Miller,	Tomascik,
Davis,	Holliday,	Morley,	Tompkins,
Dengler,	Holman,	Munley,	Trusio,
Dennison,	Horst,	Musto,	Varner,
Donaldson,	Irvis,	Needham,	Verona,
Doughten,	Isaacs,	O'Dell,	Wall,
Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	Ogilvie,	Weidner,
Eilberg,	Johnson, R. P.,	Parlante,	Welsh,
Elvey,	Jones,	Pashley,	Whittaker,
Eshback,	Keiser,	Perry,	Willard,
Eshleman,	Kelly,	Petrosky,	Willaredt,
Farabaugh,	Kernaghan,	Piper,	Williams, A. D.,
Fetterolf,	Kessler,	Polaski,	Williams, E. S.,
Fineman,	King,	Polen,	Wood,
Flynn,	Kistler,	Prendergast,	Worley,
Foor,	Klein,	Price,	Wynd,
Fox,	Knecht,	Pursley,	Yetter,
Frascella,	Kooker,	Reibman,	Zember,
Fry,	Kornick,	Renwick,	Zimmerman,
Fulmer,	Korns,	Riley,	Andrews,
		Rovansek,	Speaker

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 336, entitled:

An Act repealing the act of May 24, 1917 (P. L. 266) entitled "An act regulating the packing of apples providing penalties for violations and imposing certain duties upon the Department of Agriculture".

On the question,
Will the House agree to the bill on third reading?
It was agreed to.

On the question,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, House bill No. 336 repeals the apple act of 1917, P. L. 266, which act is for the protection of the public in the marketing of apples. The provisions of this act are not fully covered by any later statute of Pennsylvania. The marketing act of 1943, P. L. 412, regulates the marketing of grapes, potatoes, apples and peaches, but this act of 1943 does not require designation of variety and size of apples, whereas, the apple act of 1917, P. L. 266, does require designation of variety and size of apples in marketing. Since taste and flavor of apples are frequently determined by variety, the labeling of the variety is a very important fact to the purchaser. A beautiful apple may have an undesirable taste.

The purchaser also needs to know the variety in order to determine the usage of the apple. For example, a Ben Davis apple is fit for baking, a Stayman Winesap is good for shipping, a Summer Rambo makes the best apple sauce, and a Paradise is excellent to eat from the tree.

In general, the labeling of the variety will help prevent any possible concealment of the quality of the apples. It is also possible that the removal of the requirement to designate size may seriously affect the grading of apples.

I say, Mr. Speaker, that at a time when the administration is claiming to want to promote the marketing of apples under its apple tax bill, which is a companion bill to this bill, the administration is now attempting to lower the standards of the apples to be marketed by letting any size of apple be sealed into a box or crate without even informing the public of the variety.

Just what is the administration trying to do by its apple program?

Mr. Speaker, I say to you that this act of 1917 should not be repealed and that it is in the interests of the general public to retain this apple act of 1917 as a part of the statutory law of this Commonwealth.

I ask you to vote "no" on House bill No. 336.

The SPEAKER. The Chair recognizes the Majority Leader.

Mr. McCANN. Mr. Speaker, House bill 336, dealing with the apple law, as the gentleman from Adams, Mr. Worley, states is not being used in Pennsylvania at the present time, and what the administration is trying to do is exactly what the apple growers, the wholesalers and the public want and nothing more. Trying to do something that the apple growers want is exactly what they have proposed—and no one else. In fact, in this very field that you are quite familiar with, evidently being an expert in the field of apple growing, the apple growers in Pennsylvania for a great number of years have attempted to enact the marketing law which will be before this House in a matter of a few days, since it was reported from committee and recommitted to the Committee on Appropriations and will be returned from the Committee on Appropriations to the House to be debated and voted on in the very near future.

There is no question that there are two laws on the books now, Public Law 412 of May 21, 1943, and Public Law 266 of May 24, 1917. House Bill 336 deals with Public

Law 266 of May 24, 1917. Now, a recent survey, and the gentleman from Adams knows this, indicates that, of all the other States in the Union dealing in this field, Pennsylvania, along with other States, is a great apple-producing State. Now, if Pennsylvania's position is right, then the other States' position is not correct. If Pennsylvania's position is wrong, the other States' position may be right. This survey was conducted, and it is pretty well assumed that the Department has adopted a policy and does adopt a policy about the film container being a closed package. The marketing law alone takes care of this situation.

You have a comparison of these two laws in your possession. You have Public Law 266 of 1917 and Public Law 412 of 1943, and I was given to understand that you have in your possession a direct comparison of the features of each of the two laws. It would seem to me that if the people who produce apples, who grow apples, the wholesalers and the marketing public would be satisfied to repeal the one law that is not being used, it would make sense to repeal same.

It is also my understanding that additional debate will be had on some of these points when the marketing law bill will be before this House dealing with the apple industry, although it will very likely include other industries, perhaps the Pennsylvania Red Cherry Growers Association, which desires to be considered under the proposed apple law which will be before the House in the very near future.

I would like to say to the gentleman from Adams, Mr. Worley, that the administration is trying to do exactly what it said it would do, and nothing more, and that is, that it wants to help Pennsylvania people in each of these fields. There is no effort, there will be none, to attempt by any legislation to impose upon those people something that they do not want themselves. The communications I have received on this clearly indicate their desire to have the one law repealed, which this House bill 336, printer's No. 365, proposes.

I believe your position is reversed from what it should be, but that is your prerogative and you may speak and vote as you please. We, in turn, clearly believe this is what the people indicated they wanted and we are going by their recommendations. The Department of Agriculture has indicated they also desire to go along exactly with those recommendations.

Mr. WORLEY. Mr. Speaker, I would like to ask the majority leader what growers want this repealer? I have had no individual growers tell me that they want this repealer, that is, House bill 336.

How is this bill going to promote the marketing of apples? The administration, in House bill 337, is attempting, they claim, to promote the marketing of apples when, under this very bill, they are doing nothing but cutting down the standards for the promotion of apples. What they are doing here, actually, is allowing you to take any kind of apple and seal it and not label it as to variety. What protection is that for the general public?

This law of 1917, known as the apple act, is a protection to the general public. It is not only a good thing for the rural areas, but to you members who live in the city areas it is a very important piece of legislation. It is for your general protection.

And now, if you are talking about the Department of Agriculture, yes, I have an analysis from Mr. Rainey and it says there is a division of opinion as to whether this bill should be repealed. If you have a copy, it contains the same.

This law of 1917, members of this House, is a protection to the general public of this Commonwealth. I ask the members to keep it on the statute books. The administration is claiming they are promoting apples by the two companion bills, but they are doing just the opposite in this from what they claim they are doing in the other bill. In the other bill, they claim they are promoting the marketing of apples by the apple tax, and so on. And I am not even for that. House bill 337. This bill 336 does just the opposite. You are cutting down standards. You are saying you do not have to mark varieties, you are saying you do not need to mark size, and you are going to take that kind of a product, any old kind of a product and seal it, without knowing the size and without knowing the variety. Then you say you are going to promote a great Pennsylvania product.

Ladies and gentlemen, I ask you to vote down this bill.

Mr. McCANN. Mr. Speaker, I have never seen such vim and vigor from that man from Adams County in my years in this House until today.

May I say that when he protesteth so loud, he doesn't have the facts.

The SPEAKER. Might I remind the majority leader that he is familiar with the kind of apples out of which you make apple sauce.

Mr. McCANN. Mr. Speaker, I can see very easily by the gentleman's remarks that he is not even for the proposed legislation, because he stated so. Now, who is for such legislation? I do not know the names of the apple growers by name, but I know that they do have a statewide organization. I do know that they are members voluntarily, and no other way; that they do belong to such an association; and that they pay their own money and dues, belonging to it; and that they are the ones who proposed this, and no one else. So there must be some by name, including some who live in Adams County who grow apples as an agricultural industry and who belong to that organization.

In addition, you say clearly that the law as now used is on the books. Are the apples now marked in the containers as you indicate? Would you say that the apples are now clearly defined on the boxes or containers as they are shipped all over the United States? Or would you say that they are shipped as apples in classification? Would you care to say as to every grower or every shipper of apples that the law that has been on the books has been enforced in any way? Would you say there is anyone attempting to enforce it? Or would you say that the Department of Agriculture has been trying to work with those people who grow apples and want to ship them without those markings on the box, even though the law says that this is what they are supposed to do? Those would be questions that you should know the answers to, being an apple grower from an apple county, a great county in Pennsylvania.

These things are questions that we put to you, and you know very distinctly the answer to each question. Your position today would be one that would make us believe that by repealing this act we are trying to degrade or hurt

this great industry. Perhaps you have the better thinking of all the apple-growing industry than does the association to which they belong. I will have to accept the recommendation of those people who are in that industry, who belong to a statewide organization of their own choosing, who spend their own money and ask for this legislation. Even under the bill that you are going to be against, it will be definitely their own money, their own money that they want to spend in promoting this great Pennsylvania product, these apples. I think they know something about what they are talking about and I will accept their decision.

Mr. WORLEY. Mr. Speaker, I do not like needlessly to take up the time of this House, but in regard to the majority leader's remarks, I think his major premise is wrong in assuming that all the fruit growers or apple growers want this bill or the companion bill, the apple tax bill. I think his major premise is wrong.

I know that the Fruit Growers' Association of Pennsylvania has gone on record in favor of this bill. I also know that the Farmers' Association lobbyists have contacted me against this bill. I also know that many members of the Fruit Growers' Association who live in Adams County have contacted me to vote against this bill. I know they have told me that they sat in the meeting in York, Pennsylvania, and because of a few big ones wanting to push it down their throats they did not like to say anything, and they said, "Francis you say it for us," and I will.

They do not want this bill. I know that there are just a few big fellows who want to push it down their throats. I know the Adams County Fruit Growers' Association went on record in favor of it. But I can find you fruit growers in Adams County who are not for it. And I tell you the general public is not for an apple tax, too. If you want to vote to put an apple tax on the people of this Commonwealth, and there are very few growers who do not want it, you go ahead and do it. This bill is contrary to what you said you were going to do in House bill 337.

I am against this bill because they are inconsistent, and I am also against the apple tax.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. MAXWELL. Mr. Speaker, I have been trying to get the floor for a half hour.

Mr. TOMPKINS. I will yield to the gentleman from Westmoreland, Mr. Maxwell.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the majority floor leader.

The SPEAKER. Will the majority floor leader permit himself to be interrogated?

Mr. McCANN. Mr. Speaker, I shall.

Mr. MAXWELL. Mr. Speaker, for the enlightenment of the House members, we city slickers who do not know anything about apples or how to make apple sauce would like to ask one question so I may vote intelligently on this bill without looking up the past act and what it did and what it did not do.

Mr. McCann, is this bill intended to protect the apple growers, or is it intended as a protection for the general public?

Mr. McCANN. Mr. Speaker, both acts, the act of 1917 and the act of 1943, when they were written into law, were without a doubt written with the intention of helping to promote and protect the apple industry of the Commonwealth of Pennsylvania. There are two acts on the books dealing with the very same subject, two specific laws, one of 1917 and one of 1943. If you are asking me if they were written at that time to protect the public, my answer would be: I believe they would be written to help the apple industry in an effort to give to the public a better grade or choice of apples. As far as protecting the public, I would not know that the public had written either one, but there are two acts covering the very same subject and the comparison of the two acts is clearly in Mr. Worley's hands.

Mr. MAXWELL. Mr. Speaker, I thank the gentleman.

Then, according to your answer, Mr. McCann, the end result of this legislation would be not only a protection to the apple growers and producers but to the general public so that they may know what grade of apple they are buying? In other words, they are not buying a pig in a poke, is that correct?

Mr. McCANN. Mr. Speaker, the gentleman's question as to what the public buys now in apples I could not answer, because the 1943 law was called the marking law. The 1917 law was called the apple law. Marking requirements, the lettering, facing of packages, the general misrepresentation, the penalty was somewhat similar in some sections, entirely opposite in other sections, but today, right today, the public of Pennsylvania can buy apples in more ways than one. You can buy apples now in any supermarket in the Commonwealth of Pennsylvania that are not graded as to size, or you can buy apples that are graded. You can buy select apples or you can buy apples that are mixed. There is no question that when you buy a better grade of apple, a selected apple, the public pays more for that product than it does for a mixed size apple, the same as a thousand other items. As far as the public is concerned, it is my honest opinion that the public gets from Pennsylvania the best Pennsylvania apples in the respective grades that they pay for and desire to pay for.

Mr. MAXWELL. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I do not know anything about fruit growing or apple growing, and I am rapidly getting the impression that if one little apple can cause so much trouble I wonder whether I want to look another apple in the face. The majority leader made a statement which leaves me under the impression that one of the reasons why they want this bill, which is a repealer, is because of the fact that the act is not being enforced, and to me that is a very poor reason why they want to repeal legislation. If it is a bill which has been put down for the protection of the public as well as the apple grower, then I say to you, enforce it.

Mr. McCANN. Mr. Speaker, I would like to interrogate the gentleman from Adams, Mr. Worley, to clear a couple points. Will the gentleman consent to be interrogated?

The SPEAKER. Will the gentleman from Adams permit himself to be interrogated by the majority leader?

Mr. WORLEY. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Goldstein.

Mr. McCANN. I would ask the gentleman from Allegheny County, Mr. Goldstein, if the Adams County Apple Producers' Association—

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have no fear about speaking in this civil war between the apple growers of the Commonwealth of Pennsylvania. I have one farmer in my district and he has confidence in the legislature. I have 28,000 registered voters and 54,000 residents who are interested in eating the right kind of apples, whether it is in apple sauce or whether it is in the form of a product made by some of the manufacturers in the various counties in the immediate area of Harrisburg.

I have the bill before me and it seems as though the legislation was passed for the benefit of the public and that a duty was imposed upon the Secretary of Agriculture to enforce this legislation. Now if we have no supplementary legislation intended to take the place of this act, then I say the public will be hoodwinked, and let me speak on behalf of all the farmers of Pennsylvania who do not reside in my district and also the consumers and give you the first paragraph of this act, which reads as follows: "that every closed package containing apples grown in the State of Pennsylvania which is sold, offered, or consigned for sale, packed for sale, or shipped for sale, shall bear upon the outside of one end in plain letters, or figures, or both, the name and address of the person by whose authority the apples were packed, the true name of the variety therein contained and the minimum size or numerical count of the fruit in the package." Then the act further goes on to recite the tolerance which is allowed, and I say to you, Mr. Speaker and Mr. Majority Leader, is this not legislation in the interest of the average public? I am really intrigued to know why an act of this character is being repealed, so please give me an answer and tell me why the public is not being considered in this particular legislation?

Mr. McCANN. I will be most pleased to. If the gentleman from Allegheny, Mr. Goldstein, and he is a very able attorney, will go to his public laws, he will find Public Law 412 in 1943. It is the act of May 21. This act is the public law of 1917, Public Law 266, May 24, 1917. The two acts, one is called the apple law and the other is called the marking law. The 1943 law is the marking law. The 1943 law is the law which the Department of Agriculture is using, Mr. Speaker. They are. There are two acts on the books and I would certainly say that both of the acts, both the act of 1917 and the act of 1943, without a doubt, in the wisdom of the people who enacted that law, were enacted to get on the Pennsylvania market Pennsylvania apples that would be healthful to the Pennsylvania consumer, because the apples they shipped from Pennsylvania to other States fell under other laws than Pennsylvania laws, the same as the apples that were being shipped from the State of Virginia and west coast into the Commonwealth of Pennsylvania. So I would say to you that in my honest, humble opinion, by repealing, one, the 1917 act, which is House bill 336, that you still have adequate law protection under public law 412 of May 21, 1943.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I do not have before me the act of 1943. The gentleman from Adams, Mr. Worley, contends that it does not embrace apples.

I therefore now move, because I am confused, that this bill be placed on the final passage postponed calendar so we can get an intelligent decision from the apple growers of Pennsylvania.

Mr. McCANN. Mr. Speaker, I will go along with the motion if I am permitted to clear a couple of points before we vote on the bill on Monday.

I desire to interrogate the gentleman from Adams, Mr. Worley.

The SPEAKER. The gentleman from Allegheny, Mr. Goldstein, withdraws his motion temporarily.

The majority leader will proceed.

Mr. McCANN. Would the gentleman from Adams, Mr. Worley, care to divulge to the House, in any way that he sees fit, the apple growers, whom he named in generalities as being a couple of large ones stuffing it down their throats? Would he care to name who they are by name? I assume they are important industrialists in Adams County.

Mr. WORLEY. I will not divulge names, because I do not know whether they want me to on the floor of this House.

Mr. McCANN. All right. Mr. Speaker, I would also like to ask the gentleman from Adams County, is there an organization within Adams County that you represent in this industry?

Mr. WORLEY. Is there an organization that I represent?

Mr. McCANN. You represent Adams County, sir. Is there an organization in your county?

Mr. WORLEY. I try to represent all the people of Adams County.

Mr. McCANN. Mr. Speaker, I am trying to be serious now. You represent Adams County. You are the elected official in this House from that county.

Mr. WORLEY. I am serious, too.

Mr. McCANN. Is there a county-wide apple growers' association in Adams County?

Mr. WORLEY. There is an Adams County Fruit Growers' Association.

Mr. McCANN. Is that organiaztion a bone fide organization in Adams County?

Mr. WORLEY. I would certainly have no reason to think otherwise.

Mr. McCANN. Would you care to indicate their position either in support or against this legislation?

Mr. WORLEY. Will the gentleman repeat his question, please? I did not quite get the last part of it.

Mr. McCANN. If such an organization exists in Adams County, which it does, would you indicate to this House whether that organiaztion favors or opposes this legislation?

Mr. WORLEY. I have a letter from its secretary, Mr. Beamer, which states that the organization went on record as favoring the bill, that is, House bill 337. I do not recall whether it includes this bill we have here, or not. I do not have the letter before me, but that goes back to my former remarks, that a good many members are not for it, as well as people who are not members, as well as people who are members of the general public. As you know, I am the representative of all the people over there. I try to be to the best of my ability, so we cannot go by what a few want.

You are doing the interrogating, so I will wait until you get through, then I will ask you something.

Mr. McCANN. I can see, Mr. Speaker, the gentleman is on the hot seat, and no matter how he straddles the fence, the organization also indicated to the Department of Agriculture and to me that they favor this legislation. It was my understanding that you received such communique from them, signed by a secretary, designated as the secretary of that organization, and they also have a statewide organization to which these people belong, stating that they favor this legislation.

The only other question I want to ask you is: Is the Adams County Fruit Growers Association a part of the state organization?

Mr. WORLEY. Is the Adams County Fruit Growers' Association a part of the state organization? First, before I answer that question, I would like to state in regard to what the gentleman said, I am not on any hot spot, I know about the organization's letter, I have one from the Adams County Fruit Growers' Association. But what I am saying is that there are many people involved who are not for it, and if the gentleman investigates he will find many are not for it. How about the fruit growers who are not members of the organization? There are a great many who are members, too, who are not for this bill.

Mr. McCANN. Now, would you answer the question, whether they are members of the organization or not?

Mr. WORLEY. Of the state? I assume they are. I am not certain about that.

Mr. McCANN. You assume they are?

Mr. WORLEY. I am not certain. I cannot answer that question. I think they are, but I am not certain.

Mr. McCANN. Mr. Speaker, I thank the gentleman very kindly.

The SPEAKER. The Chair now recognizes the gentleman from Allegheny, Mr. Goldstein, for a motion.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am not going to pursue the motion. The debate has been between Mr. Worley and Mr. McCann. Whatever these gentlemen wish to do is up to them.

The SPEAKER. For what purpose does the gentleman from Adams rise?

Mr. WORLEY. If we are still debating House bill 336, I would like to clear up a point raised by the majority leader.

The SPEAKER. The gentleman is in order, unless it is the purpose of someone to make a motion to put this bill on the postponed calendar.

Mr. WORLEY. I understand that motion has been—

The SPEAKER. That has been withdrawn, but if it is to be remade by any member of the House, the Chair would not know. But, if the motion is to come, there is no reason why we should extend the present debate.

Mr. McCANN. Mr. Speaker, I am going to make the motion. I was yielding to Mr. Goldstein to have that privilege since he first indicated that, but I have cleared my points and I will have the additional material now for the debate on the bill and I would like to make the necessary motion.

The SPEAKER. Does the gentleman from Blair desire to be recognized now, prior to the making of the—

The Chair recognizes the gentleman from Blair, Mr. Auker.

Mr. AUKER. Mr. Speaker, I can now, if the gentleman from Greene will yield for just a minute—

Mr. McCANN. I will, sir.

Mr. AUKER. Mr. Speaker, I am not concerned so much with the apples concerned here. I am concerned with the consumer, the public, and I am also very much concerned with the principle of legislation involved here. As I understand it, there is another bill to be introduced that will surpass—supplement—this law which intends to repeal the act of 1917. Now, I am wondering why, if that act is going to take the place of this act, that is the new act that is going to be proposed and which, supposedly, is to strengthen the apple growing industry and, I suppose, to strengthen the right of the consumer to be protected. Why do we not wait until that act is introduced and passed, and then repeal this act. Then we can vote intelligently and know just what act is going to be introduced and passed, supposedly in this House, to take the place of this act. Why this haste to put a repealer in before the other act is trotted out on the floor of this House so that we can see what it is and know what it is all about? That is why I think this bill ought to be tabled and kept tabled and on the postponed calendar until the other act is brought out, so that we know what we are talking about.

The SPEAKER. The Chair is of the opinion that the motion to place this bill on the postponed calendar would have a priority over previous debate.

MOTION TO POSTPONE

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER. For what purpose does the gentleman rise?

Mr. WORLEY. Mr. Speaker, I oppose this motion. We went through all this debate. I think we should vote this bill down today. We have had an explanation on it. The matter that the majority leader is raising, saying that this bill is covered by a subsequent act of 1943, is true in part, but it does not cover the matter—

Mr. McCANN. Mr. Speaker, ask him to stay with the question.

The SPEAKER. The Chair would say there is nothing but the matter before the House. The question is to place this bill upon the postponed calendar.

Mr. McCANN. Mr. Speaker, I wish the House to know that I ask that they support this motion. House bill 337 wlil come out of the Appropriation Committee and it will be voted and debated before 336.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Heavey, rise?

Mr. HEAVEY. Mr. Speaker, I would like to see this voted on now. I love the gentleman from Adams County and the way he has opposed the bill. I have not seen so much action since they tried to put a hot dog stand in my neighborhood!

Mr. McCANN. Mr. Speaker, for the information of the membership, I will not be outmaneuvered parliamentarily. If you vote it and it falls, we will vote with you and we will bring it back.

You are wasting your own time. You do as you please.

On the question recurring,

Will the House agree to the motion?

Whereupon, a division was called for, sixty-eight members having voted in the affirmative and seventy-one in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

MOTION TO LAY BILL ON TABLE

Mr. McCANN. Mr. Speaker, I move that the bill be laid upon the table.

On the question,

Will the House agree to the motion?

The SPEAKER. A motion to place the bill upon the table is not debatable. Change the motion.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, we will take the same vote upon this motion.

The SPEAKER. The minority leader has expressed the desire to take the same roll call. Shall we then ask for a division?

Whereupon, a division was called for, seventy-three members having voted in the affirmative and seventy-eight in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that House bill 336, printer's No. 365, be recommitted to the Committee on Rules.

The SPEAKER. The question before the House is the recommitting of this bill to the Committee on Rules. It is debatable within the purvue of the question pending, but it is not debatable so far as the merits of the bill are concerned.

On the question,

Will the House agree to the motion?

For what purpose does the gentleman from Adams, Mr. Worley, rise?

Mr. WORLEY. Mr. Speaker, I rise to oppose this motion. We have taken a great deal of time here and we should vote on this bill today. There is no reason to recommit this bill. The subsequent act of 1943 does not cover everything that is in this law of 1917, which you are attempting to repeal. We should vote this down. Vote this motion down, members.

Whereupon, a division was called for, seventy-eight members having voted in the affirmative and seventy-seven in the negative, the question was determined in the affirmative and the motion was agreed to.

The SPEAKER. For what purpose does the gentleman from Cumberland County, Mr. Kistler, rise?

Mr. KISTLER. I ask for a roll call, Mr. Speaker.

The SPEAKER. The request was a trifle delayed. It is now out of order.

Mr. KISTLER. Mr. Speaker, is it out of order to ask for a re-vote on the roll call?

The SPEAKER. Such a motion would be distinctly out of order.

Mr. KISTLER. Mr. Speaker, can we have a verification of the vote by roll call?

The SPEAKER. Not now. There was no call for a roll call. There was a call for a division.

Mr. KISTLER. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. TOMPKINS. Mr. Speaker, I merely wish to make a statement to this effect, that before this session started this afternoon I had made a request of the majority leader to put this bill over until Monday and advised him that we would vote "no," on this side of the House. But he suggested that he could explain this bill sufficiently, perhaps, to convince us that it ought to pass. We have consumed all this time here, in my opinion, to no good purpose.

The SPEAKER. It was a noble exhibition of parliamentary debate. It is the best show that the gentlman from Adams has ever put on in the House. It was a considerable relief from the usual drab routine of so many men on one side of the House voting "aye" and so many men on the other side of the House voting "nay." It was a distinct relief. I think we ought to practice it every once in a while.

The Chair recognizes the majority leader.

Mr. McCANN. I believe it would have been well for the acting minority leader to consider the situation and supported the motion made to place it on the postponed calendar so bill 337 could be brought out and debated. This is directly contrary to the position indicated at an earlier date, that this should go over until such time as some more information could be obtained from the members. This is exactly what we are doing now. The bill will be back, out of Rules Committee when 337 is here and in position to be voted on; 337 was reported from the Committee on Appropriations about two hours ago.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 425, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for alternates to serve on the joint school committee

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—168

Adams,	Gailey,	Lawson,	Royer,
Anderson, J. H.,	Gelfand,	Lee, K. B.,	Rubin,
Anderson, S. A.,	George,	Limper,	Rudisill,
Arlene,	Gibb,	Lippincott,	Rutherford,
Ashton,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Goldstein. M. H.,	Magee,	Schaaf,
Backenstoe,	Goodrich,	Manbeck,	Seltzer,
Blair,	Gramlich,	Markley,	Shelton,
Boies,	Gray,	Marsh,	Sherman,
Bonner,	Gremminger,	Maxwell,	Shupnik,
Bossert,	Gross,	May,	Simmons,
Bower,	Guthrie,	McCandless,	Slack,
Bowman,	Hamilton,	McCann,	Snare,
Buchanan,	Hankins,	McCormack,	Stank,

Bush,	Hartley,	McDevitt,	Steckel,
Capano,	Haudenshield,	McDonald,	Stimmel,
Capitolo,	Heavey,	McInroy,	Stiteler,
Cianfrani,	Heffner,	McKeever,	Stone,
Cioffi,	Helm,	McNally,	Taylor,
Crossin,	Henzel,	Meholchick,	Thompson,
Curwood,	Hocker,	Merry,	Tomascik,
Davis,	Holliday,	Miller,	Tompkins,
Dengler,	Holman,	Morley,	Trusio,
Dennison,	Horst,	Munley,	Varner,
Donaldson,	Irvis,	Musto,	Verona,
Doughten,	Isaacs,	Needham,	Wall,
Down,	Jim,	O'Dell,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Johnson, R. P.,	Ogilvie,	Welsh,
Elvey,	Jones,	Parlante,	Whittaker,
Eshback,	Keiser,	Pashley,	Willard,
Eshleman,	Kelly,	Perry,	Willaredt,
Farabaugh,	Kernaghan,	Petrosky,	Williams, A. D.,
Fetterolf,	Kessler,	Piper,	Williams, E. S.,
Fineman,	King,	Polaski,	Wood,
Flynn,	Kistler,	Polen,	Worley,
Foor,	Klein,	Price,	Wynd,
Fox,	Kooker,	Pursley,	Yetter,
Frascella,	Kornick,	Reibman,	Zimmerman,
Fry,	Korns,	Riley,	Zember,
Fulmer,	Knecht,	Rovansek,	Andrews, Speaker

NAYS—5

Breth,	Gallagher,	Prendergast,	Renwick,
			Sullivan, J. A.,

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 442, printer's No. 481 and

House bill No. 452, printer's No. 890

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 568, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350) providing for the payment of expenses related to investments from interest earnings of the fund providing under certain circumstances for the payment of such expenses by annual appropriations of the Commonwealth and providing for annual crediting of certain funds to the contingent reserve account.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—173

Adams,	Gallagher,	Limper,	Rubin,
Anderson, J. H.,	Gelfand,	Lippincott,	Rudisill,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gibbons,	Magee,	Scarcelli,
Auker,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bachman,	Goldstein, M. H.,	Markley,	Seltzer,
Backenstoe,	Goodrich,	Marsh,	Shelton,
Blair,	Gramlich,	Maxwell,	Sherman,
Boies,	Gray,	May,	Shupnik,
Bonner,	Gremminger,	McCandless,	Simmons,
Bossert,	Gross,	McCann,	Slack,
Bower,	Guthrie,	McCormack,	Snare,
Bowman,	Hamilton,	McDevitt,	Stank,
Breth,	Hankins,	McDonald,	Steckel,
Buchanan,	Hartley,	McInroy,	Stimmel,
Bush,	Haudenshield,	McKeever,	Stiteler,
Capano,	Heavey,	McNally,	Stone,
Capitolo,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Taylor,
Cioffi,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Morley,	Tomascik,
Curwood,	Holliday,	Munley,	Tompkins,
Davis,	Holman,	Musto,	Trusio,
Dengler,	Horst,	Needham,	Varner,
Dennison,	Irvis,	O'Dell,	Verona,
Donaldson,	Isaacs,	O'Donnell, J. A.,	Wall,
Doughten,	Jim,	Ogilvie,	Wargo,
Down,	Johnson, A. W.,	Parlante,	Weidner,
Edwards,	Johnson, R. P.,	Pashley,	Welsh,
Eilberg,	Jones,	Perry,	Whittaker,
Elvey,	Keiser,	Petrosky,	Willard,
Eshback,	Kelly,	Piper,	Willaredt,
Eshleman,	Kernaghan,	Polaski,	Williams, A. D.,
Farabaugh,	Kessler,	Polen,	Williams, E. S.,
Fetterolf,	King,	Prendergast,	Wood,
Fineman,	Kistler,	Price,	Worley,
Flynn,	Klein,	Pursley,	Wynd,
Foor,	Kooker,	Reibman,	Yetter,
Fox,	Kornick,	Renwick,	Zember,
Frascella,	Korns,	Riley,	Zimmerman,
Fry,	Knecht,	Rovansek,	Andrews, Speaker
Fulmer,	Lawson,	Royer,	
Gailey,	Lee, K. B.,		

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 569, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) imposing certain duties on the Governor the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—173

Adams,	Gallagher,	Limper,	Rubin,
Anderson, J. H.,	Gelfand,	Lippincott,	Rudisill,

Anderson, S. A.,	George,	Long, Wm. Jas.,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gibbons,	Magee,	Scarcelli,
Auker,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bachman,	Goldstein, M. H.,	Markley,	Seltzer,
Backenstoe,	Goodrich,	Marsh,	Shelton,
Blair,	Gramlich,	Maxwell,	Sherman,
Boies,	Gray,	May,	Shupnik,
Bonner,	Gremminger,	McCandless,	Simmons,
Bossert,	Gross,	McCann,	Slack,
Bower,	Guthrie,	McCormack,	Snare,
Bowman,	Hamilton,	McDevitt,	Stank,
Breth,	Hankins,	McDonald,	Steckel,
Buchanan,	Hartley,	McInroy,	Stimmel,
Bush,	Haudenshield,	McKeever,	Stiteler,
Capano,	Heavey,	McNally,	Stone,
Capitolo,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Taylor,
Cioffi,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Morley,	Tomascik,
Curwood,	Holliday,	Munley,	Tompkins,
Davis,	Holman,	Musto,	Trusio,
Dengler,	Horst,	Needham,	Varner,
Dennison,	Irvis,	O'Dell,	Verona,
Donaldson,	Isaacs,	O'Donnell, J. A.,	Wall,
Doughten,	Jim,	Ogilvie,	Wargo,
Down,	Johnson, A. W.,	Parlante,	Weidner,
Edwards,	Johnson, R. P.,	Pashley,	Welsh,
Ellberg,	Jones,	Perry,	Whittaker,
Elvey,	Keiser,	Petrosky,	Willard,
Eshback,	Kelly,	Piper,	Willaredt,
Eshleman,	Kernaghan,	Polaski,	Williams, A. D.,
Farabaugh,	Kessler,	Polen,	Williams, E. S.,
Fetterolf,	King,	Prendergast,	Wood,
Fineman,	Kistler,	Price,	Worley,
Flynn,	Klein,	Pursley,	Wynd,
Foor,	Kooker,	Reibman,	Yetter,
Fox,	Kornick,	Renwick,	Zember,
Frascella,	Korns,	Riley,	Zimmerman,
Fry,	Knecht,	Rovansek,	Andrews,
Fulmer,	Lawson,	Royer,	Speaker
Gailey,	Lee, K. B.,		

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 570, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) requiring the Board of Finance and Revenue to make and certify annual reports to the Governor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—173

Adams,	Gallagher,	Limper,	Rubin,
Anderson, J. H.,	Gelfand,	Lippincott,	Rudisill,

Anderson, S. A.,	George,	Long, Wm. Jas.,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gibbons,	Magee,	Scarcelli,
Auker,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bachman,	Goldstein, M. H.,	Markley,	Seltzer,
Backenstoe,	Goodrich,	Marsh,	Shelton,
Blair,	Gramlich,	Maxwell,	Sherman,
Boies,	Gray,	May,	Shupnik,
Bonner,	Gremminger,	McCandless,	Simmons,
Bossert,	Gross,	McCann,	Slack,
Bower,	Guthrie,	McCormack,	Snare,
Bowman,	Hamilton,	McDevitt,	Stank,
Breth,	Hankins,	McDonald,	Steckel,
Buchanan,	Hartley,	McInroy,	Stimmel,
Bush,	Haudenshield,	McKeever,	Stiteler,
Capano,	Heavey,	McNally,	Stone,
Capitolo,	Heffner,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Helm,	Merry,	Taylor,
Cioffi,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Morley,	Tomascik,
Curwood,	Holliday,	Munley,	Tompkins,
Davis,	Holman,	Musto,	Trusio,
Dengler,	Horst,	Needham,	Varner,
Dennison,	Irvis,	O'Dell,	Verona,
Donaldson,	Isaacs,	O'Donnell, J. A.,	Wall,
Doughten,	Jim,	Ogilvie,	Wargo,
Down,	Johnson, A. W.,	Parlante,	Weidner,
Edwards,	Johnson, R. P.,	Pashley,	Welsh,
Ellberg,	Jones,	Perry,	Whittaker,
Elvey,	Keiser,	Petrosky,	Willard,
Eshback,	Kelly,	Piper,	Willaredt,
Eshleman,	Kernaghan,	Polaski,	Williams, A. D.,
Farabaugh,	Kessler,	Polen,	Williams, E. S.,
Fetterolf,	King,	Prendergast,	Wood,
Fineman,	Kistler,	Price,	Worley,
Flynn,	Klein,	Pursley,	Wynd,
Foor,	Kooker,	Reibman,	Yetter,
Fox,	Kornick,	Renwick,	Zember,
Frascella,	Korns,	Riley,	Zimmerman,
Fry,	Knecht,	Rovansek,	Andrews,
Fulmer,	Lawson,	Royer,	Speaker
Gailey,	Lee, K. B.,		

NAYS—0

NOT VOTING—35

Agnew,	Foerster,	McLaughlin,	Reidenbach,
Branca,	Guesman,	Mihm,	Schuster,
Cauley,	Jenkins,	Mills,	Strausser,
Clarke,	Kamyk,	Monroe,	Sullivan, T. F.,
Comer,	Kramer,	Mullen,	Ujobai,
Cooley,	Lamb,	Murphy,	Walsh,
Dougherty,	Lee, A. M.,	Murray,	Wescott,
Ewing,	Leonard,	O'Donnell, J. P.,	Wilt,
Filo,	Lutty,	Odorisio,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 573, printer's No. 618 and

House bill No. 636, printer's No. 692

were passed over at the request of the SPEAKER.

HOUSE RESOLUTION No. 27

Mr. McCANN. Mr. Speaker, I call up House resolution No. 27 on page 16 of the calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 6, 1961.

The House of Representatives of the Commonwealth of Pennsylvania recognizes the importance of port facilities

The City of Chester has port facilities which have been allowed to deteriorate and now serve very little if any useful purpose

Rehabilitation of these facilities would promote the economy of the City of Chester in creating jobs advancing industrial production and generally ameliorating business conditions

Resolved That the House of Representatives urge the Honorable Joseph Eyre Mayor of the City of Chester and the Delaware River Port Authority to forthwith do all in their power to rehabilitate and develop the port facilities of Chester Pennsylvania and be it further

Resolved That they be urged to enlist the aid of Federal Government and State Agencies in furthering the development of the aforesaid port facilities and be it further

Resolved That a copy of this resolution be sent to the Honorable Joseph Eyre Mayor of the City of Chester and a copy to the City Council in care of Richard Larkin Chief Clerk City of Chester Pennsylvania and to the Delaware River Port Authority.

STATEMENT BY MAJORITY LEADER

Mr. TOMPKINS. Before the members start filtering away, I would like to remind all of the members on both sides that we have unanimously agreed that beginning next Monday we will start our caucuses at 3 o'clock and the session will begin at 4, and that we will close at 6, so they will have that knowledge.

The SPEAKER. Is that a promise?

Mr. TOMPKINS. That will be confirmed by letter to the Republicans.

I also would like to ask the majority leader, at this time, if he has any information yet on the schedule for Holy Week?

Mr. McCANN. Mr. Speaker, I do not have an official confirmation from all parties concerned, but the schedule would be three days next week, three days the week after that, March 20, 21, and 22, and then, without a doubt, there will be a Holy Week vacation and there would be no session from Wednesday until Tuesday following Easter.

Mr. TOMPKINS. That has not been confirmed as yet, however?

Mr. McCANN. I have gotten the Republican members of the House to agree, the Democratic members of the House to agree, the Republican members of the Senate agree. We are calling now upon the Democratic members of the Senate.

Mr. TOMPKINS. We will know definitely next week, however?

Mr. McCANN. We will.

Mr. TOMPKINS. Thank you, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. DONALDSON asked and obtained unanimous consent to address the House.

Mr. DONALDSON. Mr. Speaker, on behalf of the Republican caucus, I want to submit a series of additional bills implementing the legislative program adopted by this caucus. Because we are closing this session and because these bills have received a certain publicity in the press, I would just like to mention them before putting them in. One of them grants tax exemption for certain older citizens of limited incomes, one amends the Vehicle Code by requiring the attachment of safety belt devices, another bill consolidates the Common Pleas Court in the County of Philadelphia, we amend the State Harness Racing Law by prohibiting public officers, public employes, and party officers from having an interest in parimutuel racing activities, and we request a study of truck braking. These bills have received publicity, they have been submitted, and I trust the majority will see that they receive due consideration by the proper committees.

INTERROGATION

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Sherman.

Mr. SHERMAN. May I interrogate the previous speaker, Mr. Speaker?

The SPEAKER. Will the gentleman from Allegheny, Mr. Donaldson, permit himself to be interrogated?

Mr. DONALDSON. I will, Mr. Speaker.

Mr. SHERMAN. Am I correct that the first bill you mentioned was a bill giving tax exemption to those over 65 with an income of $5,000?

Mr. DONALDSON. That is not quite true. What we propose is a joint resolution authorizing this legislature to grant tax exemption to persons over 65 years of age, and at the same time a statute that would grant the exemption up to $1,000 of the assessed valuation, to those persons over 65 who had an income of less than $5,000.

Mr. SHERMAN. Mr. Speaker, does the gentleman realize that House bill 139, which was ordered prior to the time the session started, which was introduced by the Democrats, by myself, by Mr. Gelfand and Mr. Williams, states exactly that position in the form of a joint resolution. Therefore, as a member of the House I think I have the right to object to a similar bill being introduced by the other side.

Mr. DONALDSON. Mr. Speaker,—

The SPEAKER. The Chair would say that any member can introduce a bill of any type, that he may elect to introduce.

Mr. DONALDSON. I would answer the gentleman, Mr. Speaker, if I may. I am aware of the gentleman's bill and I think it is a good one. But, ours is a little bit different; perhaps I did not make that clear. What we propose is the constitutional authority for this legislature to grant exemptions as it sees fit to people in lower income brackets. The gentleman will agree that that is a different constitutional amendment than he has, I believe.

Mr. SHERMAN. Mr. Speaker, House bill 139 is proposing an amendment to the Constitution.

Mr. DONALDSON. That is right.

Mr. SHERMAN. A joint resolution. Now, do you propose anything different than that?

Mr. DONALDSON. We do propose something different, but I would honestly rather not take up the time of the House at this point. I am happy that we are in agreement on the basic premise and I would like to walk back and talk to the gentleman after this House is adjourned and explain the difference. If he has any further questions on it next week we can, perhaps,—

Mr. SHERMAN. One other question. Would you be in agreement to support House bill 139, in the form of a joint resolution as an amendment to the Constitution?

Mr. DONALDSON. I did not quite hear the question.

Mr. SHERMAN. Will you lend your support to House bill 139, the bill that was introduced by myself, Mr. Gelfand and Mr. Williams, in the form of a joint resolution to amend the constitution?

Mr. DONALDSON. I am certainly in agreement with that principle. I think our resolution is a better one. Perhaps, you can support ours. Certainly we could talk about it.

ADJOURNMENT

Mrs. REIBMAN. Mr. Speaker, I move that this House do now adjourn until Monday, March 13, 1961 at 4:00 p.m., e.s.t.

The motion was agreed to, and (at 1:36 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, MARCH 13, 1961. No. 27.

SENATE

MONDAY, March 13, 1961.

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Jo Hays) in the Chair.

PRAYER

The Chaplain, Rev. DOCTOR MERVIN A. HELLER, Executive Secretary of Greater Reading Council of Churches, Reading, offered the following prayer:

Let us pray.

O God, Who hast been our help in ages past and our hope for years to come, we bless Thee for Thy faithfulness, of which there is no end. We praise Thee for the gift of life which only Thou canst bestow, and for Thine unfailing goodness which over-arches our days. Forgive us that so often we have lived as feverishly as if we had no Father in Heaven, and as if we were orphans in an alien world.

Here in the quiet of this moment of prayer, may we become sensitive again to Thy presence.

"Drop Thy still dews of quietness
Till all our strivings cease;
Take from our souls the strain and stress
And let our ordered lives confess
The beauty of Thy peace."

Bless this Senate of the Commonwealth of Pennsylvania and may they labor toward the end that we may have for today, and for the tomorrows which shall come, a good and beloved community. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. MILLER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, due to illness.

GUESTS OF THOMAS A. EHRGOOD PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, we are privileged to have with us today a group of honor students, twenty-five in number, from the Junior High School Honor Society, of the eighth and ninth grades, from the Annville-Cleona Joint School District.

They are accompanied by their High School Principal, Mr. Richard Gingrich, and their Faculty Advisor, Mr. William Lemon.

I think it would be very fitting for the Chair, on behalf of the Senate, to welcome this group to our deliberations today.

The PRESIDING OFFICER. The Chair, on behalf of the Senate, is happy to welcome the guests of Senator Ehrgood; namely, the junior citizens from the Annville-Cleona High School. We are glad to have you with us and hope that you will find this Session interesting. We will be glad to welcome you back again.

GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

Mr. WADE. Mr. President, we in the Senate are honored this afternoon by having with us a delegation of women, from Carlisle, who are representing the League of Women Voters of Cumberland County. They have spent a good portion of today in the Capitol.

Mrs. Flint Kellogg and others are with us this afternoon. This morning, they attended and were very interested in the public hearing which was held by Senator Mahady and his committee.

I would be indebted to you, Mr. President, if you would greet the ladies who are visting us from Cumberland County.

The PRESIDING OFFICER. Will the guests of Senator Wade please rise in order for us to identify them?

On behalf of the Senate, we are pleased to welcome you to this session of the Senate today. We are glad that you had the opportunity of participating in the public hearing of a Senate Committee this morning, in the Senate Caucus Room.

I think the Chair failed to ask our junior citizens from the Annville-Cleona High School to rise in order for all of us to recognize them. Will the group please stand up?

NOMINATIONS BY THE GOVERNOR

REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer L. Evans, 1204 Arlington Road, Erie, Erie County, for reappointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BOARD OF TRUSTEES OF WERNERSVILLE STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Bertha M. Mish, R. D. 3, Myerstown, Lebanon County, for reappointment as a member of the Board of Trustees of Wernersville State Hospital, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Angela Dives Heizmann (Republican), P. O. Box 156, Shillington, Berks County, for appointment as a member of the Berk County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Margaret F. Brumbach, Reading, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris R. Bigam, P. O. Box 41, Normalville, Fayette County, for appointment as Justice of the Peace in and for the Township of Springfield, Fayette County, to serve until the first Monday of January 1962, vice Ronald Bigam, Jr., resigned.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 29,** which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 37** and **569,** which were referred to the Committee on State Government.

He also presented for concurrence **HB 303** and **304,** which were referred to the Committee on Agriculture.

He also presented for concurrence **HB 425** and **568,** which were referred to the Committee on Education.

He also presented for concurrence **HB 570,** which was referred to the Committee on Finance.

ANNOUNCEMENT OF APPOINTMENTS

He also informed the Senate that the Speaker of the House, Honorable Hiram G. Andrews, has made the following appointments:

PENNSYLVANIA COMMISSION ON INTERSTATE COOPERATION

David M. Boies, Chairman
Anthony J. Petrosky
Robert K. Hamilton
Mrs. Marion L. Munley
Albert W. Johnson
Edwin C. Ewing
Blaine C. Hocker

LEGISLATIVE BUDGET AND FINANCE COMMITTEE:

Hiram G. Andrews, Speaker
Stephen McCann, Majority Leader
Edwin W. Tompkins, for Minority Leader
J. Dean Polen (Majority Member)
Norman Wood (Minority Member)
Ronald L. Thompson (Minority Member)

GENERAL COMMUNICATION

REPORT OF BITUMINOUS MINE LAW STUDY COMMISSION

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

(SEAL)
Commonwealth of Pennsylvania
Department of Mines and
Mineral Industries

March 9, 1961.

Dear Mr. Moomaw:

Act No. 465, approved October 22, 1959, created a Bituminous Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground bituminous coal mines and the preparation of a modern code relating thereto.

Section 4 of this Act requires that the Commission make a report to the Governor and to the General Assembly during the 1959 Session of the General Assembly or during the next subsequent regular Session of the General Assembly following the 1959 Session, together with a draft of such proposed legislation as is deemed necessary to carry its recommendations into effect. It is necessary by law that this proposed legislation be unanimously agreed to by the Commission.

I am very pleased to respectfully submit a copy of a report on behalf of the Commission, together with a draft of the proposed legislation which has been unanimously agreed to by the Commission. Sufficient copies of this report have been made available for distribution among the members of the Senate on behalf of this Commission.

Very truly yours,
/s/ Lewis E. Evans

Enclosure
Honorable Paul C. Moomaw
Secretary of the Senate
Room 248, Main Capitol Building
Harrisburg, Pennsylvania

The PRESIDING OFFICER. This communication will be noted in the Journal and the Report will be printed in the Appendix. I believe a copy of this communication, together with the Report, will be found on each Senator's desk.

RECESS

Mr. SARRAF. Mr. President, I request a five minute recess of the Senate for the purpose of holding a meeting of the Committee on Public Health and Welfare, to be held in Room 503.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. MURRAY, from the Committee on Public Health and Welfare, reported, as amended, **SB 200.**

BILLS INTRODUCED AND REFERRED

Messrs. STEVENSON, MADIGAN, WAGNER, CONFAIR and BERGER presented to the Chair **SB 382,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for additional payments to certain school districts.

Which was committed to the Committee on Education.

Mr. STEVENSON presented to the Chair **SB 383,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," further regulating the compensation of mayors, councilmen, treasurers, controllers and department heads.

Which was committed to the Committee on Local Government.

Mr. SILVERT presented to the Chair **SB 384,** entitled:

An Act making an appropriation to the Department of Public Welfare for the operation and maintenance of the Albert Einstein Medical Center, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. DEVLIN, STAISEY, CHAFER and FLEMING presented to the Chair **SB 385,** entitled:

An Act authorizing arraignments in courts of quarter sessions of the peace and courts of oyer and terminer and general jail delivery.

Which was committed to the Committee on Judiciary General.

Messrs. PECHAN, WAGNER and SEYLER presented to the Chair **SB 386,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," further providing for the membership of county boards of school directors in counties where the population exceeds a certain number.

Which was committed to the Committee on Education.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, last Tuesday, in discussing some legislation, I made the statement that I was having a bill prepared which would give a restricted license to those people who, for one reason or another, might lose their driver's license because of speeding or some other violation of The Vehicle Code.

In my particular area, the loss of these licenses imposes a hardship on many people. I am talking primarily about the first offenders; those people who may lose their licenses for the first time. Let us talk, perhaps, about a fifteen-day suspension. I very strongly believe the Department of Revenue is trying to cut down on speeding and the rate of deaths occurring on our highways. However, in the area in which I live, it is very, very difficult for a person who, for example, works in Ford City and lives out in Manor Township, approximately twenty miles away, where there is no bus service or any car pool. This causes him to lose his job and, subsequently, go on the relief rolls.

The bill which I am sponsoring today, Mr. President, will give that offender, if he can prove it is a necessity for him to use his automobile to get to and from work, permission to use his car. However, if he works five days a week and is off on Saturdays and Sundays, then the use of his vehicle will be denied to him for fifteen twenty-four hour periods. That would consist of about seven and one-half weeks in which he would be denied the use of his automobile during his time off.

The bill as drawn up is, perhaps, not perfect. I am willing, however, to offer another amendment. An amendment which I think is very strongly needed is the amendment wherein a person who drives a truck for a living and is caught speeding, let us say, in a passenger automobile, then I believe he should be granted a restricted driver's license in order to drive his truck. I do not believe that this fellow should be permitted to go scot-free. I think it would promote a bigger hardship for him in not being permitted to use his car for a period of over seven different week ends, in a fifteen-day suspension, than it would for him to lose that privilege for fifteen days.

Therefore, Mr. President, on behalf of my colleagues, Senator Berger, Senator Stroup, Senator Kromer, Senator Confair, Senator Ware, Senator Haluska, Senator Miller, Senator Van Sant and myself, I am about to introduce a very fine bill.

BILLS INTRODUCED AND REFERRED

Messrs. PECHAN, BERGER, STROUP, KROMER, CONFAIR, WARE, HALUSKA, MILLER and VAN SANT prseented to the Chair **SB 387,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the issuance of restricted operators' licenses in certain cases.

Which was committed to the Committee on Highways.

Messrs. MURRAY, MILLER, HALUSKA and KALMAN presented to the Chair **SB 388,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," regulating the issuance of restricted opreators' licenses; imposing duties on the Secretary of Revenue, the Department of Revenue and sheriffs; imposing penalties; and providing for suspension of operating privileges.

Which was committed to the Committee on Highways.

Messrs. BELL and WARE presented to the Chair **SB 389**, entilted:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment.

Which was committed to the Committee on Highways.

Messrs. BELL, WARE and CONFAIR presented to the Chair **SB 390**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," increasing the maximum aggregate number of officers and men in the State police force, and increasing the compensation of the members.

Which was committed to the Committee on State Government.

Messrs. BELL and McCREESH presented to the Chair **SB 391**, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the repair and restoration of the Caleb Pusey House, subject to certain conditions.

Which was committed to the Committee on Appropriations.

Messrs. VAN SANT and ROONEY presented to the Chair **SB 392**, entitled:

An Act amending the act of May 29, 1945 (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; . . .," requiring the Department of Highways to install lighting at intersections on limited access highways and providing that such lighting be maintained by the municipality or township wherein the intersection is located.

Which was committed to the Committee on Highways.

Mr. YATRON presented to the Chair **SB 393**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," increasing the compensation of teachers for attendance at meetings of teachers for attendance at meetings of teachers called by the county superintendent or at in-service education programs.

Which was committed to the Committee on Education.

Messrs. YATRON and SESLER presented to the Chair **SB 394**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring that all new cars sold in Pennsylvania after a certain date be equipped with attachment points for safety belts.

Which was committed to the Committee on Highways.

Messrs. YATRON, VAN SANT and WAGNER presented to the Chair **SB 395**, entitled:

An Act making an appropriation to the Department of Property and Supplies for payment of the Commonwealth's share of expenses incurred by the Borough of Kutztown in rehabilitating and enlarging its sewage treatment plant in order to provide adequate treatment of sewage from Kutztown State College.

Which was committed to the Committee on Appropriations.

Messrs. KELLER and SEYLER presented to the Chair **SB 396**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," authorizing any two or more school districts to maintain, conduct and operate schools, departments or classes for vocational education.

Which was committed to the Committee on Education.

Mr. KELLER (By request) presented to the Chair **SB 397**, entitled:

An Act declaring and adopting the song, "A Mighty Commonwealth Is Ours," written by a Pennsylvanian, Joanne Harvey, as the State song of the Commonwealth.

Which was committed to the Committee on State Government.

Messrs. KESSLER and STIEFEL presented to the Chair **SB 398**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the Pennsylvania Historical and Museum Commission to promote and encourage fine arts.

Which was committed to the Committee on Historical Preservation.

Messrs. KESSLER, KALMAN, MURRAY and WAGNER presented to the Chair **SB 399**, entitled:

A Joint Resolution proposing an amendmnet to section twelve, article three of the Constitution of the Commonwealth of Pennsylvania, providing for the purchasing of stated commodities in such manner as may be prescribed by law and authorizing use of an escalation clause.

Which wsa committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. ROONEY, FLACK and WEINER presented to the Chair **SB 400**, entitled:

An Act amending the act of May 31, 1911 (P. L. 468), entitled "Sproul Highway Law," by permitting a contractor to deposit certain securities with the Secretary of Highways as an alternative to the payment by the Secretary of Highways of interest on amounts withheld pending satisfactory completion of a contract.

Which was committed to the Committee on Highways.

Messrs. LANE, STEVENSON, MALLERY, HALUSKA and HAYS presented to the Chair **SB 401**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," authorizing increase in the number of meetings for which supervisors may be paid without the prior approval of the auditors; further providing for the attendance of supervisors or employes at road meetings and conventions; imposing duties on township secretaries; changing the time which may be expended by auditors in the completion of audits; authorizing managers to attend meetings of county associations of township officers; authorizing supervisors to exercise general powers and further providing for the parties who may protest a change in zoning.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 402**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," further regulating notice of assessments and validating certain assessments previously made.

Which was committed to the Committee on Local Government.

Messrs. KALMAN, LANE, MURRAY and STIEFEL presented to the Chair **SB 403**, entitled:

An Act authorizing the Department of Public Welfare, with the approval of the Board of Trustees of the Connellsville State Hospital, to contract with the City of Connellsville and the Connellsville Municipal Authority for construction, improvements and extensions to the sewerage collection system and treatment plant and the use thereof by the Connellsville State Hospital, and the payment of part of the cost and maintenance thereafter, and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. RIPP offered the following resolution, which was read, considered and adopted:

In the Senate, March 13, 1961.

RESOLVED (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 20, 1961 at THREE o'clock P.M., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, March 20, 1961 at FOUR o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, It is indeed a pleasure for me to introduce this resolution and request its immediate adoption, on behalf of myself and the following friends and sons of the Irish race of Pennsylvania: Senator Taylor, Senator Mallery, Senator McGinnis, Senator Rooney, Senator Mahady, Senator Devlin and Senator Camiel.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO THE IRISH ON SAINT PATRICK'S DAY

Messrs. McCREESH, TAYLOR, MALLERY, McGINNIS, ROONEY, MAHADY, DEVLIN and CAMIEL, offered the following resolution **(Serial No. 23)**, which was read, considered and adopted:

In the Senate, March 13, 1961.

Wherever the member of the Celtic race and their friends gather on the happy day of March 17th, it is a matter of historic record that their voices will be raised in song and their arms raised with a glass of spirits. For this day is one that is set apart for rejoicing by the descendants and friends of Ireland all over the world to pay honor and tribute to their patron saint, Saint Patrick.

Much of the greatness of the Commonwealth of Pennsylvania was made possible by the sons of Erin, who in the early days of our history helped pioneer our land and who took part in the conflicts and wars in which this State and America were engaged for the preservation of freedom.

In every county of the Commonwealth are to be found evidences of the brain and brawn and culture of those who trace their ancestry to the Emerald Isle who helped to build our first railroads, mine our first coal, forge our first steel, drill our first oil wells, establish churches and institutions of learning and in other ways aided in the creation of Pennsylvania's proud reputation for its high place in the world's commerce, culture and industry; therefore be it

Resolved, That the Senate of Pennsylvania pause to congratulate the Irish, on Saint Patrick's Day, for their manifold contributions to the settlement and development of this Commonwealth as no more fitting time could be selected for our tribute to the Sons of Erin.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE LAWS RELATING TO MECHANICS' LIENS

Messrs. STROUP, MAHADY, DEVLIN, SHAFER and EHRGOOD offered the following resolution **(Serial No. 111)**, which was read as follows and referred to the Committee on Judiciary General:

In the Senate, March 13, 1961.

The act of June 4, 1901 (P. L. 431), commonly referred to as the "Mechanics' Lien Law," was enacted subsequent to the adoption of the Constitution of the Commonwealth of Pennsylvania in 1874 and in so far as the provisions thereof are not divergent from pre-existing law, is not in violation of Article III, section 7, of the Constitution as a special law. However, many sections and amendments to the act have been held unconstitutional by our Supreme Court.

There is great confusion with respect to the construction and application of the act and the General Assembly requires for its use comprehensive factual information relating to the laws concerning mechanics' liens so that they may be codified, simplified, and clarified in keeping with the constitutional limitations, as to their construction and applications; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study the laws relating to mechanics' liens with a view of codifying, clarifying and simplifying such laws; and be it further

Resolved, That the Joint State Government Commission report to the General Assembly, its findings and recommendations, together with drafts of legislation necessary to carry its recommendations into effect.

REPORT FROM COMMITTEE

Mr. YATRON by unanimous consent, from the Committee on Agriculture, reported, as amended, **HB 332.**

HOUSE MESSAGE

SENATE BILL RETURNED WITH AMENDMENTS

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 178** with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. BERGER. Mr. President, may we be at ease, pending a motion by the Majority Leader.?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

CONSIDERATION OF SB 178

Mr. WEINER asked and obtained unanimous consent for the immediate consideration of Senate Bill No. 178, Printer's No. 375.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Mr. WEINER. Mr. President, I move that the Senate do concur in the amendments made by the House to Senate Bill No. 178.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 44—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Staisey,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler.	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 45—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 46—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

SB 75—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

> Amend Title, page 1, next to last line of Title, by striking out "dim" and inserting: depress.
>
> Amend Sec. 1 (Sec. 1034), page 2, line 8 by inserting brackets before and after "dim."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL OVER IN ORDER

SB 84—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 86—Read at length the third time and argeed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I just want the record to show that I and other Members representing Philadelphia County and Allegheny County are aware that we have been amended out of this bill.

However, I want to state that the relationship between the City of Philadelphia and the City of Pittsburgh, with its surrounding areas, is such that I do not think we need any legislation to do what we are already doing. I think they have been living in a harmonious relationship.

It is unfortunate that some people feel we should have been taken out of this measure, and that great harm would be done to this bill by leaving Philadelphia and Pittsburgh in it. I think it is sort of shortsighted on the part of some of the people involved. However, I am perfectly willing to vote for this measure to show that I think we need this type of legislation. It is imperative that we all get along and that these areas all learn to live together and operate together. It will be more economical in the long run for everyone concerned.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Staisey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Serraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 95—Mr. WEINER. Mr. President, I request that House Bill No. 95 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I have no objection to House Bill No. 95, Printer's No. 95, going over in its order. However, as has been said here on many occasions, this has been on the Calendar for quite a while, and probably sometime in the dim future—or, at least, the foreseeable future—it might be brought up for a vote.

Mr. WEINER. Mr. President, I would be delighted to bring it up for a vote today or any day when we can get one more vote besides the twenty-five we have to pass it. I have twenty-five votes. I stated to the gentlemen on the other side that if they would have their entire membership here, I would be delighted to ask the Lieutenant Governor and he might consider voting on this measure.

Having not been afforded either one of those two opportunities, I must reluctantly ask that this bill go over in its order.

I realize it has been here a long time, sir, and I am glad you are coming to my realization that these bills have been on the Calendar too long. If you will lend us a vote or bring in your entire membership, I will be delighted to dispose of this matter forthwith.

Mr. BERGER. Mr. President, I have not kept calendar on this bill. However, I am sure if we would add up the days, it has been on much longer than many of the bills which the gentleman has referred to as getting stale on the Calendar.

Mr. WEINER. Mr. President, I can only say that I heartily agree that this bill is stale. I am trying to move all of the others so they do not get as stable as this one.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 139—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Staisey,
Berger,	Kalman,	Mullin,	Stevenson,
Camiel,	Keller,	Murray,	Stiefel,
Chapman,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Ehrgood,	Mallery,	Scott,	Ware, III,
Flack,	McCreesh,	Sesler,	Weiner,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Hays,
			Presiding Officer

NAYS—1

Seyler,

A majority of all the Senators having noted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 172—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bell,	Kalman,	Murray,	Stroup,
Berger,	Keller,	Propert,	Taylor,
Chapman,	Kessler,	Rooney,	Van Sant,
Confair,	Kromer,	Sarraf,	Wagner,
DiSilvestro,	Madigan,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,	Mullin,	Stiefel,	Presiding Officer

NAYS—9

Camiel,	McCreesh,	Ripp,	Stalsey,
Devlin,	Pechan,	Sesler,	Wade,
Mahady,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 174—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO RECOMMIT BILL

SB 175—Read at length the third time.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HALUSKA. Mr. President, I move that Senate Bill No. 175 be recommitted to the Committee on Local Government for the purpose of further study.

Mr. SEYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I object to the recommittal of this bill.

This bill simply authorizes the township engineers in townships of the Second Class where there are bridges, having a span of twenty feet or less, to repair the roadway deck or extension of those bridges without the approval of the Water and Power Resources Board.

Mr. President, I can see no reason whatsoever why any objection should be made to this bill. I would like to have it remain on the Calendar until the Members of the Senate can be satisfied that the bill does not have any particular implications which might be harmful. As far as I can read it, it seems to a good, reasonable sort of bill.

Therefore, Mr. President, I ask my colleagues to vote "no" on this motion.

Mr. HALUSKA. Mr. President, may we be at ease for a moment?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

MOTION TO RECOMMIT BILL WITHDRAWN

Mr. HALUSKA. Mr. President, I wish to withdraw my motion to recommit Senate Bill No. 175, and ask that the bill go over in its order.

Mr. SEYLER. Mr. President, I wish to withdraw my second to the motion.

BILL OVER IN ORDER

The PRESIDING OFFICER. There being no objection, this bill on third reading, will go over in its order.

BILL OVER IN ORDER

SB 177—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON THIRD READING AND FINAL PASSAGE

SB 188—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stalsey,
Berger,	Keller,	Murray,	Stevenson,
Camiel,	Kessler,	Pechan,	Stiefel,
Chapman,	Kromer,	Propert,	Stroup,
Confair,	Lane,	Ripp,	Taylor,
Devlin,	Madigan,	Rooney,	Van Sant,
DiSilvestro,	Mahady,	Sarraf,	Wade,
Donolow,	Mallery,	Scott,	Wagner,
Ehrgood,	McCreesh,	Sesler,	Ware, III,
Flack,	McGinnis,	Seyler,	Weiner,
Fleming,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Silvert,	Hays,
Hawbaker,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 192—Without objection, the bill was passed over in its order at the request of Mr. ROONEY.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

HB 54—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KESSLER offered the following amendment:

> Amend Sec. 1 (Sec. 507), page 3, line 15 by striking out "and" where it appears the first time and inserting: manuscripts, historical relics, antique furnishings for historical buildings, microfilms.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KESSLER offered the following amendment:

> Amend Title, page 2, next to last line of Title, by inserting after "certain" manuscripts, relics, furnishings, microfilms,

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

HB 61 and **SB 62**—Read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 70, SB 73, HB 73, 74, SB 78 and **88**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 93 and **94**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 99—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING AMENDED

SB 100—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MULLIN offered the following amendments:

Amend Sec. 1, page 2, lines 1, 2 and 3, by striking out "The act of April 29, 1959 (P. L. 58) known as "The" in line 1, all of lines 2 and 3 and inserting:

Clause (6) of subsection (b) of section 618, act of April 29, 1959 (P. L. 58), known as The Vehicle Code," is amended to read:

Section 618. Suspension of Licenses or Operating Privileges.—

* * *

(b) The secretary may suspend the operator's license or learner's permit of any person, after a hearing before the secretary or his representative whenever the secretary finds upon sufficient evidence:

* * *

(6) That such person has failed to pay a fine, properly imposed by any court of this Commonwealth or of any state, or has failed to appear for a hearing before a court of competent jurisdiction of this Commonwealth or of any state, upon being notified as provided by law. Where such person is under the age of eighteen (18) years, his suspension shall be permanent until the fines and penalties imposed herein are paid or complied with.

* * *

Section 2. The act is amended by adding after section 1203 a new section to read:

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MULLIN offered the following amendments:

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting:

3.

Amend Bill, page 2, by inserting after line 13:

Section 4. This act shall take effect immediately.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 104—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1 (Sec. 1002), page 2, line 11 by inserting brackets before and after "unsafe" and inserting immediately thereafter: "safe."

Amend Sec. 1 (Sec. 1002), page 2, line 12 by inserting brackets before and after "maximum."

Amend Sec. 1 (Sec. 1002), page 2, line 12 by inserting after "speeds": "other than."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL OVER IN ORDER

SB 105—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL RECOMMITTED

SB 113—Upon motion of Mr. SEYLER, seconded by Mr. SILVERT, and agreed to, the bill was recommitted to the Committee on State Government, for the purpose of further study.

BILL ON SECOND READING AMENDED

SB 134—The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. DEVLIN and RIPP offered the following amendments:

Amend Sec. 1, page 1, line 1, by striking out "Clause (a)" and inserting: "Clauses (a), (f) and (i)."

Amend Sec. 1, page 2, line 3, by striking out "is" and inserting: are.

Amend Bill, page 2, by inserting after line 10:

(f) In all such civil actions as may be transferred to it by order of the Court of Common Pleas of Allegheny County, upon consent of counsel for all parties, where the sum demanded or the value of the property replevied does not exceed the sum of [twenty-five hundred] five thousand dollars, except in cases where the title to lands or tentments may come in question.

* * *

(i) In all cases of appeal from the Board of Property Assessment, Appeals and Review in counties of the second class, where the amount of taxes for one year which may be levied on the assessment in controversy does not exceed the sum of [twenty-five hundred] five thousand dollars.

* * *

Section 2. Section 10 of the act, amended April 24, 1935 (P. L. 51), is amended to read:

Section 10. A defendant who shall neglect or refuse in any civil action brought in said court to set off his demand, whether founded upon bond, note, penal or single bill, writing obligatory, book accounts or damages of assumption, against a plaintiff, which shall not exceed the sum of

[twenty-five hundred] five thousand dollars, shall be and is hereby forever barred from recovering against the party plaintiff by any after suit; but, in case of judgment by default, the defendant if he has any account to set off against the plaintiff's demand, shall be entitled to a hearing before said court, within thirty days, on proof being made, either on oath or affirmation of the defendant or other satisfactory evidence, that the defendant was absent when the process was served and did not return home before the return day of such process, or that he was prevented by sickness of himself, or other unavoidable cause; and the said court shall have power to render judgment for the balance, in favor of the plaintiff or defendant as justice may require. Each party shall have the same right of appeal or certiorari from judgment as though a separate suit had been brought therefor.

It shall be the duty of the defendant desiring to avail himself by way of set-off, defalcation, or recoupment of his demand against the plaintiff, to file a statement of such counter-claim with the proper clerk of the court, on or before the time fixed by this act for the filing of his answer, unless the time for the filing of such statement be extended by the court. A statement of counter-claim shall be replied to by plaintiff within such time and in such manner as the court may prescribe.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. DEVLIN and RIPP offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "County" where it appears the second time: and increasing the maximum limit of set-off required to be pleaded by defendants.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

SB 159—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 173—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 181—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 185—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 186—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 189—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 190—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MULLIN offered the following amendment:

Amend Senate Bill No. 190, Printer's No. 196, page 2, line 10, by inserting after the word "penalties: not exceeding in amount the sum of ten ($10.00) dollars."

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 194—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 197—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendments:

Amend Sec. 1 (Sec. 925), page 2, line 11 by inserting after "day": of May, 1961 and the first day.

Amend Sec. 1 (Sec. 925), page 2, line 11 by inserting after "year": thereafter.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendment:

Amend Sec. 2 (Sec. 1327), page 4, line 15 by inserting after "Instruction": or conducted by the Department of Public Instruction.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. SEYLER offered the following amendments:

Amend Sec. 3 (Sec. 2509.2), page 5, line 10 by striking out "of February" and inserting: of May 1961 and the first day of February of each year thereafter.

Amend Sec. 3 (Sec. 2509.2), page 6, line 2 by inserting after "purpose": "Provided, That where in the judgment of the State Superintendent of Public Instruction, the provisions of this act relating to the proper education of children of migrant laborers have not been complied with or the needs of children of migrant laborers are not being adequately served, the Department of Public Instruction may provide or arrange to have provided transportation, classes or schools for the proper education of children of migrant laborers, as directed by the act.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,
Will the Senate agree to the section?
Mr. SEYLER offered the following amendment:

Amend Sec. 4, page 6, line 13 by inserting after "necessary": for transportation, classes and schools.

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time,
On the question,
Will the Senate agree to the bill on second reading, as amended?

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill, as amended, was rereferred to the Committee on Appropriations.

BILLS OVER IN ORDER

SB 201, 212 and **213**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING

SB 231—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL ON SECOND READING AMENDED

SB 258—The first section was read.
On the question,
Will the Senate agree to the section?
Messrs. SILVERT and MULLIN offered the following amendment:

Amend Senate Bill No. 258, Printer's No. 269, page 2, line 4, by omitting after the word "Pennsylvania:" with the exception of elected officials.

It was agreed to.
The section was agreed to as amended.
The second section and title were read and agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILLS ON SECOND READING

SB 278, 279, 280, 281, 282, 283, 284, 285, 286 and **287**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 293 and **HB 302**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 305 and **312**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 200** and **HB 332.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILL SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bill: **SB 178.**

The PRESIDING OFFICER (Jo Hays) in the Chair.

ANNOUNCEMENT OF MEETING OF COMMITTEE ON FORESTS AND WATERS, GAME AND FISH

Mr. STAISEY. Mr. President, I would like to note that a meeting of the Committee on Forests and Waters, Game and Fish will be held in the Democratic Caucus Room at 10:30 a.m. tomorrow morning.

The PRESIDING OFFICER. Instead of the Meeting of the Committee on Forests and Waters, Game and Fish being held in the office of the Chairman of the Committee, it will be held in the Senate Democratic Caucus Room.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, MARCH 14, 1961

Time	Committee	Room
10:00 A.M.	Highways	542
10:30 A.M.	Forests & Waters, Game & Fish	Democratic Caucus Room
11:00 A.M.	Local Government	301
11:30 A.M.	Senate Vote Fraud Investigating Committee	302
12:00 Noon	Rules	539
12:30 P.M.	State Government	535

NOTICE

There will be a continuation of the Joint Committee Meeting of the House and Senate Education Committee, on Tuesday, March 14th, in the Senate Caucus Room at 9:00 a.m. to discuss with the Superintendent of Public Instruction important educational matters.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, March 14, 1961, at 1:00 p.m.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:59 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, March 13, 1961

The House met at 4 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplin, Reverend David R. Hoover, offered the following prayer:

Almighty and Everlasting God, Thou Who dost control the destinies of each one of us, we look to Thee in the attitude of reverence and prayer; we humbly pray that we may see ourselves not as we imagine we appear to others, or as others see us in life, but as Thou dost see us as we really are. O Father, mold and make us after Thy will that we may be the type of person Thou wouldst have us be; and use us in the accomplishment of Thy kingdom in the hearts and minds of all mankind. This we ask with the prayer for Thy continued guidance, in Jesus' Name. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, March 8, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. WELSH, GREMMINGER, McKEEVER and FLYNN. HOUSE BILL No. 882.

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, exempting income taxes on persons and corporations from requirement of uniformity.

Referred to the Committee on Judiciary.

By Messrs. WELSH, SHELTON, Mrs. S. A. ANDERSON and Mr. McKEEVER. HOUSE BILL No. 883.

A Joint Resolution proposing an amendment to article eight, section one of the Constitution of the Commonwealth of Pennsylvania, permitting citizens eighteen years of age or over to vote.

Referred to the Committee on Judiciary.

By Messrs. WELSH, GREMMINGER, T. F. SULLIVAN and WARGO. HOUSE BILL No. 884.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), removing prohibition against unincorporated associations making political contributions.

Referred to the Committee on Elections.

By Messrs. HORST, STANK, WOOD and VARNER. HOUSE BILL No. 885.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), limiting the rate of tax which may be imposed the second year after adoption of the permanent system of records and thereafter.

Referred to the Committee on Counties.

By Messrs. PETROSKY and KORNICK. HOUSE BILL No. 886.

An Act amending the act of May 2, 1929 (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels; ***: and repealing all acts or parts of acts inconsistent with the act," providing for submission of plans and specifications of the mechanical system in buildings, and providing for a fee therefore.

Referred to the Committee on State Government.

By Messrs. McKEEVER, MORLEY and HARTLEY. HOUSE BILL No. 887.

An Act amending the act of January 5, 1952 (P. L. 1833), entitled "An act to provide for the coverage of certain officers and employes of the Commonwealth and its political subdivisions under the old-age and survivor insurance provisions to Title II of the Federal Social Security Act, as amended; ***," clarifying procedure and changing and clarifying coverage and scope of agreements.

Referred to the Committee on Insurance.

By Messrs. WELSH, TAYLOR, J. A. SULLIVAN and Mrs. S. A. ANDERSON. HOUSE BILL No. 888.

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes, ***.

Referred to the Committee on Railroads and Railways.

By Messrs. A. D. WILLIAMS, GALLAGHER and Mrs. KOOKER. HOUSE BILL No. 889.

An Act making an appropriation to the Delaware Valley College of Science and Agriculture at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. PIPER and ZEMBER. HOUSE BILL No. 890.

An Act repealing acts pertaining to Berks County prison inspectors.

Referred to the Committee on Welfare.

By Messrs. BUCHANAN, STANK, BOIES and SELTZER. HOUSE BILL No. 891.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine," approved March 31, 1949 (P. L. 372), increasing the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity for the building and equipping certain buildings at Indiana State College.

Referred to the Committee on Rules.

By Mr. FRY. HOUSE BILL No. 892.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

Referred to the Committee on Highways.

By Messrs. ADAMS, RENWICK, ZEMBER and FILO. HOUSE BILL No. 893.

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), placing a limitation on occupation taxes heretofore or hereafter levied by any political subdivision.

Referred to the Committee on State Government.

By Messrs. ESHLEMAN, WOOD, RUTHERFORD and ROYER. HOUSE BILL No. 894.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), increasing the maximum rate of tax for school purposes on the use and occupancy of home trailers.

Referred to the Committee on State Government.

By Messrs. SNARE, PETROSKY, SCARCELLI and AUKER. HOUSE BILL No. 895.

An Act confirming the right of persons in the service of the Commonwealth to accept election to and serve in certain elective offices of political subdivisions without affecting civil service status or protection.

Referred to the Committee on State Govrenment.

By Mr. DAVIS. HOUSE BILL No. 896.

An Act amending the "Public School Code of 1949," approved March 10, 1949, (P. L. 30), providing for the election of county superintendents by secret ballot.

Referred to the Committee on Education.

By Messrs. DAVIS, WEIDNER and GRAMLICH. HOUSE BILL No. 897.

An Act placing a limitation on the combined acreage to be acquired by the Department of Forests and Waters, the Pennsylvania Game Commission and the Pennsylvania Fish Commission in any one county.

Referred to the Committee on Game and Conservation.

By Messrs. BUCHANAN, ARLENE, CIANFRANI and GROSS. HOUSE BILL No. 898.

An Act amending the act of April 27, 1929 (P. L. 465), entitled, as amended, "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, *** by requriing certain construction and ways of egress, equipment, and maintenance providing for the licensing of projectionists, ***," changing fees for projectionists.

Referred to the Committee on State Government.

By Messrs. DAVIS and K. B. LEE. HOUSE BILL No. 899.

An Act amending the act of April 24, 1931 (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, *** providing that certain grants of easements shall be recorded.

Referred to the Committee on Judiciary.

By Messrs. DAVIS, VARNER and K. B. LEE. HOUSE BILL No. 900.

An Act prescribing the measure of damages and providing for the payment of attorney's fees for the wrongful injury or removal of trees and other forest products.

Referred to the Committee on Judiciary.

By Messrs. DAVIS, VARNER and GOODRICH. HOUSE BILL No. 901.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225) providing for payment for bear damage to field produce by the Department of Agriculture and making an appropriation.

Referred to the Committee on Game and Conservation.

By Messrs. DAVIS, GRAMLICH and GOODRICH. HOUSE BILL No. 902.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing for the receipt of certain number of applications for antlerless deer licenses from non-residents at the same time such applications are receivable from residents.

Referred to the Committee on Game and Conservation.

By Mr. LIPPINCOTT, Mrs. KERNAGHAN, Messrs. ISAACS and GIBBONS. HOUSE BILL No. 903.

An Act making an appropriation to The Glen Mills Schools in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. LIPPINCOTT, Mrs. KERNAGHAN, Messrs. ISAACS and GIBBONS. HOUSE BILL No. 904.

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. M. H. GOLDSTEIN, WILLARD, GRAMLICH and KEISER. HOUSE BILL No. 905.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978), prohibiting public officers, from having an interest in pari-mutuel racing activities.

Referred to the Committee on Rules.

By Messrs. A. M. LEE, TOMPKINS, HOLMAN and FETTEROLF. HOUSE BILL No. 906.

A Joint Resolution proposing an amendment to Art V, Sec. 6, and repealing Art. V, Sec. 7, of the Constitution of the Commonwealth of Pennsylvania consolidating the courts of common pleas of Philadelphia into one court, and repealing provisions relating to the prothonotary of the courts.

Referred to the Committee on Judiciary.

By Mrs. HENZEL, Messrs. E. S. WILLIAMS, HOLMAN and BACKENSTOE. HOUSE BILL No. 907.

An Act granting tax exemptions to certain persons over the age of sixty-five years.

Referred to the Committee on Welfare.

By Mrs. HENZEL, Messrs. E. S. WILLIAMS, HOLMAN and BACKENSTOE. HOUSE BILL No. 908.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania, granting tax exemptions to certain persons over the age of sixty-five years.

Referred to the Committee on Judiciary.

By Messrs. GIBBONS, SLACK, HOCKER and DONALDSON. HOUSE BILL No. 909.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), making it unlawful to operate motor vehicles without safety belt attachments.

Referred to the Committee on Motor Vehicles.

By Messrs. MURPHY, WARGO, WELSH and TOMASCIK. HOUSE BILL No. 910.

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286), providing certain standards

for employment of minors on certain farms and authorizing the Department of Labor and Industry to make rules and regulations to effectuate the purposes of the act.

Referred to the Committee on Welfare.

By Messrs. McKEEVER, GALLAGHER, McDEVITT, FLYNN, WELSH, LAWSON, SCARCELLI, CAPITOLO and FRASCELLA.

HOUSE BILL No. 911.

A Supplement to the act of May 27, 1937 (P. L. 917), entitled "An act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards and defining powers and duties of such boards and of the Department of Labor and Industry; * * * exempting certain persons from the provisions of this act and providing penalties" concerning minimum wages; providing for a minimum wage for employes in the Commonwealth; * * *; defining the powers and duties of the Department of Labor and Industry;.

Referred to the Committee on State Government.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 912.

An Act creating the Pennsylvania Recreational Insurance Authority as a body corporate and politic, with powers to insure loans given by banks and certain other lending institutions to nonprofit community corporations or organizations for the purpose of acquiring, constructing, improving, and maintaining recreational projects; * * *.

Referred to the Committee on State Government.

By Mr. DAVIS. HOUSE BILL No. 913.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), providing credit for retirement purposes for private school and institution service in certain instances.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 914.

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 915.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 916.

An Act making an appropriation for moneys in the Korean Conflict Veterans' Compensation Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 917.

An Act making an appropriation from the Korean Conflict Veterans' Fund to the Department of Military Affairs for certain administration expenses necessary in the administration of the "Korean Conflict Veterans' Compensation Act."

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 918.

An Act making an appropriation from various funds of the Commonwealth to the Department of Labor and Industry for the payment of the Commonwealth's share of Social Security taxes.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 919.

An Act making an appropriation for moneys in the Toll Bridge Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 920.

An Act making an appropriation from the Toll Bridge Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on Toll Bridge Bonds.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 921.

An Act making an appropriation to the Department of State out of various funds for payments on account of the Annuity Reserve Account No. 2 Contingent Reserve Account and State Police Retirement System to meet the obligations of the funds to the State Employes' Retirement System.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 992.

An Act making an appropriation from the World War II Veterans' Compensation Fund to the Department of Military Affairs for certain administration expenses necessary for the payment of compensation to veterans as provided by the "World War II Veterans' Compensation Act."

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 923.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships for their road, street and bridge purposes; * * *" continuing a conditional appropriation beyond the calendar year 1961.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 924.

An Act making an appropriation to the Trustees of the University of Pittsburgh for the establishment of a professorship in the School of Medicine.

Referred to the Committee on Appropriations.

BILL INTRODUCED AND REFERRED

By Messrs. VARNER, DENNISON, BOWMAN and MAGEE. (Concurrent) RESOLUTION No. 37.

In the House of Representatives, March 8, 1961.

The General Assembly requires for its use comprehensive factual information concerning the safe operation of commercial motor vehicles and tractors on our highways with special emphasis on the braking systems that should be required on those in the classification of five thousand pounds or more maximum gross weight; therefore be it

Resolved (the Senate concurring), That the Joint State

Government Commission be directed to study the feasibility from an economic and scientific standpoint of requiring commercial vehicles and tractors in the classification of five thousand pounds or more maximum gross weight to be equipped with dual braking systems; and be it further

Resolved, That the Joint State Government Commission report to the General Assembly as soon as possible its findings and recommendations with drafts of legislation necessary to carry the rocommendations into effect.

Referred to the Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. KORNS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. KORNS. Mr. Speaker, for the record, I wish to say that last Tuesday I voted "aye" on House bill 395 and I am recorded as not voting.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

JUNIOR HIGH HONOR SOCIETY WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the Junior High Honor Society of the eighth and ninth grades of the Annville-Cleona High School of Annville, Lebanon County.

They are the guests of the gentleman from Lebanon, Mr. Seltzer.

REPORT FROM COMMITTEE

Mr. HARTLEY from the Committee on Game and Conservation, reported as committed, House bill No. 588, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provision relating to when license tags are required to be displayed.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Tompkins for Mr. AGNEW for the week because of illness.

Mr. Tompkins for Mrs. KOOKER for the week because of illness.

Mr. Tompkins for Mr. UJOBAI for the week because of illness.

SENATE MESSAGE

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 13 1961.

Resolved, (The House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, March 20, 1961, at three o'clock P.M., E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, March 20, 1961, at four o'clock P.M., E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 588, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provision relating to when license tags are required to be displayed.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Auctioneers' Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 216, entitled:

An Act to define license and regulate resident and nonresident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform thereto creating the State Auctioneers Commission * * * and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392) further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 328, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) redesignating the burgess as the mayor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on agricultural commodities imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. McCANN. Mr. Speaker, on House bill 337, I would like to offer two sets of amendments which are correctional only to the bill, not controversial.

Mr. McCANN offered the following amendment:

Amend Sec. 2, page 3, line 2 by striking out "and" and inserting: "or".

On the question,

Will the House agree to the amendment?

The SPEAKER. Does the gentleman from Chester, Mr. Ashton, desire to be recognized at this time?

Mr. ASHTON. Mr. Speaker, I would like to interrogate the majority leader and have him explain what these amendments do.

The SPEAKER. Will the majority leader permit himself to be interrrogated?

Mr. McCANN. Mr. Speaker, I will be most pleased to.

The SPEAKER. The gentleman from Chester will proceed.

Mr. ASHTON. Mr. Speaker, I would like to have the majority leader explain what effect these amendments have on the bill as written.

Mr. McCANN. Mr. Speaker, the two sets of amendments now in possession of the House are correctional amendments only, on one word in one section, one word in another. Without looking at the amendments, there is one place in the bill, on, I think, page 10, where there is the word "apples" and it should have been "agricultural commodities." In one place the word should have been "or" instead of "and" and that is all.

Mr. ASHTON. As I understand it, these amendments which are offered now are only correctional, which I think are necessary.

Mr. McCANN. Those two are, yes, sir.

Mr. ASHTON. But there are other amendments which will be offered next?

Mr. McCANN. Mr. Speaker, those amendments are the amendments that are non-controversial.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The SPEAKER. The Chair will now call on the majority leader for the controversial amendments.

Mr. McCANN. Mr. Speaker, I offer the following amendments dealing with the Pennsylvania Red Cherry Growers' Association.

Mr. McCANN offered the following additional amendment:

Amend Sec. 2, page 3, line 2, by inserting after "apples" "and red tart cherries"

On the question,

Will the House agree to the amendment?

Mr. ASHTON. Mr. Speaker, I would like to ask the gentleman from Greene what effect these amendments have on the bill?

Mr. McCANN. Mr. Speaker, the amendments would place into this bill the other agricultural commodity, red tart cherries. This is in compliance with the Pennsylvania Red Cherry Growers' Association, located in Northeast, Pennsylvania, in which by letter dated March 3, 1961, they requested that such amendments be placed in House bill 337. In a meeting this resolution was adopted, requesting that this commodity be acted on and handled under this bill. By this amendment there is added to the bill now apples and red tart cherries.

Mr. ASHTON. Mr. Speaker, these amendments offered by the majority leader are precisely the danger which this bill presents. As far as apples are concerned, the bill was all right as apples, but I have not had a chance to offer the amendments which I wish to offer on this bill, and my amendments would have made it more difficult to change it from apples to any other commodity, because there are many other producers of agricultural products who are scared to death of this bill and the ease with which it can be amended to include other products. I think the offering of these amendments at this time is just a demonstration of how easily another agricultural commodity can come under this act. For that reason I wish to oppose these amendments to include cherries in the present setup. I ask that the members on both sides of the House vote "no" on these proposed amendments, and I ask for a slow roll call.

Mr. McCANN. Mr. Speaker, the gentleman is somewhat confused as to how easy it would be to amend the bill, because the only people who would be in this bill would be those who asked to be in it, and these people have asked, by letter, in writing, that they be

a part of this program. The apple people have asked the same in letter form, and no one else to the present date has asked.

Are you insinuating that we are going to put in effect such a program and include such commodities which they themselves do not want or do not favor, although it is their money they will spend in promoting this program.

We are now just talking about amendments to a bill. I understood that the gentleman, Mr. Ashton, would be preparing his amendments for introduction to the bill tomorrow and he is permitted to offer such amendments.

Mr. O'DELL. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. O'DELL. Mr. Speaker, you say you have a letter there from Northeast? Could I see the letter, please?

Mr. McCANN. I would be most pleased. I have copies for all you Erie County Representatives.

Mr. O'DELL. The reason I mention that is that it puts me in an embarrassing position. I was swamped over the week end with calls from Cherry Growers of Erie County who were opposed to the apple bill because they were afraid they would eventually be put under it. Now you say you have a letter there. I would like to see it please.

Mr. McCANN. Would the page please take a copy of this letter to the gentleman? I bclieve Northeast is in Erie County, in the heart of the cherry industry.

The SPEAKER. Does the gentleman from Chester desire a recorded roll call?

Mr. ASHTON. I do, Mr. Speaker.

Mr. WORLEY. Mr. Speaker, if we keep on adding amendments like this at the request of agriculture industries, after a while we will be taking in corn, potatoes, wheat, and everything else. The entire economy of the farmers will be run by the State agriculture department. Unless we stop, what is to stop them from extending it further yet and maybe including some other industries such as candy, chewing gum, cigarettes, and booze. There is no end to this, if we keep on going.

Mr. TOMPKINS. Mr. Speaker, this bill was originally introduced, as we understand it, for the apple industry at the request of the apple industry. The bill, however, instead of being drawn for apples only defines an agricultural product and puts only apples into it. The bill, as written, is a good skeleton bill to just keep adding one product at a time until you might have all the products which a farm does business with included in the bill.

As late as 2 o'clock this afternoon I had information from various farm organizations that the cherry people had not requested to be in this bill this year. If there is information from other sources to the contrary, we have not been furnished that information. I do not see why, when we have set a bill up at the request of an industry, we should expand it to take in additional items which were not originally intended by the bill. For that reason I am going to ask the members on this side of the House to vote against these amendments.

Mr. McCANN. Mr. Speaker, if the gentleman desires to vote only on the bill in its present form, I will withdraw the red cherry amendment.

Mr. TOMPKINS. Mr. Speaker, I cannot answer that question without consulting with the gentleman from Chester who has amendments that would confine the bill to apples only.

AMENDMENTS WITHDRAWN

Mr. McCANN. Mr. Speaker, I withdraw the amendments that were offered to the paragraph dealing with red tart cherries.

The SPEAKER. The amendments offered by the majority leader have been withdrawn.

The Chair recognizes the gentleman from Chester, Mr. Ashton.

Mr. ASHTON. Mr. Speaker, it is very magnanimous of the majority leader to have withdrawn his amendments, but that does not insinuate any willingness on my part not to offer my amendments on third reading tomorrow.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the sixth sections inclusive were separately read and agreed to.

The seventh section was read.

On the question,

Will the House agreed to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 7, page 10, line 15 by striking out "apples" and inserting: "agricultural commodities."

It was agreed to.

The section was agreed to as amended.

The eighth to the thirteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 422, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for payments for property acquired by the Commonwealth for recreational purposes.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 428, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and the first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren prohibiting parking in certain additional places extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 618), page 3, line 14, by striking out "not".

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 567, entitled:

An Act amending the "Municipal Employes' Retirement Law" approved June 4, 1943 (P. L. 886) authorizing transfers from and to the Municipal Employes' Retirement System and the State Employes' Retirement System.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 571, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088) entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund * * *" authorizing the transfer of funds during each fiscal year and requiring the retransfer of the funds during the fiscal year.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 597, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing appropriation of moneys to airports operated by municipality authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 648, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres respectively situate in Woodbury Township Blair County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 681, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" further defining compensation and final average salary in the case of certain members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 682, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" further providing for retirement of members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 683, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employes amending revising consolidating and

changing the laws relating thereto" further providing for multiple service credit in the case of certain members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 716, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection House bill No. 20, printer's No. 735, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. EILBERG. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the third reading on this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Eilberg, vote on the third reading of this bill?

Mr. EILBERG. Mr. Speaker, I voted wtih the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 12, by striking out "THIRTY (30)" and inserting "sixty (60)."

Amend Sec. 1 (Sec. 1), page 2, line 16, by striking out "THIRTY (30)" and inserting "sixty (60)."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, these are non-controversial amendments. They correct the last section that was in error which we spoke about.

The SPEAKER. The Chair recognizes the minority leader, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I do not know how controversial they might be when we get the bill in its amended form, but we are not going to object to the amendments at this time until we can get a look at the bill in its final form. I just received a copy of the amendments, perchance, and did not know what they were up to this point.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 184, entitled:

An Act amending "The Borough Code" approved May 4, 1926 (P. L. 519), authorizing boroughs to furnish coaxial television service to the inhabitants thereof.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for the purpose of a public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by

which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. WALSH asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1, page 8, line 1, by inserting before "Docket" Equity.

Amend Sec. 1, page 8, lines 2 and 3, by striking out said lines, and inserting: "All other docket entries before filing of pleas or entering of judgment for each docket page or fraction thereof used ..... $3.00"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. FINEMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 3, page 2, line 15, by striking out "misdemeanor" and inserting: summary offense.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 517, entitled:

An Act amending "The Vehcile Code" approved April 29, 1959 (P. L. 58), prohibiting certain acts relating to registration plates and counterfeit registration plates numbers or markers.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, do I understand that we are about to vote on page 8, House bill No. 517, printer's No. 969?

The SPEAKER. That is right.

Mr. TOMPKINS. Thank you, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I do not know whether we agreed to this bill or not, but we are ready to vote unless there is somebody who wants to make remarks on it.

The SPEAKER. The Chair hears no one asking for recognition.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Fulmer,	Long, Wm. Jos.,	Royer,
Anderson, J. H.,	Galley,	Lutty,	Rubin,
Anderson, S. A.,	Gallagher,	Magee,	Rudisill,
Arlene,	Gelfand,	Manbeck,	Rutherford,
Ashton,	George,	Markley,	Sakulsky,
Auker,	Gibb,	Marsh,	Scarcelli,
Bachman,	Gibbons,	Maxwell,	Schaaf,
Backenstoe,	Goldstein, J. H.,	May,	Schuster,
Blair,	Goldstein, M. H.,	McCandless,	Seltzer,
Boies,	Goodrich,	McCann,	Shelton,
Bonner,	Gramlich,	McDevitt,	Sherman,
Bossert,	Gray,	McDonald,	Shupnik,
Bower,	Gremminger,	McInroy,	Slack,
Bowman,	Guesman,	McKeever,	Snare,
Breth,	Hamilton,	McLaughlin,	Stank,
Buchanan,	Hankins,	McNally,	Steckel,
Bush,	Haudenshield,	Meholchick,	Stimmel,
Capano,	Heavey,	Mihm,	Stiteler,
Capitolo,	Heffner,	Miller,	Stone,
Cauley,	Helm,	Mills,	Strausser,
Cianfrani,	Henzel,	Monroe,	Sullivan, J. A.,
Cioffi,	Hocker,	Morley,	Sullivan, T. F.,
Clarke,	Holliday,	Munley,	Taylor,
Crossin,	Irvis,	Murphy,	Thompson,
Curwood,	Isaacs,	Murray,	Tomascik,
Davis,	Jenkins,	Musto,	Tompkins,
Dengler,	Jim,	Needham,	Trusio,
Dennison,	Johnson, R. P.,	O'Dell,	Varner,
Donaldson,	Jones,	O'Donnell, J. A.,	Verona,
Dougherty,	Kamyk,	O'Donnell, J. P.,	Wall,
Doughten,	Keiser,	Odorisio,	Walsh,
Down,	Kelly,	Ogilvie,	Wargo,
Edwards,	Kernaghan,	Parlante,	Weidner,
Eilberg,	Kessler,	Pashley,	Welsh,
Elvey,	King,	Perry,	Whittaker,
Eshback,	Klein,	Petrosky,	Willard,
Ewing,	Knecht,	Piper,	Willaredt,
Farabaugh,	Kornick,	Polaski,	Williams, E. S.,
Fetterolf,	Korns,	Polen,	Wood,
Filo,	Kramer,	Pursley,	Worley,
Fineman,	Lamb,	Reibman,	Wynd,
Flynn,	Lee, A. M.,	Reidenbach,	Yetter,
Foerster,	Lee, K. B.,	Renwick,	Zember,
Foor,	Leonard,	Riley,	Zimmerman,
Fox,	Lippincott,	Rovansek,	Andrews,
Fry,	Long, Wm. Jas.,		Speaker

NAYS—10

Gross,	Johnson, A. W.,	Merry,	Wescott,
Holman,	Kistler,	Price,	Williams, A. D.,
Horst,	McCormack,		

NOT VOTING—16

Agnew,	Eshleman,	Kooker,	Prendergast,
Branca,	Frascella,	Lawson,	Simmons,
Comer,	Guthrie,	Limper,	Ujobai,
Cooley,	Hartley,	Mullen,	Wilt,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE POSTPONED

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 309, printer's No. 338, on page 8 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House bill No. 10, printer's No. 10

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 156, entitled:

An Act amending the "Municipal Employes' Retirement Law" approved June 4, 1943 (P. L. 886) including officers and employes of certain associations within the act.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 160, entitled:

An Act amending the act of March 27, 1945 (P. L. 83) entitled "An act regulating the issuance of execution on judgments confessed on written instruments * * *" providing defenses in any county in which a judgment is transferred.

On the question,

Will the House agree to the bill on third reading?

Messrs. STONE and KLEIN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 8, by inserting brackets before and after "of common pleas".

Amend Sec. 1 (Sec. 1), page 2, line 12, by inserting brackets before and after "of common pleas".

Amend Sec. 1 (Sec. 1), page 2, line 15, by inserting brackets before and after "of common pleas".

The SPEAKER. Will the House give uanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 171, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing the appointment of solicitors by certain county officials and limiting the duties of the county solicitor.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Fulmer,	Leonard,	Riley,
Anderson, S. A.,	Gailey,	Lippincott,	Royer,
Arlene,	Gallagher,	Long, Wm. Jas.,	Rubin,
Ashton,	Gelfand,	Long, Wm. Jos.,	Rudisill,
Auker,	George,	Lutty,	Rutherford,
Bachman,	Gibb,	Magee,	Sakulsky,
Backenstoe,	Gibbons,	Manbeck,	Scarcelli,
Blair,	Goldstein, J. H.,	Markley,	Schaaf,
Boles,	Gramlich,	Marsh,	Schuster,
Bonner,	Gray,	Maxwell,	Seltzer,
Bower,	Gremminger,	May,	Shelton,
Bowman,	Guesman,	McCann,	Sherman,
Breth,	Hamilton,	McCormack,	Shupnik,
Buchanan,	Hankins,	McDevitt,	Slack,
Bush,	Haudenshield,	McDonald,	Snare,
Capano,	Heavey,	McInroy,	Stank,
Capitolo,	Heffner,	McKeever,	Steckel,
Cauley,	Helm,	McLaughlin,	Stimmel,
Cianfrani,	Henzel,	McNally,	Stiteler,
Cioffi,	Hocker,	Meholchick,	Stone,
Clarke,	Holliday,	Merry,	Strausser,
Comer,	Holman,	Mihm,	Sullivan, J. A.,
Crossin,	Horst,	Miller,	Sullivan, T. F.,
Curwood,	Irvis,	Mills,	Taylor,
Davis,	Isaacs,	Monroe,	Thompson,
Dengler,	Jenkins,	Morley,	Tomascik,
Dennison,	Jim,	Munley,	Tompkins,
Donaldson,	Johnson, A. W.,	Murphy,	Trusio,
Dougherty,	Johnson, R. P.,	Murray,	Varner,
Doughten,	Jones,	Musto,	Verona,
Down,	Kamyk,	Needham,	Walsh,
Edwards,	Keiser,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kelly,	O'Donnell, J. P.,	Weidner,
Elvey,	Kernaghan,	Odorisio,	Welsh,
Eshback,	Kessler,	Ogilvie,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Pashley,	Willaredt,
Fetterolf,	Klein,	Perry,	Williams, A. D.,
Filo,	Knecht,	Petrosky,	Williams, E. S.,
Fineman,	Kornick,	Piper,	Worley,
Flynn,	Korns,	Polaski,	Wynd,
Foerster,	Kramer,	Polen,	Yetter,
Foor,	Lamb,	Price,	Zember,
Fox,	Lee, A. M.,	Reibman,	Zimmerman,
Fry,	Lee, K. B.,	Reidenbach,	Andrews, Speaker

NAYS—11

Anderson, J. H.,	Goodrich,	Pursley,	Wescott,
Bossert,	Gross,	Renwick,	Wood,
Goldstein, M. H.,	O'Dell,	Wall,	

NOT VOTING—17

Agnew,	Guthrie,	Limper,	Rovansek,
Branca,	Hartley,	McCandless,	Simmons,
Cooley,	Kooker,	Mullen,	Ujobai,
Eshleman,	Lawson,	Prendergast,	Wilt,
Frascella,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 191, entitled:

An Act amending the act of November 19, 1959 (P. L. 1935), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire certain tracts of land in the Borough of Millersville Lancaster County for the use of the Millersville State Teachers College * * *" abolishing the right to acquire a certain tract of land and authorizing the acquisition of certain additional tracts of land.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Gelfand,	Long, Wm. Jas.,	Royer,
Anderson, J. H.,	George,	Long, Wm. Jos.,	Rubin,
Anderson, S. A.,	Gibb,	Lutty,	Rudisill,
Arlene,	Gibbons,	Magee,	Rutherford,
Ashton,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Bachman,	Goldstein, M. H.,	Markley,	Scarcelli,
Backenstoe,	Goodrich,	Marsh,	Schaaf,
Blair,	Gramlich,	Maxwell,	Schuster,
Boles,	Gray,	May,	Seltzer,
Bonner,	Gremminger,	McCandless,	Shelton,
Bossert,	Gross,	McCann,	Sherman,
Bower,	Guesman,	McCormack,	Shupnik,
Bowman,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald,	Snare,
Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenshield,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cauley,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Strausser,
Clarke,	Hocker,	Mihm,	Sullivan, J. A.,
Comer,	Holliday,	Miller,	Sullivan, T. F.,
Crossin,	Holman,	Mills,	Taylor,
Curwood,	Horst,	Monroe,	Thompson,
Davis,	Irvis,	Morley,	Tomascik,
Dengler,	Isaacs,	Munley,	Tompkins,
Dennison,	Jenkins,	Murphy,	Trusio,
Donaldson,	Jim,	Murray,	Varner,
Dougherty,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Wall,
Down,	Jones,	O'Donnell, J. A.,	Walsh,
Edwards,	Kamyk,	O'Donnell, J. P.,	Wargo,
Eilberg,	Keiser,	Odorisio,	Weidner,
Elvey,	Kelly,	Ogilvie,	Welsh,
Eshback,	Kernaghan,	Parlante,	Wescott,
Ewing,	Kessler,	Pashley,	Whittaker,
Farabaugh,	King,	Perry,	Willard,
Fetterolf,	Kistler,	Petrosky,	Willaredt,
Filo,	Klein,	Piper,	Williams, A. D.,
Fineman,	Knecht,	Polaski,	Williams, E. S.,
Flynn,	Kornick,	Polen,	Wood,
Foerster,	Korns,	Price,	Worley,
Foor,	Kramer,	Pursley,	Wynd,
Fox,	Lamb,	Reibman,	Yetter,
Fry,	Lee, A. M.,	Reidenbach,	Zember,
Fulmer,	Lee, K. B.,	Renwick,	Zimmerman,
Gailey,	Leonard,	Riley,	Andrews,
Gallagher,	Lippincott,	Rovansek,	Speaker

NAYS—0

NOT VOTING—17

Agnew,	Eshleman,	Lawson,	Prendergast,
Auker,	Frascella,	Limper,	Simmons,
Branca,	Guthrie,	Mullen,	Ujobai,
Cianfrani,	Kooker,	Musto,	Wilt,
Cooley,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 230, entitled:

A Joint Resolution proposing an amendment to article nine section one of the Constitution of the Commonwealth of Pennsylvania to exempt persons over the age of sixty-five years who are receiving pension or retirement payments or social security payments or who are unemployed from the payment of personal taxes.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 254, entitled:

An Act amending "The Pennsylvania Workmen's Compensation Act" approved June 2, 1915 (P. L. 736), requiring employers to furnish employes with instructions on their rights in the event of an accident.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Gelfand,	Long, Wm. Jos.,	Rovansek,
Anderson, S. A.,	Gibb,	Lutty,	Royer,
Arlene,	Gibbons,	Magee,	Rubin,
Ashton,	Goldstein, J. H.,	Manbeck,	Rudisill,
Auker,	Goldstein, M. H.,	Markley,	Rutherford,
Bachman,	Goodrich,	Marsh,	Sakulsky,
Backenstoe,	Gramlich,	Maxwell,	Scarcelli,
Blair,	Gray,	May,	Schaaf,
Boles,	Gremminger,	McCandless,	Schuster,
Bonner,	Gross,	McCann,	Seltzer,
Bower,	Guesman,	McCormack,	Shelton,
Bowman,	Hamilton,	McDevitt,	Sherman,
Breth,	Hankins,	McDonald,	Shupnik,
Buchanan,	Hartley,	McInroy,	Slack,
Bush,	Haudenshield,	McKeever,	Snare,
Capano,	Heavey,	McLaughlin,	Stank,
Capitolo,	Heffner,	McNally,	Steckel,
Cauley,	Helm,	Meholchick,	Stimmel,
Cianfrani,	Henzel,	Mihm,	Stone,
Cioffi,	Hocker,	Miller,	Strausser,
Clarke,	Holliday,	Mills,	Sullivan, J. A.,
Comer,	Holman,	Monroe,	Sullivan, T. F.,
Crossin,	Horst,	Morley,	Taylor,
Curwood,	Irvis,	Munley,	Thompson,
Davis,	Isaacs,	Murphy,	Tomascik,
Dengler,	Jenkins,	Murray,	Tompkins,
Dennison,	Jim,	Musto,	Trusio,
Donaldson,	Johnson, A. W.,	Needham,	Varner,
Dougherty,	Johnson, R. P.,	O'Dell,	Verona,
Doughten,	Jones,	O'Donnell, J. A.,	Wall,
Down,	Kamyk,	O'Donnell, J. P.,	Walsh,
Edwards,	Keiser,	Odorisio,	Wargo,
Eilberg,	Kelly,	Ogilvie,	Weidner,
Elvey,	Kernaghan,	Parlante,	Welsh,
Eshback,	Kessler,	Pashley,	Whittaker,
Ewing,	King,	Perry,	Willard,
Farabaugh,	Klein,	Petrosky,	Willaredt,
Fetterolf,	Knecht,	Piper,	Williams, A. D.,
Filo,	Kornick,	Polaski,	Williams, E. S.,

Fineman,	Korns,	Polen,	Wood,
Flynn,	Kramer,	Price,	Worley,
Foerster,	Lamb,	Pursley,	Wynd,
Fox,	Lee, A. M.,	Reibman,	Yetter,
Fry,	Lee, K. B.,	Reidenbach,	Zember,
Fulmer,	Leonard,	Renwick,	Zimmerman,
Gailey,	Lippincott,	Riley,	Andrews,
Gallagher,	Long, Wm. Jas.,		Speaker

NAYS—7

Anderson, J. H.,	Foor,	Kistler,	Wescott,
Bossert,	George,	Merry,	

NOT VOTING—15

Agnew,	Frascella,	Limper,	Stiteler,
Branca,	Guthrie,	Mullen,	Ujobai,
Cooley,	Kooker,	Prendergast,	Wilt,
Eshleman,	Lawson,	Simmons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 255, entitled:

An Act amending "The Pennsylvania Occupational Disease Act" approved June 21, 1939 (P. L. 566), requiring employers to furnish employes with instructions on their rights in the event of disability or death caused by occupational disease.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Gailey,	Long, Wm. Jas.,	Rovansek,
Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Royer,
Arlene,	Gelfand,	Lutty,	Rubin,
Ashton,	Gibb,	Magee,	Rudisill,
Auker,	Gibbons,	Manbeck,	Rutherford,
Bachman,	Goldstein, J. H.,	Markley,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Marsh,	Scarcelli,
Blair,	Goodrich,	Maxwell,	Schaaf,
Boles,	Gramlich,	May,	Schuster,
Bonner,	Gray,	McCandless,	Seltzer,
Bossert,	Gremminger,	McCann,	Shelton,
Bower,	Gross,	McCormack,	Sherman,
Bowman,	Guesman,	McDonald,	Shupnik,
Breth,	Hamilton,	McInroy,	Slack,
Buchanan,	Hankins,	McKeever,	Snare,
Bush,	Hartley,	McLaughlin,	Stank,
Capano,	Haudenshield,	McNally,	Steckel,
Capitolo,	Heavey,	Meholchick,	Stimmel,
Cauley,	Heffner,	Mihm,	Stone,
Cianfrani,	Helm,	Miller,	Strausser,
Cioffi,	Henzel,	Mills,	Sullivan, J. A.,
Clarke,	Hocker,	Monroe,	Sullivan, T. F.,
Comer,	Holliday,	Morley,	Taylor,
Crossin,	Holman,	Munley,	Thompson,
Curwood,	Horst,	Murphy,	Tomascik,
Davis,	Irvis,	Murray,	Tompkins,
Dengler,	Isaacs,	Musto,	Trusio,
Dennison,	Jenkins,	Needham,	Varner,
Donaldson,	Jim,	O'Dell,	Verona,
Dougherty,	Johnson, A. W.,	O'Donnell, J. A.,	Walsh,
Doughten,	Johnson, R. P.,	O'Donnell, J. P.,	Wargo,
Down,	Jones,	Odorisio,	Weidner,
Edwards,	Kamyk,	Ogilvie,	Welsh,
Ellberg,	Keiser,	Parlante,	Whittaker,
Elvey,	Kernaghan,	Pashley,	Willard,
Eshback,	Kessler,	Perry,	Willaredt,
Ewing,	King,	Petrosky,	Williams, A. D.,
Farabaugh,	Klein,	Piper,	Williams, E. S.,
Fetterolf,	Kornick,	Polaski,	Wood,
Filo,	Korns,	Polen,	Worley,
Flynn,	Kramer,	Price,	Wynd,
Foerster,	Lamb,	Pursley,	Yetter,
Foor,	Lee, A. M.,	Reibman,	Zember,
Fox,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fry,	Leonard,	Renwick,	Andrews,
Fulmer,	Lippincott,	Riley,	Speaker

NAYS—6

Anderson, J. H.,	Kistler,	Wall,	Wescott,
George,	Merry,		

NOT VOTING—19

Agnew,	Frascella,	Lawson,	Simmons,
Branca,	Guthrie,	Limper,	Stiteler,
Cooley,	Kelly,	McDevitt,	Ujobai,
Eshleman,	Knecht,	Mullen,	Wilt,
Fineman,	Kooker,	Prendergast,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 297, printer's No. 326, and

House bill No. 356, printer's No. 478

were passed over at the request of the SPEAKER.

The SPEAKER. The Chair requests the gentleman from Beaver to preside temporarily.

Mr. HAMILTON IN THE CHAIR

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 367, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P L 1225) prohibiting the killing or wounding of albino or white deer and imposing duties on the commission with respect to collecting and protecting them.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like one of the sponsors of the bill to clarify for me one word therein, namely, the word "predominantly." "It is unlawful for any person at any time to shoot at or wound or kill or attempt to shoot at or wound or kill or have in possession a deer that is albino or predominantly white." I was wondering what that "predominantly" would embrace. Could someone clarify that for me?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, occasionally these deer are not all white. They are part white and part brown. We might say they are in a stage of transition. "Predominantly" would mean when you could clearly see that there was more white color on the deer than brown, and white is the predominant color.

Mr. McCORMACK. Mr. Speaker, would you say that a deer that is more than 50 percent would be covered, and not less than 50 percent but more than 50 percent white, would that be predominantly white? Or, is it not a question of percentage?

Mr. MAXWELL. Mr. Speaker, my definition of "predominantly" is more white than any other color.

Mr. McCORMACK. Mr. Speaker, I think Mr. Breth might be able to clarify this, since he is the game expert here. May I interrogate Mr. Breth?

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. McCORMACK. What I am concerned with, Mr. Speaker, is the possibility that the wardens or agents might cause the arrest of some hunter for having in his possession, or killing a deer, when it is a question of whether or not the deer is predominantly white. I would appreciate it if you would clarify that for me and tell me whether or not there is a great margin for possible error.

Mr. BRETH. Mr. Speaker, I think the best way that question can be answered is to explain what happens here in albino mutations. In pure albinoism the first generation comes out white, pure white, in any kind of an animal or fish, having everything white or pink. The eyes are pink, and in the case of the deer the nose is pink, the tongue is pink, the gums are pink, the hoofs are pink, and everything about the animal in the whole structure on its exterior is pink and white.

Now, in the second generation, where an albino, whether it be a male or female of the deer family, would mate with another regular brown deer, you are likely to get a mottled, or, in some instances, a reversion to the regular color of the species. In other words, this is where you come into this term "predominantly white." In other words, the second generation always has a dark eye, either black or brown, brownish nose, brownish hoofs, and perhaps in its body structure it might look like a Holstein, or another type of an animal, cattle animal. If it would be brown and white in a horse, it would be pinto.

In order to answer your question as far as enforcement is concerned, under this particular law and with the warden it would be more or less a matter of discretion if this bill became law, a matter of discretion between the arresting officer and the magistrate, or the jury, to determine whether or not the predominance of white was sufficient to bring it under this act. That is as far as I can go.

Mr. McCORMACK. Mr. Speaker, let me ask one more question. In your opinion, a person who shot or had in his possession a deer that is albino or predominantly white, would you say he would know that he would be violating the provisions of this act?

Mr. BRETH. I would say the word "predominantly" would cover such a situation. If you would see enough white or if there were enough white on a deer to be seen clearly, you would know that you were shooting either an albino or a part albino.

Mr. McCORMACK. Thank you.

Mr. FILO. Mr. Speaker, I would like to interrogate the gentleman from Clearfield, Mr. Breth.

The SPEAKER pro tempore. Will the gentleman from Clearfield, Mr. Breth, permit himself to be interrogated?

Mr. BRETH. I shall, Mr. Speaker.

Mr. FILO. Mr. Speaker, I agree with my colleague from Philadelphia regarding the word "predominantly." I do not know—he comes from Philadelphia—whether Mr. McCormack ever hunted deer or not, but I did. Mr. Speaker, how can you see both sides of a deer at the same time? I would like the gentleman to answer that question.

Mr. BRETH. To my mind, Mr. Speaker, that would be decided by the magistrate or by the arresting officer. If the deer had his brown side toward me, the bullet that killed it would enter the brown side; if the white side were toward me, the bullet would enter the white side. Therefore, q.e.d., the wilfulness of the act would be open and shut.

Mr. FILO. It is true that you could be looking at a deer with only one white spot in the front or on its one side.

I sort of agree, Mr. Speaker, and I think the House membership agrees, too, that the word "predominantly" in there is rather superfluous. It should not be. It is going to cause a lot of mistakes. A lot of people are going to be hurt, especially the hunters will be hurt when they shoot such a deer.

I feel that the membership should vote this bill down.

Mr. ADAMS. Mr. Speaker, I am wondering why an albino should be protected at all? You have enough trouble finding a deer in the woods that has legal horns on it and being able to shoot it without having to go out and measure how much of it is white and how much of it is brown. I think it would be a very desirable trophy. Suppose that deer is turned in such a manner—I have hunted and shot deer—that the deer could be brown on one side and white on the other. You kill it thinking it is a brown deer, you go over and pick it up and find that one side of it is white and then the man is nailed. I cannot see the purpose in protecting it even if it is all white. It would be a very desirable trophy, in my opinion. I think, as was pointed out by the gentleman who sponsored the bill, the second and third generations gradually get into a mottled coloring and eventually probably become all brown again.

I think it is a bad bill and imposes a burden and a hardship on the hunter, who has enough burdens and hardships when he is out in the woods trying to get a legal deer, without putting this on the books. I oppose it.

Mr. GRAMLICH. Mr. Speaker, I have heard some discussion on this killing of the albino. In the first place, I know that Mr. Breth knows more about game, I believe, than anyone here but, he will agree, in the first place, the albino is a freak. In the second place, if the members who are sponsoring this bill have had the luck that I have had, they never did get a deer. I am sure there are very few hunters go to the woods for the meat; they go for trophies. I assure you, Mr. Speaker and the sportsmen, especially the ones who are sponsoring a bill like this, if you had an opportunity to get an albino, whether he had horns or whether she did not have horns —and it is legal in doe season—I do not care if it is pink, white, predominantly white, or what it is, I think it would be a beautiful trophy.

We very seldom see one, anyway. I am a deer hunter too. Therefore, I think it is a shame to pass legislation like this. Please vote "no" on this bill.

Mr. HARTLEY. Mr. Speaker, the sportsmen do not want this bill. Most of the sportsmen who go out hunting hunt for trophies. But this bill is not a sportsmen's

bill. This bill should not be called up. The sportsmen like to hunt and they like to hunt for trophies. When you find an albino, you have certainly found a rare specimen and a freak of nature. Therefore, you would like to have it mounted and you would be able to look at him for a long, long time to come.

Therefore, I oppose this bill.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate Mr. Gramlich.

The SPEAKER pro tempore. Will the gentleman from Venango, Mr. Gramlich, permit himself to be interrogated?

Mr. GRAMLICH. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, the gentleman made a statement that these white deer are freaks.

Mr. GRAMLICH. In my opinion, they are. In all the history of it, the albino deer is a freak.

Mr. MAXWELL. Mr. Gramlich, what color are you?

Mr. GRAMLICH. Well, I do not know. I might be a freak, but I did not know anybody was concerned about it. And, Mr. Speaker, I only have two legs and pink skin.

Mr. MAXWELL. Mr. Speaker, I did not hear the gentleman's answer but I suppose he said he was white.

The SPEAKER pro tempore. The gentleman says he is pink.

Mr. MAXWELL. Well then, the gentleman has called himself what he calls the deer, because there are more brown, yellow and black people in this world than there are white. So he terms himself the same thing as he does the deer.

Mr. Speaker, members of the House, before we vote on this bill, if they object to the word "predominantly," it will be all right to hold this bill over and take that word out.

The purpose of this bill is one thing. Now if you want to vote the bill down, it is no great loss to me. But it will be a great loss to the State of Pennsylvania and to the kiddies and the tourists in this country because there probably is not over one albino deer a year in all of Pennsylvania. If these deer were protected and put in a protected area, as Mr. Breth has said, eventually there would be a pure strain of albino deer. To my knowledge this would be the only place in the world where there would be a herd of deer such as this where tourists and people could take their children to see the wonderful white deer herd, in Pennsylvania.

Now, ladies and gentlemen, in closing, practically every country in the world respects the color of white. We have the sacred white cow, we have the sacred white elephant, we have the sacred white cat. Even the American Indians have the white buffalo as their most powerful and their most sacred medicine. Now can we do any less in Pennsylvania except to pass the white deer bill?

Mr. ADAMS. Mr. Speaker, in my opinion it is a bad bill whether the word "predominantly" is in or out. The gentleman who just spoke would lead us to believe that an ablino buck would go out and hunt an albino doe in order to propagate the white species. I think it is very unlikely that that thing would happen out in the woods, and I say we would wind up with mottled deer again, all brown deer. So if a man is lucky enough to get out and find a legal buck with horns on it and it is albino, more power to him. Bring it home. I have been hunting in the woods for about 24 years and I only saw one partial albino deer and that did not have any horns, so I just had to watch it walk away.

Vote the bill down.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—36

Auker,	Jones,	Meholchick,	Sullivan, J. A.,
Bachman,	Kamyk,	Munley,	Taylor,
Boles,	Kramer,	O'Dell,	Tomascik,
Breth,	Lee, K. B.,	O'Donnell, J. P.,	Tompkins,
Capitolo,	Leonard,	Pashley,	Walsh,
Clanfrani,	Lutty,	Polaski,	Wargo,
Curwood,	Maxwell,	Scarcelli,	Wescott,
Doughten,	McKeever,	Schaaf,	Wood,
Hamilton,	McNally,	Shelton,	Andrews, Speaker

NAYS—152

Adams,	Fry,	Klein,	Reibman,
Anderson, J. H.,	Fulmer,	Knecht,	Reidenbach,
Anderson, S. A.,	Gailey,	Kornick,	Renwick,
Arlene,	Gallagher,	Korns,	Riley,
Ashton,	Gelfand,	Lamb,	Rovansek,
Backenstoe,	George,	Lee, A. M.,	Royer,
Blair,	Gibb,	Lippincott,	Rubin,
Bonner,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Bossert,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Bower,	Goldstein, M. H.,	Magee,	Sakulsky,
Bowman,	Goodrich,	Manbeck,	Schuster,
Buchanan,	Gramlich,	Markley,	Seltzer,
Bush,	Gray,	Marsh,	Sherman,
Capano,	Gremminger,	May,	Slack,
Cauley,	Gross,	McCandless,	Snare,
Cioffi,	Guesman,	McCann,	Stank,
Clarke,	Hankins,	McCormack,	Steckel,
Comer,	Hartley,	McDevitt,	Stimmel,
Crossin,	Haudenshield,	McDonald,	Stiteler,
Davis,	Heavey,	McInroy,	Stone,
Dengler,	Helm,	McLaughlin,	Strausser,
Dennison,	Henzel,	Merry,	Sullivan, T. F.,
Donaldson,	Hocker,	Mihm,	Thompson,
Dougherty,	Holliday,	Miller,	Trusio,
Down,	Holman,	Mills,	Varner,
Edwards,	Horst,	Monroe,	Verona,
Eilberg,	Irvis,	Morley,	Weidner,
Elvey,	Isaacs,	Murphy,	Welsh,
Eshback,	Jenkins,	Needham,	Whittaker,
Ewing,	Jim,	O'Donnell, J. A.,	Willard,
Farabaugh,	Johnson, A. W.,	Odorisio,	Willaredt,
Fetterolf,	Johnson, R. P.,	Ogilvie,	Williams, A. D.,
Filo,	Keiser,	Parlante,	Williams, E. S.,
Fineman,	Kelly,	Petrosky,	Worley,
Flynn,	Kernaghan,	Piper,	Wynd,
Foerster,	Kessler,	Polen,	Yetter,
Foor,	King,	Price,	Zember,
Fox,	Kistler,	Pursley,	Zimmerman,

NOT VOTING—20

Agnew,	Guthrie,	Mullen,	Shupnik,
Branca,	Heffner,	Murray,	Simmons,
Cooley,	Kooker,	Musto,	Ujobai,
Eshleman,	Lawson,	Perry,	Wall,
Frascella,	Limper,	Prendergast,	Wilt,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection

House bill No. 387, printer's No. 424

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 400, entitled:

An Act requiring the erection and maintenance of medial barriers or guards on the Pennsylvania Turnpike.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Allegheny, Mr. Filo.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Filo, permit himself to be interrogated?

Mr. FILO. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, we are in favor of the purposes behind this bill. The question is, we do not understand the bill as to whether or not the medial barriers that are already built are to be given credit and that this bill is to have 25 or 50 miles additional each year over and above what has already been built?

Mr. FILO. Over and above what has already been built, Mr. Speaker.

Mr. TOMPKINS. The bill does not specifically say that, as I recall it, but we are in favor of the purposes of the bill.

I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gallagher,	Limper,	Rovansek,
Anderson, J. H.,	Gelfand,	Lippincott,	Royer,
Anderson, S. A.,	George,	Long, Wm. Jas.,	Rubin,
Arlene,	Gibb,	Long, Wm. Jos.,	Rudisill,
Ashton,	Gibbons,	Lutty,	Rutherford,
Auker,	Goldstein, J. H.,	Magee,	Sakulsky,
Bachman,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Backenstoe,	Goodrich,	Markley,	Schaaf,
Blair,	Gramlich,	Marsh,	Schuster,
Boles,	Gray,	Maxwell,	Seltzer,
Bonner,	Gremminger,	May,	Shelton,
Bossert,	Gross,	McCandless,	Sherman,
Bower,	Guesman,	McCann,	Shupnik,
Bowman,	Hamilton,	McDevitt,	Slack,
Breth,	Hankins,	McDonald,	Snare,
Buchanan,	Hartley,	McInroy,	Stank,
Bush,	Haudenshield,	McKeever,	Steckel,
Capano,	Heavey,	McLaughlin,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cauley,	Helm,	Meholchick,	Stone,
Cianfrani,	Henzel,	Merry,	Strausser,
Cioffi,	Hocker,	Mihm,	Sullivan, J. A.,
Clarke,	Holliday,	Miller,	Sullivan, T. F.,
Comer,	Holman,	Mills,	Taylor,
Crossin,	Horst,	Monroe,	Thompson,
Curwood,	Irvis,	Morley,	Tomascik,
Davis,	Isaacs,	Munley,	Tompkins,
Dengler,	Jenkins,	Murphy,	Trusio,
Dennison,	Jim,	Murray,	Varner,
Donaldson,	Johnson, A. W.,	Musto,	Verona,
Dougherty,	Johnson, R. P.,	Needham,	Wall,
Doughten,	Jones,	O'Dell,	Walsh,
Down,	Kamyk,	O'Donnell, J. A.,	Wargo,
Edwards,	Keiser,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kelly,	Odorisio,	Welsh,
Elvey,	Kernaghan,	Ogilvie,	Wescott,
Eshback,	Kessler,	Parlante,	Whittaker,
Ewing,	King,	Pashley,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Williams, E. S.,
Fineman,	Kornick,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Price,	Wynd,
Foor,	Lamb,	Pursley,	Yetter,
Fox,	Lee, A. M.,	Reibman,	Zember,
Fry,	Lee, K. B.,	Renwick,	Zimmerman,
Fulmer,	Leonard,	Riley,	Andrews,
Gailey,			Speaker

NAYS—0

NOT VOTING—15

Agnew,	Frascella,	McCormack,	Simmons,
Branca,	Guthrie,	Mullen,	Ujobai,
Cooley,	Kooker,	Prendergast,	Wilt,
Eshleman,	Lawson,	Reidenbach,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 414, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), imposing costs in prosecutions for violations when evidence does not show the prosecution is well founded and requiring bonds.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 416, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" changing the basis for pensions.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Mr. Speaker, at this time I would like to offer amendments to the bill. If the amendments are accepted, it will make House bill 416 the same as House bill 418, so that pension rights for employes will be the same as policemen and firemen in third-class cities. I have discussed it with the sponsor of the bill and he has agreed to the amendments.

Mr. A. W. JOHNSON asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 4), page 3, line 1, by inserting after "city" or which would be determined by the rate of the monthly pay of such person at the date of retirement, whichever is the higher.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 417, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing for certain traffic courts in cities of the third class.

On the question,

Will the House agree to the bill on third reading?

Mr. BOWMAN. In my opinion, these are very controversial amendments, and I would like both to speak on them and call for a roll call.

Mr. PIPER asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 1201.1), page 2, line 12, by inserting after "month" No appointee shall be reappointed until each alderman has served in this court or waived the privilege so to do by notifying the mayor in writing.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

Mr. BOWMAN. Mr. Speaker, I yield to the gentleman from Delaware, Mr. Isaacs, who is a proponent of the amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I rise to support the amendments offered by the gentleman from Berks, Mr. Piper. When the Vehicle Code was originally passed on May 1, 1929—or approved May 1, 1929—it provided that all summary cases be taken before the nearest magistrate in the political subdivision, the nearest magistrate being a magistrate in the city of Philadelphia, a justice of the peace in the boroughs and townships, and an alderman in the other cities. The purpose of that was evident. It was to keep police from riding by a number of justices of the peace to pick out a particular one. This bill, as it originally was sponsored, provided the same thing as has every traffic court bill which has left this House since 1955. However, the bill was amended and that provision for rotation of magistrates was taken out of the bill. I would say it was a controversial amendment when it was taken out and I ask the members on both sides of the House to support these amendments, and I ask for a roll call vote.

Mr. BOWMAN. Mr. Speaker, as the gentleman from Delaware indicated, this bill now provides that the traffic courts do not have to be served by aldermen in rotation, that is, all aldermen in a third-class city do not have to—are not required to—serve in a traffic court. The mayor can appoint those he feels are competent to serve in the court. I, of course, support the present bill and oppose the amendments.

We recognize that there are many excellent aldermen in a third-class city. Unfortunately, we equally recognize that there are some not so competent alderman in a third-class city, and a few, very few, completely incompetent aldermen in third-class cities. We have no argument whatsoever with those aldermen who are competent. We want them to serve, but the amendments, if accepted, will require us to have every alderman, regardless of his competency, serve in a traffic court. If you want an efficient traffic court, reject these amendments. If you want the system as it is today, reject the entire bill.

Mr. GAILEY. Mr. Speaker, I rise to join my colleague from Dauphin County in opposing the amendments to this bill. The phrase "good government" has unfortunately recently become, in many cases, a term of derision. This is certainly not true of this bill. Those of us who live in third-class cities feel that the traffic court plan as encompassed in the bill as it is now written will do two things. First, it will provide for a fairer system of enforcement of our traffic laws, and, second, it will provide the motorist who has been, in many cases, in some cases, improperly charged with violation, a proper forum in which to be heard. I think many of us are aware that frequently aldermen and justices of the peace are reluctant to decide in favor of the defendant and against the prosecutor in a criminal matter. We feel that in a traffic court the motorist is going to get a better break. So much for the bill itself.

As to these amendments, the gentleman from Dauphin is quite correct. Unfortunately there are aldermen who are not competent, in my opinion, to serve in traffic court, and yet this bill would give them the right to sit there whether they were qualified to handle this court or not. We feel that since this is being put under the control of the city administration itself, it should properly be their duty and their right to choose those aldermen whom they feel qualified and competent to handle this court, and I would ask all members on both sides of the aisle to join in rejecting these amendments.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

Mr. ISAACS. Mr. Speaker, I readily admit that there are probably some magistrates who are not as good as others. I think every member of this House will readily admit there are some judges of courts of record who are more competent than others. However, they are not told to sit in a corner and not be permitted to hear any cases, or not even be permitted to improve themselves. These amendments are the position of the Pennsylvania Magistrates' Association, and let us remember, every one of these aldermen are elected by the electors in their respective wards and they are certainly entitled to their day in court. I ask support for these amendments.

Mr. POLASKI. Mr. Speaker, I urge all the members on this side of the House to please vote for these amendments.

Mr. GAILEY. Mr. Speaker, I do not want to prolong this debate, but I would like the attention of the House for just a second while I comment on the remarks of Mr. Isaacs.

I think all of us will agree that our traffic regulations and laws are passed not for the purpose of putting costs in the pockets of the elected aldermen but are put into effect in order to regulate our traffic systems.

It seems to me that the arguments that they are entitled to their day in court and therefore to their costs has nothing to do with this particular bill. The issue is solely as to whether or not you want a fair system of traffic law enforcement. In order to do that, as the gentleman from Dauphin has said, these amendments should be defeated.

Mr. AUKER. Mr. Speaker, I did not intend to get into this argument but I think there is another point that ought to be considered in this. From the standpoint of

pure fairness, aldermen are elected by the people in the ward in which they reside. Evidently they must have some competency about them or else they would not have been able to be elected by those people in that particular ward. I am speaking on the grounds of partisan discrimination on these bills. If a man is elected as an alderman in his ward and you are going to have a traffic court, then I think he should have a right to serve on that traffic court and not be subject to partisan discrimination. And that is what you are trying to do here if you do not adopt these amendments.

Mr. McCANN. Mr. Speaker, our members are divided. If you vote "aye," you are supporting the amendments which rotate; if you vote "no," you are voting against the amendments and you are voting for the bill as it is in its present position. Vote as you please.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. PIPER and BOWMAN and were as follows:

YEAS—89

Adams,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Anderson, J. H.,	Goldstein, M. H.,	Manbeck,	Scarcelli,
Arlene,	Goodrich,	Marsh,	Schaaf,
Ashton,	Gremminger,	McCandless,	Shelton,
Auker,	Gross,	McCormack,	Sherman,
Blair,	Hamilton,	McDonald,	Stone,
Bonner,	Hartley,	McInroy,	Taylor,
Bossert,	Haudenshield,	McKeever,	Thompson,
Capitolo,	Heavey,	Miller,	Tompkins,
Cianfrani,	Henzel,	Monroe,	Varner,
Dengler,	Holliday,	Morley,	Verona,
Dennison,	Isaacs,	Murphy,	Weidner,
Doughten,	Johnson, R. P.,	Musto,	Welsh,
Down,	Kelly,	O'Dell,	Wescott,
Edwards,	Kernaghan,	O'Donnell, J. P.,	Willard,
Farabaugh,	King,	Odorisio,	Willaredt,
Fetterolf,	Klein,	Parlante,	Williams, A. D.,
Foor,	Lee, A. M.,	Piper,	Williams, E. S.,
Fox,	Lee, K. B.,	Polaski,	Worley,
Frascella,	Limper,	Price,	Yetter,
Fulmer,	Lippincott,	Reibman,	Zember,
Gallagher,	Long, Wm. Jas.,	Renwick,	Zimmerman,
Gibb,			

NAYS—101

Anderson, S. A.,	Fry,	Kramer,	Reidenbach,
Bachman,	Gailey,	Lamb,	Riley,
Backenstoe,	Gelfand,	Leonard,	Rovansek,
Boles,	George,	Lutty,	Rubin,
Bower,	Goldstein, J. H.,	Magee,	Rutherford,
Bowman,	Gramlich,	Markley,	Sakulsky,
Breth,	Gray,	May,	Schuster,
Buchanan,	Guesman,	McCann,	Seltzer,
Bush,	Hankins,	McDevitt,	Shupnik,
Capano,	Heffner,	McLaughlin,	Slack,
Cauley,	Helm,	McNally,	Snare,
Cioffi,	Hocker,	Meholchick,	Steckel,
Clarke,	Holman,	Merry,	Stimmel,
Crossin,	Horst,	Mihm,	Stiteler,
Curwood,	Irvis,	Mills,	Strausser,
Davis,	Jenkins,	Munley,	Sullivan, J. A.,
Donaldson,	Jim,	Murray,	Sullivan, T. F.,
Dougherty,	Johnson, A. W.,	Needham,	Tomascik,
Ellberg,	Kamyk,	O'Donnell, J. A.,	Trusio,
Elvey,	Keiser,	Ogilvie,	Walsh,
Eshback,	Kessler,	Pashley,	Wargo,
Ewing,	Kistler,	Perry,	Whittaker,
Filo,	Knecht,	Petrosky,	Wood,
Fineman,	Kornick,	Polen,	Wynd,
Flynn,	Korns,	Pursley,	Andrews,
Foerster,			Speaker

NOT VOTING—18

Agnew,	Guthrie,	Mullen,	Stank,
Branca,	Jones,	Prendergast,	Ujobai,
Comer,	Kooker,	Royer,	Wall,
Cooley,	Lawson,	Simmons,	Wilt,
Eshleman,	Maxwell,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The motion was agreed to.

ANNOUNCEMENT

The SPEAKER. At 1 o'clock tomorrow the photographer will be here to take a picture of the membership in the hall of the House.

MEMBERS WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of the gentleman from Delaware, Mr. Odorisio. I am sure that all the members join with the Speaker in welcoming him back to his accustomed place.

The Chair is also told that the gentleman from Philadelphia, Mr. Dougherty, is in the hall of the House.

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Odorisio.

Mr. ODORISIO. Mr. Speaker, I thank you for your good wishes and I want to thank every member of this House for the cards I got. I certainly enjoyed receiving them and I am very happy to be back.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Dougherty.

Mr. DOUGHERTY. Mr. Speaker, I just wanted to thank the members of the House for the reception you have given me. I am tickled to death to be back.

The SPEAKER. You don't know how glad we are to have you here.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131-A, Tuesday, March 14, at 9:30 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, Chairman, Room 131-A, Tuesday, March 14, at 11:45 a.m.

CITIES—COUNTIES FIRST CLASS, Mr. Dougherty, Chairman, Room 521, Tuesday, March 14, at 10:30 a.m.

CITIES—COUNTIES SECOND CLASS and SECOND CLASS A, Mr. Lutty, chairman, Room 131-B, Tuesday, March 14, at 12:00 noon.

EDUCATION, Mrs. Reibman, chairman, Senate Caucus Room, Joint Meeting, Tuesday, March 14, at 9 a.m.

GAME and CONSERVATION, Mr. Curwood, chairman, Room 323, Tuesday, March 14, at 9:30 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, March 14, at 10 a.m.

LABOR RELATIONS, Mr. Wargo, chairman, Room 131-E, Tuesday, March 14, at 11:30 a.m.

LAW and ORDER, Mr. Welsh, chairman, Room 522, Tuesday, March 14, at 10 a.m.

MILITARY AFFAIRS, Mr. Needham, chairman, Room 324, Tuesday, March 14, at 12:45 p.m.

PUBLIC UTILITIES and CORPORATIONS, Mr. Mills,

chairman, Room 131-F, Tuesday, March 14, at 10:45 a.m.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, March 14, at 11 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Tuesday, March 14, at 11 a.m. (Picture to be taken).

WELFARE, Mr. Stone, chairman, Room 331, Tuesday, March 14, at 10:30 a.m.

BIRTHDAY

Mr. McCANN. Mr. Speaker, the gentleman from Delaware, Mr. Gremminger, has a birthday today, sir. I would like to ask Dr. Dengler to lead the singing.

(Members joined in singing "Happy Birthday.")

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gremminger.

Mr. GREMMINGER. Mr. Speaker, ladies and gentlemen, thank you very much.

BILLS ON THIRD READING

Mr. McCANN. Mr. Speaker, I call up on page 12 of today's calendar House bill No. 474 for amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 464, entitled:

An Act amending the act of May 20, 1921 (P. L. 984), entitled as amended "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game purposes or the perpetuation and protection of fish * * *" providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 2), page 2, lines 10 and 11, by inserting brackets before "Secretary" in line 10 and after "Fisheries" in line 11 and inserting immediately thereafter Director of the Pennsylvania Game Commission or the Executive Director of the Pennsylvania Fish Commission.

Amend Sec. 1 (Sec. 2), page 2, lines 14 and 15, by striking out "Secretary of the Board of Game Commissioners or the Commissioner of Fisheries" and inserting in lieu thereof Director of the Pennsylvania Game Commission or the Executive Director of the Pennsylvania Fish Commission.

Amend Sec. 1 (Sec. 2), page 3, line 3, by striking out "fifty" and inserting seventy-five.

Amend Sec. 1 (Sec. 2), page 3, lines 12 and 13, by inserting brackets before "Secretary" in line 12 and after "Fisheries" in line 13 and inserting immediately thereafter Director of the Pennsylvania Game Commission or the Executive Director of the Pennsylvania Fish Commission.

Amend Sec. 1 (Sec. 10), page 4, lines 3 and 4, by inserting brackets before "Secretary" where it appears the second time, in line 3 and after "Fisheries" in line 4 and inserting immediately thereafter Director of the Pennsylvania Game Commission or the Executive Director of the Pennsylvania Fish Commission.

The SPEAKER. Will the House give unanmious consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 485, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver of competitive bidding requirements therefor.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

Amend Section 6, page 7, line 20, by inserting after "hereto" The department shall have power to refuse any prospecting or development permit, or to impose conditions upon any such permit, whenever it deems the same necessary to prevent the explosion or loss of gas from areas leased for the production or storage of natural gas, or to assure to the lessees of such areas the peaceful enjoyment of the rights conferred by their leases.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 546, entitled:

An Act amending "The Borough Code" approved May 24, 1927 (P. L. 519), requiring sale of water-works or system and property upon payment into court by the borough of the amount of the valuation finally fixed.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 355

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 355, printer's No. 477, entitled:

"An Act amending 'The General State Authority Act of one thousand nine hundred forty-nine' approved March 31, 1949, (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf."

was defeated on final passage Tuesday, March 7, 1961, be reconsidered.

Mr. POLEN. I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polen vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 455

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 455, printer's No. 494, entitled:

"An Act amending the act of September 29, 1951 (P. L. 1646), entitled 'An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *' authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money."

was defeated on final passage Tuesday, March 7, 1961, be reconsidered.

Mr. POLEN. I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polen, vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final postponed calendar.

The motion was agreed to.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

SENATE BILL NO. 178.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 178.

An Act amending the act of May 25, 1945 (P. L. 1050), entitled "Local Tax Collection Law" further regulating compensation of tax collectors in boroughs and townships of the second class.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Lycoming, Mr. Bush, rise?

Mr. BUSH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BUSH. Mr. Speaker, the Journal for February 28, on the vote on House bill 326, shows that I did not vote. I was in the hall of the House at that time, Mr. Speaker, and voted in the affirmative.

The SPEAKER. The remarks of the gentleman on a question of personal privilege will be spread upon the record.

BILLS PASSED OVER

The SPEAKER. Without objection, all bills not acted upon on today's calendar will be passed over.

The Chair hears none.

ADJOURNMENT

Mr. MAY. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 14, 1961, at 1 p. m., e. s. t.

The motion was agreed to, and, at 6:18 p. m., e. s. t.) the House was adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, MARCH 14, 1961. No. 28.

SENATE

TUESDAY, MARCH 14, 1961.

The Senate met at 1:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The PRESIDENT. The prayer today will be offered by a very old and dear friend of mine, a gentleman with whom I had the privilege of going to high school, the Reverend Doctor Mervin A. Heller, Executive Secretary of the Greater Reading Council of Churches, Reading Pennsylvania.

The Chaplain, Rev. DOCTOR MERVIN A. HELLER, offered the following prayer:

Let us pray.

Almighty God, we thank Thee for all the blessings of this life and, especially, for those that are ours in this free land; for the fruits of the soil, the untold resources of the earth, the opportunities for work and play and healthful living; for liberty in speech and written word; for public education and regard for every man's welfare. We pray Thee that, as we thank Thee for these and all Thy mercies, Thou wilt continue Thy good hand upon us and make our Nation great in that greatness which alone is pleasing to Thee, even the righteousness which is the doing of Thy holy will.

O Thou, Who art the God of generations of men, we thank Thee for all who have walked humbly with Thee. Especially do we pray for Representative Agnew, in whose life we have seen the vision of Thy beauty. May we know that in the body or out of the body, he is with Thee. Make us glad in his living; comfort and teach us through his dying.

Unite us still, God of our souls, in one household of faith and love; one family in heaven and upon earth. In Thy Name, we pray. Amen.

The PRESIDENT. May I ask the Senate to remain standing for one moment of silence, in deference to the unfortunate death of Representative Agnew?

(Moment of silence was then observed.)

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANE and Mr. WEINER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Mr. WOLFE, due to illness.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard F. Linn, R. D. 6, Gettysburg, Adams County, for appointment as Justice of the Peace in and for the Township of Straban, Adams County, to serve until the first Monday of January 1962, vice Robert F. Bell, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Antoinette Falco, 173 Main Street, Hellertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Hellertown, Northampton County, to serve until the first Monday of January 1962, vice Robert K. Matey, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry R. Crawford, Abbottstown, Adams County, for appointment as Justice of the Peace in and for the Borough of Abbottstown, Adams County, to serve until the first Monday of January 1962, vice Norman Moul, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 171,** which was referred to the Committee on Local Government.

He also presented for concurrence **HB 191,** which was referred to the Committee on State Government.

He also presented for concurrence **HB 254** and **255,** which were referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 400** and **517,** which were referred to the Committee on Highways.

REPORTS FROM COMMITTEES

Mr. SEYLER, from the Committee on Local Government, reported, as committed, **SB 302.**

Mr. DEVLIN, from the Committee on Local Government, reported, as committed, **SB 303.**

He also, from the Committee on State Government, reported, as committed, **SB 377.**

Mr. MURRAY, from the Committee on Highways, reported, as amended, **SB 103,** and, as committed, **SB 208, 209, 230, 294** and **313.**

Mr. DEVLIN, from the Committee on State Government, reported, as committed, **HB 224.**

Mr. HAYS, from the Committee on Local Government, reported, as committed, **SB 296.**

Mr. FLACK, from the Committee on Local Government, reported, as committed, **SB 297.**

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 301.**

Mr. LANE, from the Committee on Rules, reported, as committed, **HB 240.**

BILL REREFERRED

Mr. HALUSKA, from the Committee on Local Government, returned to the Senate, **SB 362,** which was rereferred to the Committee on Appropriations.

RESOLUTIONS REPORTED FROM COMMITTEES

Mr. MURRAY, from the Committee on Highways, reported without amendment, Senate Resolution, **Serial No. 17,** entitled:

Commending Secretary of Highways Park H. Martin.

Mr. LANE, from the Committee on Rules, reported without amendment, **Senate Concurrent Resolution, Serial No. 22,** entitled:

Offering Various Services to Aid in the Orderly Transfer of Powers of the Auditor General and State Treasurer.

He also, from the Committee on Rules, reported without amendment, **House Resolution No. 1,** entitled:

Congress Memorialized to Support and Enact a Temporary Unemployment Compensation act.

He also, from the Committee on Rules, reported without amendment, **House Resolution No. 16,** entitled:

Legislative Commission on Space Allocation.

The PRESIDENT. These resolutions will be placed on the Calendar.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS, LAID ON THE TABLE

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

March 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert Reynolds, 4920 Elmwood Drive, Pittsburgh 27, Allegheny County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE ADVISORY HEALTH BOARD

January 3, 1961.

Edward F. Kunde, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE PLANNING BOARD

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., Pittsburgh, Allegheny County, for reappointment as a member of the State Planning Board, until December 13, 1964, and until his successor is appointed and has qualified.

DAVID L. LAWRENCE.

MEMBERS OF THE STATE VETERANS' COMMISSION

January 3, 1961.

Bernard J. McGowan, McKeesport, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Welbert C. Plusa, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Vincent A. Hanna, Havertown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Leonard R. Santore, Greensboro, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Edward T. Hoak, Manor, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

ANNOUNCEMENT OF HEARINGS TO BE HELD BY JOINT COMMITTEE TO STUDY ABOLITION OF CAPITAL PUNISHMENT

Mr. DONOLOW. Mr. President, on behalf of the Joint Committee of the House and Senate which is holding public hearings on capital punishment, I wish to announce that the Committee has scheduled for next

Wednesday afternoon, from 1:00 p.m. to 6:00 p.m., public hearings in the Majority House Caucus Room.

Next Thursday, on March 23, from 10:00 a.m. until 5:00 p.m., hearings will be held for the second day at the same place.

BILLS INTRODUCED AND REFERRED

Mr. HALUSKA presented to the Chair **SB 404,** entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Which was committed to the Committee on Reapportionment.

Messrs. DEVLIN, SARRAF, STAISEY, VAN SANT, STROUP and WADE presented to the Chair **SB 405,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

Which was committed to the Committee on Highways.

Messrs. YATRON, MILLER, BELL and WARE presented to the Chair **SB 406,** entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," making annual appropriations from the Motor License Fund to counties for payments to political subdivisions therein for snow removal, and providing that payments from such appropriations shall be subject to certain determinations by the Secretary of Highways.

Which was committed to the Committee on Finance.

Mr. WEINER (By request) presented to the Chair **SB 407,** entitled:

An Act authorizing the Department of Property and and Supplies, with approval of the Governor, to grant an easement over certain land siutate in the City of Philadelphia, County of Philadelphia.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President and Members of the Senate, the bill which I am about to introduce relates to the election of school directors in the school districts of Pennsylvania.

It is very trite to say that education is one of the biggest problems facing any State in the 1960's. I would also add that in a very crucial role, in public education in Pennsylvania, stand the boards of education.

This bill would provide for a different method of electing school directors. The present laws, it would seem to some of us, make it almost impossible for public education in Pennsylvania to call upon many fine citizens and get them to serve on school boards. I am referring to perhaps the thirty per cent of the school districts, where one of the two major parties are so far in the minority that the good leadership in those parties is reluctant to offer themselves as candidates for school director. If they do offer themselves, they have little chance of election.

Mr. President, I think this bill will cause no difference in perhaps sixty or seventy per cent of the school districts of the Commonwealth. I am offering it, primarily, for the twenty, thirty or forty remaining per cent of the school districts in Pennsylvania.

Our former colleague, Senator Ruth, for years—I think he told me for as long as he was here—introduced a bill to elect school directors on a nonpartisan ballot. This bill I would prefer to call a method of electing school directors on a bipartisan basis perhaps, in that it would call for the election of school directors in the same manner as judges of the county courts are now elected. This means that a person could cross-file in the primary election to run for school director.

I hope the Chairman of the Committee, to which this bill is referred, will kindly give consideration to it and urge the Members of the Committee to report it favorably.

Mr. President, this bill has the cosponsorship of Senator Sesler, Senator Seyler and myself.

BILLS INTRODUCED AND REFERRED

Messrs. HAYS, SESLER and SEYLER presented to the Chair **SB 408,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1333), entitled "Pennsylvania Election Code," providing for bipartisan election of all elected school directors.

Which was committed to the Committee on Elections.

Messrs. SEYLER, HAYS, STAISEY, MILLER, YATRON and HALUSKA presented to the Chair **SB 409,** entitled:

An Act amending the act of June 1, 1959, (P. L. 350), entitled "Public School Employes' Retirement Code of 1959," by further providing for the duties of the Retirement Board and authorizing the withholding of appropriations to school districts in certain cases.

Which was committed to the Committee on Education.

Messrs. FLEMING, PROPERT and KESSLER presented to the Chair **SB 410,** entitled:

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, providing for and regulating Commonwealth debt for capital improvements and certain other purposes and prohibiting debts and obligations inconsistent therewith.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. STROUP presented to the Chair **SB 411,** entitled:

An Act amending the act of April 9, 1929, (P. L. 343), entitled "The Fiscal Code," providing for fiscal information for the members of the General Assembly.

Which was committed to the Committee on Finance.

Messrs. STROUP, KELLER, SHAFER, SCOTT, and EHRGOOD presented to the Chair **SB 412,** entitled:

An Act amending the act of March 10, 1949, (P. L. 30), entitled "Public School Code of 1949," providing for additional payments to certain school districts.

Which was committed to the Committee on Education.

RECONSIDERATION OF SB 79

Mr. ROONEY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 79 failed of final passage on March 7, 1961.

The PRESIDENT. How did the Senator vote?

Mr. ROONEY. Mr. President, I voted with the prevailing side.

Mr. WEINER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WEINER. Mr. President, I voted with the prevailing side.

A voice vote having been taken, the question was determined in the affirmative and the motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I request that Senate Bill No. 79, Printer's No. 344, appear on Monday's Final Passage Calendar.

The PRESIDENT. There being no objection, Senate Bill No. 79 will appear on Monday's Final Passage Calendar.

CONSIDERATION OF CALENDAR SUSPENDED IN DEFERENCE TO THE DEATH OF REPRESENTATIVE WILLARD F, AGNEW, JR.

Mr. WEINER. Mr. President, out of deference and regard for our colleague, Representative Agnew, and his untimely passing, which has caused all of us a great deal of concern, we will not consider today's Calendar.

I ask that all of the bills appearing on today's Calendar go over in their order.

The PRESIDENT. Without objection, all bills appearing on the Calendar will go over in their order.

GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

The PRESIDENT. The President of the Senate has been perturbed by the presence of a great many of the younger element in our gallery. I understand, Senator Wade, that you have the information on this group so that we may properly recognize them.

Mr. WADE. Thank you very much, Mr. President.

I am delighted to present to you, and to the Members of the Senate a rather large group from the Newport Union High School. Newport is located, as you know, in Perry County, which is almost the center of the Thirty-first Senatorial District. These young folks are led by Professor Earl Kipp and Professor Don Steinhart.

The PRESIDENT. The Chair might add that the District is ably represented by you, Senator Wade.

Mr. WADE. I was too modest, Mr. President, to state that.

The PRESIDENT. The Chair will add that for you as a postscript.

Mr. WADE. Thank you very much, Mr. President.

The PRESIDENT. Will the ladies and gentlemen of the Newport Union High School rise, please, and be recognized?

We are very happy to have you with us to see at firsthand the workings of your Legislative Bodies. We hope you will enjoy yourselves here in Harrisburg.

Mr. LANE. Mr. President, I request unanimous consent at this time to present a resolution.

The PRESIDENT. Senator, if you had waited just one second longer, the next item of business will be Original Resolutions and we could dispense with the unanimous consent. Will you wait just a second, and the Chair will state that the next order of business is Original Resolutions. The Chair now recognizes the gentleman from Washington County, Senator Lane.

Mr. LANE. Mr. President, I certainly do appreciate your great favor. As a matter of fact, it is one of the few favors I have received since I have been in the Senate.

Mr. President, on behalf of Senator Weiner, Senator DiSilvestro and myself, I am about to offer a resolution and request its immediate consideration.

SENATE RESOLUTION

COMMENDING JOHN S. RICE FOR HIS MANY SERVICES TO PENNSYLVANIA

Messrs. LANE, WEINER and DiSILVESTRO offered the following resolution **(Serial No. 24)**, which was read, considered and adopted:

In the Senate, March 14, 1961.

John S. Rice, Secretary of the Commonwealth, was born in Adams County, educated at Ardentsville, Gettysburg Academy and Gettysburg College. His college career was interrupted by World War I. In 1921, he finished Gettysburg College with high honors.

He organized a number of manufacturing concerns and also became interested in fruit growing.

He launched his highly successful political career in 1932 as a write-in candidate for Senator from the Adams-Franklin District and was elected. His outstanding record as a public servant is a matter of public record. His record is such that it has come to the attention of the present Administration in Washington, with the result that he has been selected as Ambassador to Holland.

We are, indeed, sorry to lose the public service of John S. Rice, but we are proud that a fellow Pennsylvanian has been chosen for this high office. It is with much regret that we note our loss of the services of John S. Rice as a public servant; therefore be it

RESOLVED, That the Senate of the Commonwealth of Pennsylvania hereby commend John S. Rice for his many services to this State and his unfailing services to the public; and be it further

RESOLVED, That a copy of this resolution be sent to John S. Rice, Secretary of the Commonwealth.

EXPRESSING REGRET UPON THE DEATH OF REPRESENTATIVE WILLARD F. AGNEW, JR.

Mr. BERGER. Mr. President, possibly the reason Senator Lane was unaware that Original Resolutions was the next order of business is due to the situation which occurred this morning, because the Majority Leader and I and all of our colleagues understood that we would omit the major portion of the regular business of this session due to the very tragic death of Representative Willard F. Agnew, who was the Minority Leader in the House of Representatives.

His death occurred this morning in the early hours, and we were apprised of it ourselves around 7:30 or 8:00 o'clock. The House of Representatives very properly opened, offered a prayer, and adjourned. We agreed that we, in the Senate, out of respect to Representative Agnew, would do only those things which were essential, and, as Senator Weiner has done, would pass over the Calendar and omit other business.

Mr. President, at this time, due to the fact that the shocking news is so new to us, it is impossible for me to eulogize this young man, who was only thirty-seven years of age, and was an able, intelligent, aggressive and

likeable young man who had the respect of all of his colleagues, including all of us in the Senate on both sides of the aisle.

Consequently, Mr. President, I thank the gentlemen of the Senate, on behalf of the Members of the House who were close to Representative Agnew, for deferring as they have in the business of the Senate to his memory.

It is very difficult, of course, to try to assign or even contemplate a reason for what has happened. I believe this is one time when the meaning of the word "inscrutable" is most apparent to all of us.

The PRESIDENT. Thank you, Senator Berger. I know that all of us here in the Senate feel so deeply about the death of our colleague, Representative Agnew.

Mr. WEINER. Mr. President, I would just like to add to what the Minority Leader has stated.

Representative Agnew was a Member of the Bar, an attorney in Allegheny County, and had been a Member of the House since 1955. I had gotten to know him quite well over the years that we served together in the Legislature.

I think, in a sense, his death sort of highlights the pressure and the amount of difficulty that is entailed in doing the job of a legislator. Too often people get the impression that this is an easy task; that it is the kind of job that people do in which all that takes place is what can be seen. As you can see, there were pressures on this young man who would probably, if not for this extra pressure, still be alive today.

This is one of the problems. We have seen in this Session—and the Session is not too old; we are only in the third month—that we have lost a number of Members in the House, none of whom was an old man or none of whom was a person who had been ailing for years. This business of politics is a tough one. It is relentless. The positions of leadership within this circle are hard ones.

It bespeaks well for all of the Members and the public at large to concern themselves with the kind of service they are getting from the people who represent them here and who try, through many difficult situations, to arrive at just conclusions that will be for the best good of all of the people of the Commonwealth.

Therefore, I feel as a Member of the Legislature,—although Representative Agnew was not a member of my political party—as we say farewell to Mr. Agnew, I think we should consider for a moment the kind of service he gave and the dedication he gave to the Commonwealth of Pennsylvania, to his own Party and to the general area in which we live, the area of politics.

We have lost an important person and a person who was on his way up, I felt, in the business of politics.

GUESTS OF SENATOR SAMUEL B. WOLFE PRESENTED TO SENATE

Mr. WADE. Mr. President, a few moments ago when you extended me the privilege of introducing a group from Newport, I was unaware of the fact that a rather large and representative group from the Lewisburg High School, under the leadership of Mrs. Ames, one of their instructors, is also with us today.

On behalf of Senator Wolfe, therefore, I ask you to extend the greetings of the Senate to this representative group.

The PRESIDENT. Thank you, Senator Wade. Will the representatives from the Lewisburg High School please rise?

We are very happy to have you with us in this Session of the Senate. Thank you again, Senator Wade.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 103, 208, 209, 230, 294, 296, 297, 301, 302, 303, 313, 377, HB 224** and **240.**

And said bills having been read at length for the first time,

Ordered, to be laid aside for second reading.

ANNOUNCEMENT OF PUBLIC HEARINGS ON SB 350

Mr. STAISEY. Mr. President, his morning, the Committee on Forests and Waters, Game and Fish had a meeting, and Senate Bill No. 350, which has to do with the Delaware waterways, was discussed.

It was decided by the committee, Mr. President, that on March 28, 1961, a public hearing will be held in Easton, Pennsylvania, at the Courthouse, commencing at 10:00 o'clock.

On March 29, 1961, in Philadelphia, there will be a meeting commencing at 10:00 o'clock in the State Office Building in the quarters of the Lieutenant Governor.

On April 5, 1961, here in Harrisburg, there will be another meeting, and we will designate a place and time for that hearing at that time.

It is the feeling of the committee, Mr. President, that this is a bill of considerable consequence and it is far-reaching. We want to develop and gain as much testimony and information as we can in order that a sensible disposition of this matter might be made.

ADJOURNMENT

Mr. RIPP. Mr. President, I move that the Senate do now adjourn until Monday, March 20, 1961, at 3:00 p.m.

Mr. MULLIN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:07 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 14, 1961.

The House met at 1 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Speaker announces with profound sorrow the death this morning of our esteemed minority leader, Willard F. Agnew, Jr.

As a mark of respect to his memory, the Chair requests at the conclusion of the prayer that we stand in silence until the gavel sounds.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father in Heaven, in deepest reverence and with saddened hearts we come before Thee this day. We pay humble tribute to the noble life of our minority leader of this House of Representatives who has been called to his eternal rest. Gracious Father, we recognize the able leadership which Willard Agnew has given not only to his party but to the progressive work of this House; we thank Thee for his life and the service to this Commonwealth; and we pray for Thy special love and tender care toward his wife and loved ones. Grant to each one of us who are still in our pilgrimage through life Thy eternal love and everlasting guidance; and when our life on this earth is at an end, call us unto Thy rest and peace: through Jesus Christ, our Lord. Amen.

(At the conclusion of the prayer, the members stood in silence.)

COMMITTEE APPOINTED TO ATTEND FUNERAL SERVICES OF THE HONORABLE WILLARD F. AGNEW, JR.

In the House of Representatives,
Tuesday, March 14, 1961.

The Speaker appoints as a committee to attend the funeral services of the Honorable Willard F. Agnew, Jr., late a member of this House from the County of Allegheny, the following members:

Lee A. Donaldson, Jr., Laurence V. Gibb, Raymond E. Wilt, Edwin C. Ewing, George K. Haudenshield, Ronald L. Thompson, James C. Simmons, Maurice H. Goldstein, James F. Clarke, K. Leroy Irvis, Harry A. Kramer, Walter T. Kamyk, Thomas H. Cauley, Leo J. McLaughlin, Edward A. Schuster, Sr., Paul F. Lutty, Thomas F. Lamb, Louis Leonard, Martin C. Mihm, Thomas J. Foerster, John T. Walsh, David M. Boies, Jules Filo, George E. Jenkins, John J. Murray, Arthur O. Guesman, Thomas F. Sullivan, Edwin W. Tompkins, W. Stuart Helm, Blaine C. Hocker, H. Jack Seltzer, Edwin E. Lippincott, Morton H. Fetterolf, James Wynd, Jr., Norman Wood, Marian E. Markley, Stephen McCann, Joshua Eilberg, Anthony J. Petrosky, W. Mack Guthrie, Robert K. Hamilton, H. Beryl Klein, Charles D. Stone, Thomas W. King, Jr., Albert L. McCandless, Michael R. Flynn, J. Dean Polen, A. V. Capano, Austin J. Murphy, Jr., Charles J. Jim, Barnet Sakulsky, H. J. Maxwell, Charles J. Mills, Speaker H. G. Andrews.

Other members who plan to attend are requested to advise the Chief Clerk immediately following adjournment.

The Chief Clerk will inform the committee and other members of the funeral arrangements when they are completed.

It is the request of the Agnew family that no flowers be sent. Those wishing to make a contribution do so to the American Heart Fund in memory of Mr. Agnew.

ANNOUNCEMENT

The SPEAKER. Members who have bills to report will deliver them to the Chief Clerk immediately following adjournment.

NEWPORT UNION HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the hall of the House, 79 members of the Senior Class of the Newport Union High School, Newport, Pennsylvania, who are here under the supervision of two of their teachers, Mr. Earl S. Kipp, and Mr. Donald Steinhart. They are the guests of the gentleman from Perry County, Mr. Holman.

LEWISBURG HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair welcomes to the hall of the House, a parliamentary study group from the Lewisburg High School, who are here under the direction of Mrs. John Ames. They are the guests of the gentleman from Union County, Mr. Pursley.

REPORTS FROM COMMITTEE

Mr. ROYER from the Committee on State Government, reported as committed, House bill No. 197, entitled:

An Act relative to Commonwealth printing; establishing conditions upon which contracts will be awarded; and prescribing remedies and penalties for noncompliance with such conditions.

Mr. KRAMER from the Committee on State Government, reported as committed, House bill No. 315, entitled:

An Act amending the act of September 23, 1959 (P. L. 941), entitled "An act authorizing the Department of Property and Supplies * * * to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County," further providing for an easement in lands situate in the Township of Skippack, Montgomery County.

Mr. BOWMAN from the Committee on Judiciary, reported as committed, House bill No. 470, entitled:

An Act amending the act of December 14, 1863 (1864 P. L. 1127), entitled "An act relating to the liens of common carriers, and others," reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 489, entitled:

An Act amending the act of May 3, 1923 (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a

part of the public records of the State; * * *," correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 490, entitled:

An Act amending the act of March 17, 1921 (P. L. 32), entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors, and marines of such counties; providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control, at the expense of the county," correcting the name of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 491, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 492, entitled:

An Act amending the act of May 5, 1945 (P. L. 426), entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents; * * *," changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 493, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 495, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), correcting the name of the Italian American Veterans of the United States, Incorporated, to conform with name in its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 496, entitled:

An Act amending the act of April 19, 1929 (P. L. 609), entitled "An Act providing for the location, care, and maintenance of graves of soldiers, sailors, marines, and members of the enlisted nurse corps; * * *" changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House Bill No. 497, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 498, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184), entitled as amended, "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day and Armistice Day," correcting the name of the Italian American World War Veterans of the United States, Incorporated to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reoprted as committed, House bill No. 499, entitled:

An Act amending the act of June 11, 1935 (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; * * * providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," changing the name of The Italian American World War Veterans of the United States Incorporated to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 500, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), correcting the names of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 501, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), correcting the name of the Italian American War Veterans of the United States, Incorporated to conform with name in charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 502, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes; amending, revising, consolidating and changing the laws relating thereto," by correcting the name of the Italian American War Veterans of the United States, Incorporated, to conform with name in charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 503, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), changing the name of The Italian American World War Veterans of the United States Incorporated, to conform with its charter.

Mrs. ANDERSON from the Committee on Military Affairs, reported as committed, House bill No. 504, entitled:

An Act amending the act of April 8, 1867 (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge," correcting the name of the Italian American War Veterans of the United States, Incorporated, to conform with name in its charter.

Mr. HAUDENSHIELD from the Committee on Cities-Counties Second and Second Class A, reported as committed, House bill No. 507, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

Mr. J. A. SULLIVAN from the Committee on Cities-Counties First Class, reported as committed, House bill No. 556, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing the temporary investment of funds by school districts of the first class.

Mr. RUBIN from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 591, entitled:

An Act amending the "Fiduciaries Investment Act of 1949," approved May 26, 1949 (P. L. 1828), providing for authorized investments in interest-bearing deposits.

Mr. J. A. SULLIVAN from the Committee on Cities-Counties First Class, reported as committed, House bill No. 594, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the bringing of informations in cities of the first and second class.

Mr. KRAMER from the Committee on Public Utilities and Corporations, reported as committed, House bill No. 624, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), authorizing certain services by public utilities operating taxicabs.

Mr. SCHUSTER from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 649, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," further regulating payment of regular employes in order to be credited for service for pension.

Mr. M. H. GOLDSTEIN from the Committee on Cities-Counties Second and Second Class A, reported as committed, House bill No. 662, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 672, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing powers and duties on the Department of Public Welfare and deleting certain powers and duties from the Department of Public Assistance.

Mr. FOX from the Committee on Public Health and Sanitation, reported as committed, House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926) adding a definition, changing tag, stamp and registration provisions; providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law," approved May 2, 1929 (P. L. 1518), changing the definition of "elevator," and regulating the repairing and renovating of elevators; requiring permits; and fixing fees for permits, inspections and certificates.

Mr. ROVANSEK from the Committee on Labor Relations, reported as committed, House bill No. 739, entitled:

An Act relating to apprenticeship and training; creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program; and defining its powers and duties and providing for administration.

Mr. LAMB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 811, entitled:

An Act amending the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions," providing a method of paying service increments from the pension fund to employes of the city after retirement.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 844, entitled:

An Act amending the act of July 10, 1957 (P. L. 685) entitled "An act regulating the use of explosives in certain blasting operations; requiring examination and licensing of certain explosives' detonators and prescribing the fee thereof; and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

Mr. CROSSIN from the Committee on Military Affairs, reported as committed, House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

Mr. PRICE from the Committee on State Government, reported as committed, House bill No. 845, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681), entitled "An act relating to, and regulating the manufacture, storing, and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties" prescribing additional enforcement powers to the Secretary of Labor and Industry and increasing certain fees.

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, House bill No. 850, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting the purchase and sale of the flesh of raccoons.

Mr. BONNER from the Committee on Welfare, reported as committed, House bill No. 857, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

Mr. CAPANO from the Committee on Welfare, reported as committed, House bill No. 869, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), regulating voluntary admission of minors to institutions, and further regulating emergency commitments.

Mr. WEIDNER from the Committee on Welfare, reported as committed, House bill No. 870, entitled:

An Act amending "The Administrative Code of 1929" approved April 19, 1929 (P. L. 177) removing from the jurisdiction of the Department of Public Welfare, jails, prisons and penal institutions and inmates thereof.

Mrs. MARKLEY from the Committee on Welfare, reported as committed, House bill No. 871, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants; * * *," further defining terms; * * * imposing powers and duties on the Department of Public Welfare; * * * and making repeals.

Mr. ELVEY from the Committee on Welfare, reported as committed, House bill No. 872, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), providing for the use of interest on patients' funds.

Mr. MILLER from the Committee on Welfare, reported as committed, House bill No. 873, entitled:

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045), qualifying the liability of property owners with respect to minor children.

Mrs. MUNLEY from the Committee on Welfare, reported as committed, House bill No. 874, entitled:

An Act amending "The Administrative Code," approved April 9, 1929 (P. L. 177), creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

Mr. KAMYK from the Committee on Welfare, reported as committed, House bill No. 875, entitled:

An Act amending "The Mental Health Act of 1951," approved June 12, 1951 (P. L. 533), changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

Mr. GUESMAN from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 879, entitled:

An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled, as amended, "An act providing for the preservation of the records or photographic film reproductions * * * of banks * * *," extending the provisions thereof to employes' mutual banking associations.

Mr. PERRY from the Committee on State Government, reported as committed, House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers and unfired pressure vessels; * * *; and repealing all acts or parts of acts inconsistent with this act," providing for submission of plans and specifications of the mechanical system in buildings, and providing for a fee therefore.

BILLS RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House bill No. 379, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting certain licensees, their servants, agents and employes from selling liquor and malt and brewed beverages during Good Friday and Christmas and certain hours thereafter.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. RUDISILL from the Committee on Judiciary, returned with the recommendation that it be re-referred to the Committee on Law and Order, House bill No. 706, entitled:

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744) requiring complainants to appear before commission hearings and granting common pleas courts of counties in which the alleged offenses were committed jurisdiction to enforce commission orders or give other appropriate relief.

The SPEAKER. The bill is re-referred to the Committee on Law and Order.

Mr. RUDISILL from the Committee on Judiciary, returned with the recommendation that it be re-referred to the Committee on Law and Order, House bill No. 720, entitled:

An Act amending the "Pennsylvania Fair Employment Practice Act," approved October 27, 1955 (P. L. 744), changing the definitions of employer and age, and clarifying which advertisements by an individual seeking employment constitute unlawful employment practices.

The SPEAKER. The bill is re-referred to the Committee on Law and Order.

Mr. CAPANO from the Committee on Welfare, returned with the recommendation that it be re-referred to the Committee on Law and Order, House bill No. 854, entitled:

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744), further regulating enforcement and judicial review of the Commission's orders.

The SPEAKER. The bill is re-referred to the Committee on Law and Order.

ADJOURNMENT

Mr. GIBB. Mr. Speaker, I move that as a further mark of respect to the memory of Willard F. Agnew, Jr., our deceased minority leader, the House do now adjourn until Monday, March 20, 1961, at 4 p.m., e.s.t.

The motion was agreed to, and (at 1:12 p.m., e.s.t.) the House was adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, MARCH 20, 1961. No. 29.

SENATE

MONDAY, MARCH 20, 1961

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Right Reverend Monsignor ROBERT J. MAHER, of Saint Patrick's Cathedral, Harrisburg, offered the following prayer:

"Unless the Lord build the house, he labors in vain who builds it . . ."

Upon this assemblage of thoughtful and energetic lawmakers, we pray a divine blessing, O Eternal God, our Creater and the Source of all thought and energy.

On behalf of these Senators of this great Commonwealth of Pennsylvania, we ask for the gift of intellectual enlightenment and the direction of their noble purpose to offer sound and practical legislation, all destined for the common good of all the people.

Give to these lawmakers, this day and every day of this Session, an awareness of their titanic responsibility before You, their God, for amicable consultation with colleagues in this Senate, with experts in specialized areas, that they may advise, direct and prescribe in the practical order with a view to the solution of practical problems for the common good.

That the government of Pennsylvania may advance in a fashion consonant with its historic prestige, favorable location and wealth, and enterprising citizens, we ask Thee, O God, to give a full measure of divine direction to each and every Member of this distinguished and esteemed Senate. Let it be possible for the heart of each to know Your compassion; for the mind of each to be filled with Your light and truth; for the mouth of each to speak with Your justice; for the hand of each to write law with a share of Your clarity and Your solicitude for all men. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Messrs. PECHAN and WOLFE, due to illness.

COMMUNICATIONS FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 178.**

CAPITAL BUDGET MESSAGE OF GOVERNOR DAVID L. LAWRENCE

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read, in part, as follows:

> To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:
> In accordance with the provisions of the State Planning Code of 1949, as amended, I present herewith for your consideration a Capital Budget for the Commonwealth for the 1961-63 biennium, together with departmental projections for capital programming through 1967.
> I hope it will meet with your approval and be adopted. . . .
>
> DAVID L. LAWRENCE.

The PRESIDENT. I might point out to the Senators that copies of the Capital Budget, together with the forward by the Governor in submitting it to the Senate, will be found on the desk of each Senator.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

ALDERMAN

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Burley F. Lohr, 75 Victoria Street, Washington, Washington County, for appointment as Alderman in and for the Second Ward of the City of Washington, Washington County, to serve until the first Monday of January 1962, vice Charles W. Rohrkaste, deceased.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Frank Wilson, R. D. 1, Fenelton, Butler County, for appointment as Justice of the Peace in and for the Township of Clearfield, Butler County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edna L. Gilbert, Upper Strasburg, Franklin County, for appointment as Justice of the Peace in and for the Township of Letterkenny, Franklin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

GENERAL COMMUNICATION

The PRESIDENT. The Chair wishes to advise the Senate of receipt of the Report of the Trustees of the Estate of Stephen Girard, Deceased, to the Legislature of the Commonwealth of Pennsylvania for 1960.

This communication will be noted in the Journal and printed in the Appendix.

GUESTS OF SENATOR BENJAMIN R. DONOLOW PRESENTED TO SENATE

Mr. DONOLOW. Mr. President, it is my pleasure to introduce to you and to the Members of the Senate a group of outstanding women from Philadelphia. They have done much toward the civic progress of their community. The women whom I would like to introduce are from the Second Senatorial District of Philadelphia, the District which I represent. Their work has been outstanding.

They are from the University Settlements, Western Community House, at 1613 South Street. The group consists of representatives from The Golden Age Club, The Advisory Committee, The Youth Group and The Oasis Garden Block Council. They are accompanied here today by their spokesman, Mrs. Catherine Robinson, and their co-ordinating director, Elizabeth J. Forrester.

Mr. President, I would like these women to rise and be recognized by the Senate.

The PRESIDENT. Will the ladies please stand?

The Senate is very happy to greet the ladies from the Second District of Philadelphia.

GUESTS OF SENATOR CHARLES R. WEINER PRESENTED TO SENATE

Mr. WEINER. Mr. President, I believe I would not be amiss by introducing, at this time while we are transacting this particular business, an entire group which has come up here today to meet with the Members of the House and their respective Senators; namely, the Philadelphia Association of Settlements and Neighborhood Centers.

They are here today with their President, who is taking them from place to place. They have been meeting with some of the Members of the Senate, the respective committees, and also some of the Cabinet Officers. They are accompanied by their Presiding Officer, Mr. Harry Jackson, and their leader, Mr. Carl Dahlgren.

At this time, Mr. President, I would like to introduce this group to the Chair and to the Members of the Senate.

They come from my district, from Senator DiSilvestro's District and from the Districts of all the other Senators from the city of Philadelphia who are present today.

The PRESIDENT. Will the parties mentioned please stand?

The Chair is very happy to welcome this group on behalf of the Senate, which offered you its own welcome through the applause you received.

GUESTS OF SENATOR MARTIN SILVERT PRESENTED TO SENATE

Mr. SILVERT. Mr. President, I believe Senator Weiner has already covered the entire group from Philadelphia, including a very fine group from Germantown who stood up and was recognized.

The PRESIDENT. Are they from your own Senatorial District?

Mr. SILVERT. They are from both mine and your District, Mr. President.

The PRESIDENT. Thank you. We are very happy to have our neighbors with us, too.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Allegheny County.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF YOUTH DEVELOPMENT CENTER AT CANONSBURG

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. Dardanell, 625 Burton Drive, Pittsburgh 35, Allegheny County, for reappointment as a member of the Board of Trustees of Youth Development Center at Canonsburg, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel M. Feldman, 8214 Aspen Way, Elkins Park, Montgomery County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Rev. Jerry E. Carpenter, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor to nominate for the advice and consent of the Senate Mrs. Helen Guthrie Krause, 821 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas M. DiNunzio, 907 Kiner Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Herbert E. Ditzler, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford V. Groy, 1023 Weiss Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Mrs. Dorothy E. Ditzler, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roscoe W. Rittase, 523 Prince Street, Littlestown, Adams County, for appointment as Justice of the Peace in and for the Borough of Littlestown, Adams County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

HONORABLE JOHN S. RICE INVITED TO ROSTRUM

The PRESIDENT. As my eyes wander over the visitors to the Senate, I note the presence of the Secretary of the Commonwealth, John S. Rice.

I wonder whether he would come forward.

(Honorable John S. Rice approached the rostrum.)

The PRESIDENT. The other day, the gentleman whom I have just called forward was the subject of a resolution adopted by this Body.

I would particularly like to call on former Senator Rice —now Secretary Rice and Ambassador-to-be—for a word.

REMARKS BY HONORABLE JOHN S. RICE

Mr. RICE. Thank you, Mr. President.

I consider it a distinct honor to have the privilege of appearing before this distinguished Body, one in which I have served. I do consider perhaps the most gratifying experience I have had, in a somewhat varied career, was my service as State Senator in Pennsylvania. That is something which I consider one of the highlights of my career.

I also would like to take this opportunity to express my very deep appreciation for the resolution which was passed the other day by the Members of this Senate. It is something which will be treasured most highly. I deeply appreciate it, particularly since the resolution was sponsored by some of the Members of the Senate who were colleagues of mine at the time I served in the Senate. I think, perhaps, time may have mellowed somewhat and I do appreciate it.

I presume I will be leaving for what will be for me a somewhat different experience than I have ever had. During my service here in Pennsylvania, I have served in several capacities; one as Secretary of the Commonwealth, in which capacity I have tried to be of service to the Commonwealth of Pennsylvania; and the other as Chairman of the Democratic State Committee of Pennsylvania, where perhaps I may, at times, have been somewhat partisan.

I am now leaving for another assignment and, of course, I do not intend to change my Party registration, nor do I intend to register as an Independent. However, in my new assignment, I will not be in any Party capacity, but will be representing the United States in a foreign country. As such, I will be representing all of the people of the United States.

I do not know when I shall be leaving, but I came over this afternoon because I thought I would just like to spend a little bit of time back in the old haunts. I do appreciate this opportunity and this privilege which you have extended to me.

The PRESIDENT. Thank you, Secretary Rice.

Mr. WEINER. Mr. President, if I may speak from somewhat of a partisan point of view, I think we are going to miss Colonel Rice. He has been an excellent State Chairman and I believe the results speak for themselves, without my going into any great detail. I know Secretary Rice had a wonderful record here as a Senator. The job which he has done as Secretary of the Commonwealth also speaks for itself, without my going into any great detail.

I think it is certainly fitting that we here in Pennsylvania take great pride in the fact that two of our people who have served in the Governor's Cabinet have been chosen for these positions. These two gentlemen, Colonel Rice and General Biddle, who will represent the United States in foreign countries, might be the only contact with Americans for the people who live on these foreign shores. I think it is also of interest that President Kennedy has

seen fit to name both of these gentlemen to represent us and our interests in these foreign lands. I also believe it rises above partisanship to choose men of this caliber. I think we should be justly and doubly proud that one of them has served here in this Senate.

I am very happy that Colonel Rice is going to be with us this afternoon. I hope the gentlemen on the other side will not mind if I call upon him to give us a vote, just in case we need it.

The PRESIDENT. The Chair would like just a moment to vocalize on its own behalf.

I have had the privilege of working for two years not only with this Body, but with Secretary Rice in his capacity as Secretary of the Commonwealth and, thus, a member of the Pardons Board over which I preside whenever I am away from this august Body. I think the true merit of a man shows up in the very difficult work of the Pardons Board.

Therefore, I can say to you that I, personally, am going to miss him very much as my colleague and as my right hand in the work of the Pardons Board.

Pennsylvania is making a real sacrifice in allowing the United States to have him as our representative in The Netherlands.

Mr. BERGER. Mr. President, I think without any question all of us on the Republican side of this Senate join in reiterating the congratulations that were given to ex-Senator John Rice upon his leaving the service of the State of Pennsylvania and entering into new and—if you will—possibly higher fields.

I think that no one will disagree with me when I say that in the various offices which he has occupied in the Commonwealth of Pennsylvania, both elective and appointive, we are convinced and feel that the service given to all of the people of Pennsylvania, both Republican and Democrat, has been appreciated and was the very best that could be offered.

As to his service as Democratic State Chairman, I cannot say but this: That if they are going to send effective people out of the Country, I would very much go along with that policy, and there are one or two others I might mention.

We do wish Secretary Rice only happiness and success in his new environment, and the good wishes of the people of the Commonwealth go with him.

The PRESIDENT. Thank you, Senator Berger.

John, we are going to miss you a great deal. However, we do wish you Godspeed on this new venture.

Mr. RICE. Thank you.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Leon Higginbotham, Jr., Esq., (Democrat), 44 West Upsal Street, Philadelphia 19, Philadelphia County, for appointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified, vice Charles R. Brown, Hollidaysburg, resigned.

DAVID L. LAWRENCE

BILL INTRODUCED AND REFERRED

Messrs. RIPP, SARRAF, DEVLIN, STAISEY, FLEMING and McGINNIS presented to the Chair **SB 413**, entitled:

An Act amending the act of August 24, 1951 (P. L. 1304), entitled, as amended, "Local Health Administration Law," changing the number of signatures required on a petition to dissolve or withdraw from certain departments of health. and changing the form of the question to be submitted to electors.

Which was committed to the Committee on Public Health and Welfare.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, two of the essential characteristics of Americanism are decency and courtesy. In many instances in the past, the people in Philadelphia have been denied such decency and courtesy on some of the public transportation vehicles, such as buses, trolley cars and, in many instances, cabs. The operators are very rude to the public.

Therefore, in order to protect the public, I am about to submit a bill which would require that each vehicle should have, in a conspicuous place, the name and the photograph of the operator, so if he does get rude and vociferous, at least we will be in a position to know who the person is.

The other bill I am going to introduce deals with transfers. I believe a fraud was perpetrated in Philadelphia when a transfer, enabling a person to travel from one region to another, was made good for only one-half hour. Sometimes you wait a half-hour for a trolley car, and then when you present the pass or transfer, some of them are declared void and the people are charged an additional fare. These two bills will correct those evils.

BILLS INTRODUCED AND REFERRED

Mr. STIEFEL presented to the Chair **SB 414**, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," requiring facilities transporting passengers to have on display the name and operator thereof.

Which was committed to the Committee on Corporations.

He also presented to the Chair **SB 415**, entitled:

An Act amending the act of May 28, 1937 (P. L. 1053), entitled "Public Utility Law," requiring that passes, transfers and tokens issued by common carriers be usable for at least two hours from the time issued.

Which was committed to the Committee on Corporations.

PERMISSION TO ADDRESS SENATE

Mr. SILVERT asked and obtained unanimous consent to address the Senate.

Mr. SILVERT. Mr. President, the bill I am about to present, on behalf of Senator Ehrgood and myself, deals with a problem which touches every community in our Commonwealth. We all know of the growing problem which faces families of limited means in sending a worthy son or daughter through college.

Expenses have been rising. Scholarships so far are inadequate. Loans given by the Federal Government are inadequate. This bill, which Senator Ehrgood and I are presenting to this Senate, would create the Pennsylvania Higher Education Assistance Authority. This Authority would raise money through contributions by corporations or individuals who are interested in helping to provide higher education for students who need it. The Commonwealth of Pennsylvania would invest very little in this program. As a matter of fact, all this bill calls for is an appropriation of $250,000 to get the Authority rolling. Moneys thereafter would be raised by contributions from corporations and individuals. Students who have proven their worthiness in college, through the first year, would become eligible for a loan. The rates of interest would be moderate. They would not be required to repay the loan until after graduation, and would be given sufficient time until they are able to earn money to repay it.

This would cost the Commonwealth very little, as I said. A revolving fund would be created through the repayments by students who have gone through college, who have been helped by this loan, who are able to earn decent incomes and are able to repay this loan.

Mr. President and Members of the Senate, this Authority-lending to students has been tried out in the State of Massachusetts, and for the past several years it has been very successful. We certainly should give it an opportunity in our Commonwealth.

BILLS INTRODUCED AND REFERRED

Messrs. SILVERT and EHRGOOD presented to the Chair **SB 416,** entitled:

An Act creating the Pennsylvania Higher Education Assistance Authority; defining its powers and duties; conferring powers and imposing duties on the Governor, President pro Tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking; and making appropriations.

Which was committed to the Committee on Education.

Messrs. SILVERT, DiSILVESTRO and WEINER presented to the Chair **SB 417,** entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled, as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; ....." establishing an alternative appeal procedure in certain cases.

Which was committed to the Committee on Education.

Mr. MILLER presented to the Chair **SB 418,** entitled:

An Act to provide for an additional law judge of the court of common pleas in the thirty-sixth judicial district, and making an appropriation.

Which was committed to the Committee on Judiciary General.

Messrs. MURRAY and WEINER presented to the Chair **SB 419,** entitled:

An Act amending the act of May 17, 1921 (P. L. 789), entitled, as amended, "The Insurance Department Act of 1921," constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

Which was committed to the Committee on Insurance.

PERMISSION TO ADDRESS SENATE

Mr. STAISEY asked and obtained unanimous consent to address the Senate.

Mr. STAISEY. Mr. President, seniority is rewarded in every area of our living except one—old age. This is a circle that is ever increasing. It is one that all of us will ultimately join.

The purpose of the bill I am about to introduce is to induce investments in housing for the aged. The purpose is also to bring to bear on this problem private groups, churches, clubs and groups of that form, and to receive a capital investment from State funds in order to get this type of project going.

Any other Senators who are concerned with this growing problem are welcome to join us in the sponsorship of this bill.

BILLS INTRODUCED AND REFERRED

Messrs. STAISEY, DEVLIN, SARRAF, RIPP, McGINNIS, SESLER and FLEMING presented to the Chair **SB 420,** entitled:

An Act providing and regulating assistance for housing for the elderly; and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

Messrs. DEVLIN, STAISEY, SARRAF, RIPP and McGINNIS presented to the Chair **SB 421,** entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," authorizing clerks of the courts of quarter sessions and oyer and terminer to appoint solicitors, and prescribing a means for paying the cost of litigation relating to the office of said clerk.

Which was committed to the Committee on Local Government.

Messrs. MAHADY, MURRAY and DEVLIN presented to the Chair **SB 422,** entitled:

An Act amending the act of July 15, 1897 (P. L. 292), entitled "An act to provide revenue by taxation," further specifying the dates for certain reports and clarifying the applicability of the act to building and loan associations and federal and state savings and loan associations.

Which was committed to the Committee on Finance.

PERMISSION TO ADDRESS SENATE

Mr. HAYS asked and obtained unanimous consent to address the Senate.

Mr. HAYS. Mr. President, the bill I am about to introduce calls for an appropriation for the operation of Penn State—the State University of the Commonwealth of Pennsylvania—for the 1961-1962 year.

Penn State, since the end of World War II, has been

providing facilities for higher education for about twelve per cent of the students in higher education in the Commonwealth. It is the judgment of those who administer Penn State that the amount requested in this bill is the amount necessary for Penn State to continue to care for this twelve per cent of the total college population of Pennsylvania.

I understand this request will enable Penn State to increase its 1961-1962 student body by 1,100 students over its enrollment of the current year; 1,100 of the high tidal wave with which each Senator in this Body, I am sure, has already been made cognizant.

You see, this request is not an educational empire-building proposal, but rather instead to continue to make it possible for the State University of this Commonwealth to provide higher education facilities for twelve per cent of the higher education student body, as it has done now for the better part of two decades.

When the present Penn State student body completes its courses, the Commonwealth of Pennsylvania will be richer because these additional trained Pennsylvanians will be ready to help Pennsylvania advance; 4,190 teachers, 4,747 engineers, 1,676 farmers and agricultural scientists, 1,306 chemists, 857 mineral technologists and 6,851 business and professional people. Truly there is a diamond mine in those hills.

I am, accordingly, Mr. President, introducing this bill.

BILLS INTRODUCED AND REFERRED

Mr. HAYS presented to the Chair **SB 423**, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of public lands, by the United States, to the several states, for the endowment of agricultural colleges," making an appropriation for carrying the same into effect.

Which was committed to the Committee on Appropriations.

Messrs. McCREESH and STASEY presented to the Chair **SB 424**, entitled:

An Act making an appropriation to the Philadelphia Working Home for the Blind, Philadelphia, Pennsylvania for maintenance and the purchase of apparatus, supplies and equipment.

Which was committed to the Committee on Appropriations.

Messrs. KESSLER and PROPERT presented to the Chair **SB 425**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30) entitled "Public School Code of 1949," providing for the payment of office expenses of the county superintendent by county board of schools directors.

Which was committed to the Committee on Education.

Mr. KESSLER presented to the Chair **SB 426**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further regulating the passing of school buses and school bus loading zones.

Which was committed to the Committee on Highways.

Messrs. BERGER and WEINER presented to the Chair **SB 427**, entitled:

An Act amending the act of May 17, 1921 (P. L. 682), entitled "The Insurance Company Law of 1921," authorizing purchase or investment of bonds, notes and obligations issued, assumed or guaranteed by the Inter-American Development Bank.

Which was committed to the Committee on Insurance.

They also presented to the Chair **SB 428**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled, as amended, "Banking Code," enlarging the powers of banks, bank and trust companies, and savings banks to deal in fractional interests of evidences of debt.

Which was committed to the Committee on Banking.

Messrs. STEVENSON, LANE, HAYS and MALLERY presented to the Chair **SB 429**, entitled:

An Act amending the act of June 4, 1943 (P. L. 886), entitled, as amended, "Municipal Employes' Retirement Law," reducing the number of employes necessary for the Municipal Employes' Retirement Board to be constituted.

Which was committed to the Committee on Local Government.

PERMISSION TO ADDRESS SENATE

Mr. EHRGOOD asked and obtained unanimous consent to address the Senate.

Mr. EHRGOOD. Mr. President, on behalf of Senator Van Sant and myself, the resolution I am about to introduce concerns an inquiry. I emphasize the word "inquiry"—not investigation, not study or anything of that sort—concerning the Bureau of Highway Safety in the Department of Revenue.

I was very hopeful, along with many Members of this Senate, that the Governor would seriously consider a very stringent, restricted license provision in the Highway Safety Law. However, of course, he seems to be adamant in his position.

I am sure even the Governor does not believe that people should be unduly penalized when they do lose their license. That, I think, is occurring throughout this State. I know it has occurred with many of my constituents in my District who are complaining to me about the fact that they have lost their license and they do not get it back in time. It is a week or two weeks later. Many times they do not even receive their operator's license. This does not only happen in Lebanon County. It may be a Republican territory, but I am sure the Governor would not even like that to occur in such a territory. It has occurred in other places, as well.

Thus, this resolution requests an inquiry into the procedures of the Bureau of Highway Safety; to tighten them up and to see that the people are not unduly penalized by any whim or caprice of some individual in the Bureau of Highway Safety.

This resolution was hastily drawn, incidentally, Mr. President, because I wanted to offer it today inasmuch as I understand a highway safety bill will be coming up for consideration, and I thought this would be a good time to bring this to the attention of the Senators in this Chamber.

Mr. President, on behalf of myself and Senator Van Sant, I am offering this resolution.

The PRESIDENT. Is this resolution to be acted upon immediately, Senator Ehrgood?

Mr. EHRGOOD. No, Mr. President. I do not believe I am that optimistic.

The PRESIDENT. Thank you, Senator Ehrgood.

SENATE CONCURRENT RESOLUTIONS

JOINT COMMITTEE TO INQUIRE INTO THE ADMINISTRATION OF THE BUREAU OF HIGHWAY SAFETY

Messrs. EHRGOOD and VAN SANT offered the following resolution (**Serial No. 112**), which was read as follows and referred to the Committee on Highways:

In the Senate, March 20, 1961.

There are millions of persons in Pennsylvania whose livelihood depends upon the operation of a motor vehicle. These people find it necessary to drive to and from work in order to earn a living, yet many of them are being denied this opportunity because of capricious decisions of the Bureau of Highway Safety.

The executive order of the Governor which gave the bureau the right to suspend operators' privileges was based upon the need for greater safety on our highways. We are all in accord with this need, but there are instances where the bureau has abused its discretion and has not followed the intent of the order. Certainly the Governor did not intend to have drivers lose their licenses upon the whim of any one man, yet this is what is happening in many cases. Possibly the whole program and the administration thereof is getting out of hand, therefore be it

Resolved (the House of Representatives concurring), That the President pro tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House, who together shall constitute a committee to inquire into the administration of the Bureau of Highway Safety to determine if its policies are being carried out in the proper manner, and be it further

Resolved, That the committee shall elect a chairman and such additional officers as it may deem necessary, that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee, and be it further

Resolved, That the committee shall report its findings, together with a recommendation for appropriate legislation, as soon as possible.

WEEKLY ADJOURNMENT

Mr. SESLER offered the following resolution, which was read, considered and adopted:

In the Senate, March 20, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, April 4, 1961, at THREE-THIRTY o'clock p.m., E.S.T., unless sooner recalled by the President pro tempore; and when the House of Representatives adjourns this week, it reconvenes Tuesday, April 4, 1961, at FOUR o'clock p.m., E.S.T., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. RIPP,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee at last Tuesday's session of March 14, 1961, and those reported at today's session.

The PRESIDENT. The Clerk will read the nominations which were laid on the table at the session of March 14, 1961.

The nominations were read by the Clerk as follows:

MEMBERS OF THE STATE VETERANS' COMMISSION

January 3, 1961.

Bernard J. McGowan, McKeesport, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Wilbert C. Plusa, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Vincent A. Hanna, Havertown, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Leonard R. Santore, Greensboro, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

Edward T. Hoak, Manor, from November 15, 1960, until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF INDIANA STATE COLLEGE

March 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Robert Reynolds, 4920 Elmwood Drive, Pittsburgh 27, Allegheny County, for reappointment as a member of the Board of Trustees of Indiana State College, until the third Tuesday of January 1967, and until his successor shall have been appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE ADVISORY HEALTH BOARD

January 3, 1961.

Edward F. Kunde, Pittsburgh, from November 15, 1960, until the third Tuesday of January 1962, or until his successor has been appointed and has qualified.

DAVID L. LAWRENCE.

MEMBER OF THE STATE PLANNING BOARD

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Theodore L. Hazlett, Jr., Pittsburgh, Allegheny County, for reappointment as a member of the State Planning Board, until December 13, 1964, and until his successor is appointed and has qualified.

DAVID L. LAWRENCE.

The PRESIDENT. The Clerk will now read those nominations reported from committee at today's session.

The nominations were read by the Clerk as follows:

MEMBERS OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Miss Elinor A. Sigel, 167 Pennsylvania Avenue, Emsworth, Pittsburgh 2, Allegheny County.

Mrs. Margaret B. McBride, 201 Cedar Drive, Pittsburgh, Allegheny County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF YOUTH DEVELOPMENT CENTER AT CANONSBURG

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Edward L. Dardanell, 625 Burton Drive, Pittsburgh 35, Allegheny County, for reappointment as a member of the Board of Trustees of Youth Development Center at Canonsburg, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF PHILADELPHIA STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity wth law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel M. Feldman, 8214 Aspen Way, Elkins Park, Montgomery County, for appointment as a member of the Board of Trustees of Philadelphia State Hospital, until the third Tuesday of January 1965, and until his successor is appointed and qualified, vice Rev. Jerry E. Carpenter, Philadelphia, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF MILLERSVILLE STATE COLLEGE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Helen Guthrie Krause, 821 Chestnut Street, Lebanon, Lebanon County, for reappointment as a member of the Board of Trustees of Millersville State College, until the third Tuesday of January 1967, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Nicholas M. DiNunzio, 907 Kiner Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Herbert E. Ditzler, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clifford V. Groy, 1023 Weiss Avenue, Lebanon, Lebanon County, for appointment as Justice of the Peace in and for the Township of South Lebanon, Lebanon County, to serve until the first Monday of January 1962, vice Mrs. Dorothy E. Ditzler, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Roscoe W. Rittase, 523 Prince Street, Littlestown, Adams County, for appointment as Justice of the Peace in and for the Borough of Littlestown, Adams County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

On the question?

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Silvert,
Berger,	Hays,	Miller,	Staisey,
Camiel,	Kalman,	Mullin,	Stevenson,
Chapman,	Keller,	Murray,	Stiefel,
Confair,	Kessler,	Propert,	Stroup,
Devlin,	Kromer,	Ripp,	Taylor
DiSilvestro,	Lane,	Rooney,	Van Sant,
Donolow,	Madigan,	Sarraf,	Wade,
Ehrgood,	Mahady,	Scott,	Wagner,
Flack,	Mallery,	Sesler,	Ware, III,
Fleming,	McCreesh,	Seyler,	Weiner,
Haluska,	McGinnis,	Shafer,	Yatron,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

BILL ON FINAL PASSAGE

SB 79—On the question,

Shall the bill pass finally?

Mr. BERGER. Mr. President, before making a motion, I would like to explain the procedure that I am now about to inaugurate.

I desire to offer an amendment to this bill which is now on the Final Passage Calendar. I intend to move that the vote by which the bill passed Third Reading be reconsidered. If the amendment is adopted or if it is defeated, there will be no objection made to the continued consideration of the bill after it moves back to Third Reading.

And the question recurring,

Shall the bill pass finally?

Mr. BERGER. Mr. President, I now move that the Senate do reconsider the vote by which Senate Bill No. 79 passed Third Reading.

The PRESIDENT. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the prevailing side.

Mr. FLEMING. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FLEMING. Mr. President, I voted with the prevailing side.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BERGER, by unanimous consent, offered the following amendment:

Amend Sec. 1 (Sec. 1002), page 2, line 17, by inserting after "operation": and. (iv) the speed recorded is five or more miles per hour in excess of the legal speed limit."

On the question,

Will the Senate agree to the amendment?

Mr. BERGER. Mr. President, the amendment which I have offered is such that I believe it can be agreed to by every Member of this Senate, particularly in view of the explanation which was made by the Majority Leader as to the use of radar in the enforcement of the Vehicle Code of Pennsylvania.

All or most of us have seen the operation of the radar device and regardless of whether or not we favor its use, we do realize there is some margin of error, although it may be small, in the recordings made by radar. Senator Weiner acknowledged there was such a margin of error, I believe. I also believe Commissioner McCartney agreed to the same thing. He stated that a tolerance of five miles per hour would be permitted in the use of it in the enforcement of the law.

Mr. President, this amendment merely states that no conviction may be had by the use of this device, unless the recorded speed of the vehicle is five miles over the legal speed.

We have on the Calendar a bill, which was amended providing that the Secretary of Highways could establish on any of the highways in Pennsylvania any speed limit, provided it is considered and found to be that that speed limit is a safe limit to use upon that particular highway. I am in favor of that bill. I believe, Mr. President, that the adoption of this amendment will only put into the law what will be the practice in accordance with the statements made by the Commissioner of the State Police and which, I believe, were concurred in as a policy by the Majority Leader.

In brief, Mr. President, to reiterate, it only provides that no conviction shall be had, excepting upon a speed in excess of five miles over the established speed limit upon the highways.

Therefore, Mr. President, I suggest and ask that the Members of the Senate support this amendment.

Mr. WEINER. Mr. President, I rise to oppose this amendment for the reason that speed limits have been set and for us to go for a variance or say here and write it out that we are in favor of a five mile variance, would be to change what those speed limits are.

Today there is a bill on the Calendar—I will be glad to furnish anyone who has not looked at the Calendar the number of the bill—which will permit the Secretary of Highways to work out the traffic pattern in a particular area and to rise, to realistic speed limits, the speed at which automobiles may move through certain areas.

Asking for a speed in excess of what the legal speed limit is, in effect, raises the sixty-five mile limit on the Turnpike, for example, to seventy miles per hour. As you well realize, we used to have a seventy-mile per hour speed limit on the Pennsylvania Turnpike. I was advised that the reason it was reduced was because it was just too fast for conditions on the Turnpike and, subsequently, the accident rate was cut down. Five miles per hour may not seem to amount to very much, but I think in these days when we are traveling in high powered automobiles and maybe the people are not up to the caliber of the cars, then you will have difficulty in controlling this mechanism which, in turn, becomes no longer an instrument of transportation, but a lethal weapon.

For that reason, Mr. President, I must ask that we vote down this amendment. I do not make that request because we want to be unreasonable or because we do not want to give in to something which might be well for us to consider. However, we feel it is not our duty to raise the speed limits or to ask the police to overlook anybody who breaks the law and the laws established by the speed limits.

Therefore, Mr. President, I must ask my colleagues to vote "no" on this amendment.

Mr. WADE. Mr. President, I rise to speak in favor of Senator Berger's amendment, the amendment which was just offered and which would give a tolerance of five miles per hour.

I repeat what was said by Senator Berger a few minutes ago, in that the Majority Leader, Senator Weiner, had said on the Senate floor that he would agree to a tolerance of that much. Also, on our trip, on March 7, when we went out to observe the workings or the experiment of the radar machine, Colonel McCartney accompanied us and said on two different occasions that he would instruct his men to use a tolerance of that kind. Mr. President, the question was asked of the Colonel whether or not he would agree to write it into the law.

In the first place, in my judgment, it is very, very

poor to make laws by word of mouth. In that case, we would need no written document. It is a bad method, unless Colonel McCartney would inform each one of the members of his police force, in front of this Body, and also each member of the judiciary in the Commonwealth of Pennsylvania. However, as I see it, there is a deeper reason for that. Colonel McCartney said, last summer, that he would not use unmarked cars for making arrests.

I have here a good authority; namely, the Popular Science Magazine—a magazine of national publication—of November, 1960, in which this article appeared. It is entitled "Unmarked Cop," and reads as follows:

> "I was tagged by a cop in an unmarked car while driving through Pennsylvania. This was a real ringer—the car was his own, and so was his uniform. He was wearing an old winter hat and a raincoat, and needed a shave. It was impossible to tell he was a police officer. But I paid."

This was signed by William Gildone, of Conneaut, Ohio.

Mr. President, that is just one experience.

I am not betraying anybody's confidence when I read into the record a letter received from a citizen of Lewistown, Pennsylvania, in which he said the following:

> "It has been widely read in newspapers of Pennsylvania that Mr. McCartney states, since the start of his program, that more than 1,000 arrests have been made and that concerning all vehicles stopped, arrests were made by men in uniform only. This, in itself, is a fabrication.
>
> "My wife made a recent trip to Harrisburg as a volunteer helper in the State Hospital and came upon a car driving less than the legal speed. When she passed, a short distance later this same car passed her again and then slowed down. So, she in turn passed the car again and, approximately, one mile down the road, this car pulled her off the road and arrested her for speeding. This was an unmarked car and the policeman was not in uniform until getting from his vehicle and putting on his jacket and hat. If this is not a distasteful method, then what is it? I do realize that the Pennsylvania State Police have a very important job to do and that in ninety-nine per cent of the cases, the officers are very fair and are only doing their duty. I certainly do not advocate anyone breaking the laws as written. But when you go to the extent that our present Governor and our Commissioner of State Police have done, then what can we expect from the patrolmen force to do the job?
>
> "You may show or read this letter to the Commissioner or anyone else that you think would be interested."

I choose not to give the writer's name because of projudices which might work against him.

However, Mr. President, these are experiences that I have had. I firmly believe that Senator Berger's amendment should be written into this bill before it is considered by this Body.

Mr. WEINER. Mr. President, I am glad the Senator decided to omit the name in order to protect the guilty.

I think one of the difficulties which everybody has is that in maintaining the proper speed limits in order to save lives, I believe these speed limits have been set so that nobody will exceed them.

The gentleman just read a letter by somebody who exceeded the speed limit and was picked up by the State Police. He or she, whichever it might be, admits they were violating the law. It might very well be that their speedometer is not calibrated. One of the things which any State Policeman must do in any speeding arrest is to state, under oath, when his speedometer was last calibrated and what the result of that calibration was.

I also want to correct a statement which the Senator made. I am sure that he also wishes the record to be correct. I never stated that I would be in favor of any tolerance of five miles or any other number of miles. I merely stated on the floor of this Senate the same thing which the gentleman from Cumberland stated; namely, that the State Police Commissioner had stated that he would allow or instruct his men to at least permit a five mile variance in case there is some degree of error in the calibration.

I think for us to write this into the law, as I stated earlier,—and I do not want to spend a lot of time by repeating what we have already said—is for us to tacitly admit to the average citizen that he does not have to obey the law and that we are only kidding and do not really mean it when we say this is the speed limit. What we are really saying is that five miles over the speed limit just set is the law. I think that is somewhat confusing.

Mr. SILVERT. Mr. President, let me say at the outset that I believe there should be a five mile tolerance. We have been assured by Colonel McCartney that this will be the case. However, I am opposed to putting this into the bill for this reason.

Let us take, for instance, the Turnpike limit of sixty miles an hour. If we put a five mile tolerance into the bill, in the mind of the average automobile traveler, the speed limit immediately becomes sixty-five and not sixty miles an hour. He will lose that protection of five miles which would save him from a conviction because this time he will figure the speed limit is sixty-five miles, and the minute he goes over that, he will be picked up and subject to a conviction.

I believe, Mr. President, if we put this amendment into this bill, it will lead to more convictions than we would have without it being in the bill.

Mr. BELL. Mr. President, I want to speak in favor of this amendment because when we observed the radar fiasco on March 7, the radar set was tuned to radar tuning forks. I saw, with my own eyes, that when they used the fifty miles an hour tuning fork, the set registered forty-eight. When they used the sixty miles an hour tuning fork, the set registered fifty-nine. When they used the seventy miles an hour tuning fork, the set registered sixty-eight.

On each one of the calibration tests, that set was off two miles an hour, and it can—as far as my thinking goes—be off the other way just as it was off this way in favor of the motorist.

If the Majority Leader wants further evidence of State Police on the State highways, I would like to give him times and facts. On Friday evening of this week, at a quarter of six, p.m., at the Lebanon Interchange, I was sorely dismayed by what I saw. I saw a State Trooper giving a ticket to an out-of-State driver. He was in uniform from head to foot, except for one thing. He was wearing a civilian sport jacket over his State Police uniform. I saw that. There are times and places. I was not a guilty, speeding motorist.

I have always been one of those who have held the State Police in the greatest respect. They are a wonderful body of men. However, it just hurt me to the deep to see one of our State Troopers arresting a motorist in full uniform, wearing a civilian sport jacket.

Mr. BERGER. Mr. President, I would like to correct an impression that might have been given here by some of the people who said they opposed this amendment, because this amendment does not apply to any situation excepting as provided by the section which will permit the use of radar to convict motorists for a violation of The Vehicle Code—the speeding section. It will not, in any sense, increase the speed limit as provided by the Code. The policemen in the State Police cars will still be enforcing the speed limit as established by the Secretary if the law is amended or, under the present law, as established by the statute.

This does not apply to any situation excepting it will prohibit convictions by the use of the radar device if the speed is not in excess of five miles per hour over the limit established for that particular highway. This seems to me to be an eminently desirable thing, and will certainly take care of the situation which might possibly arise in somebody's mind that possibly even the Commissioner of the State Police does not have any right to amend the law of Pennsylvania. It should only be done in these halls.

Mr. President, I may be doing a disservice to some motorists on the highway. However, I say that the place to put that tolerance is right here in this bill, and not have it come out of the mouth of some official.

Mr. WEINER. Mr. President, I would just like to state—and I hope this will conclude the discussion here—that we have many laws on the books and, fortunately for us, these laws are administered by human beings, who, I hope as public officials, have some understanding of other human beings and do not try to enforce these laws to the very letter in which they were written. If that were the case, there probably would not be enough jails to hold everybody who violates some law or commits some infraction of the law.

Therefore, I think we can feel confident that whether it be this Police Commissioner or those who succeed him, they will take in the human element, and I am sure will advise their people, as they do in all things, to use moderation.

This is not a law, as I stated earlier, to punish people, but it is merely an instrument to help enforce the law and enforce highway safety.

Mr. BERGER. Mr. President, I do not want to prolong this either. However, I would like to ask one question of the Majority Leader.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Mr. President, I would like to ask the Majority Leader if he can cite for us one law in Pennsylvania, either within or without his experience, that has been nullified before it was passed?

Mr. WEINER. I am sorry, Mr. President. I did not hear the last part of the question.

Mr. BERGER. Could you cite for us one law that has been nullified before it was passed by the Legislature?

Mr. WEINER. Mr. President, I must say that I do not know of any law that has been nullified before it passed the Legislature.

Mr. BERGER. Thank you, Mr. President.

Mr. MALLERY. Mr. President, I rise in support of the amendment offered by Senator Berger.

Usually during the Session, during past years, I have made this remark, which has stayed with me for many years. In college, I took a course in Roman Law. In that course, there is a section which states that in the known certainty of the law is the safety of all.

If the thinking is that there should be a tolerance of five miles an hour, then I see no reason whatsoever why that tolerance cannot be included in this bill. I am as much in favor of safety as anyone in these halls. I am tremendously interested in safety, and I made up my mind to vote for this bill. However, if this amendment, which is entirely fair, is not adopted, I may change my mind in the meantime.

As I say, no one in this hall is more interested in saving lives than I am. However, I want a good law. I do not want to rely on what any officer in this State may or may not do. Therefore, I ask the Majority Floor Leader to reconsider. I respectfully urge all of the Members of this Senate to be sure of what we are legislating.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—22

Bell,	Fleming,	Propert,	Taylor,
Berger,	Hawbaker,	Scott,	Van Sant,
Chapman,	Keller,	Shafer,	Wade,
Confair,	Kessler,	Stevenson,	Wagner,
Ehrgood,	Kromer,	Stroup,	Ware, III,
Flack,	Mallery,		

NAYS—24

Camiel,	Kalman,	Mullin,	Seyler,
Devlin,	Lane,	Murray,	Silvert,
DiSilvestro,	Mahady,	Ripp,	Staisey,
Donolow,	McCreesh,	Rooney,	Stiefel,
Haluska,	McGinnis,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,

So the question was determined in the negative, and the amendment was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

RECESS

Mr. FLEMING. Mr. President, I now request a five minute recess of the Senate for the purpose of holding a Republican Caucus, to be held in Senator Berger's office.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a five minute recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WADE, Mr. President, I rise to oppose Senate Bill

No. 79 for various and sundry reasons. I want to repeat what I have said to this Senate body on several different occasions, and that is that I am in favor of highway safety as much as any Member of this Senate or any Member of this Administration. My record will prove that statement.

In the first place, I want to refresh the memories of those present in the Senate today regarding the highway test of radar on, I believe, March 7, 1961. This was a complete fumble, and any excuses given by the Commissioner of State Police or anyone else are simply alibis and excuses. They are not statements of fact. I can bear that statement out by the men who worked on the cars, whose names they wish retained and everyone will understand why. With respect to the statement made and read by Senator Rooney, I am not attributing that statement to Senator Rooney because he said when he read the statement, he was merely reading the statement of the Comimssioner of State Police.

Now this is not the first observation of a radar test. I have attended some twelve or fifteen tests in Pennsylvania and out of Pennsylvania, because I have been very much interested in this subject.

This test on March 7th was in line with other tests that have been made and that I have observed. In this test, Senator Rooney and I were privileged to ride in three different cars end each time we were to go through the beam, so to speak, of this radar machine in operation. The first time, unfortunately, our car had to pass another and no recording could be accurately made. The operator of the machine agreed to that and so did we. I have maintained right along that where there are two lanes of traffic, the machine cannot be acccurate, and so did the operator of the machine in this instance.

The second test was, as you know, in the automobile that had been worked on the Saturday previous to this test and again on Monday. It was carefully gone over by the State Police and the mechanics for the State Police, and any excuse that that speedometer was not working right is merely an excuse and not true to fact.

When we went through, the State Police driver agreed to try to hold it at sixty-five. He told me later that he was not quite up to sixty-five and if he gave it the impulse of his foot to go up to sixty-five, he thought it would throw it over. So he maintained a speed between sixty-two and sixty-three miles an hour. I suggested to Senator Rooney —and I think he would affirm this fact— that he sit over close to me so that we could get a straight view of the speedometer. The hand was not moving. In fact, it was very, very steady on the line between sixty-two and sixty-three miles an hour.

When we got out of the car, they announced a speed of fifty-four miles per hour. That was a variation of eight miles, and in my experience that variation could have been the other way just as well.

When we went through in the third car, again it was not accurate.

I repeat; on different occasions I have watched the operation of radar. On March 5, after Senator Rooney, Senator Flack and I had been privileged to be in Atlantic City attending a convention of highway builders, Mrs. Wade was driving our car and we noticed that the State Police of New Jersey were operating radar on eastbound traffic. I asked Mrs. Wade to stop, and sometimes she obeys my requests. We did stop, and I walked across and observed the officer operating this machine. On my word of honor, when I asked him how he determined the speed of a car and the identity of a car, he said this: "This is mostly guesswork anyway with this machine."

Is it fair to the people of Pennsylvania or the motorists of Pennsylvania to arrest them or bring charges against them on only guesswork?

That is the history. I hope not to talk too long today, but that is the history of the operation of radar all of the way.

My first experience—and I alluded to it very briefly the other day—was with Mr. O. D. Shipley. I do not like to bring him into this discussion because I understand he is ill at the moment. However, I repeat what I said on this floor the other day. He is the strongest advocate of this traffic device.

My first experience with radar and Mr. Shipley was at the New Cumberland Maintenance Shed of the Turnpike. This was late in the afternoon. It was some years ago. Mr. Shipley was then the safety officer of the Pennsylvania Motor Truck Association. The machine had been set up and he, with others, was attempting to demonstrate its use. The operators apparently were not well-informed, and it certainly was a sad demonstration, as was the one the other day.

The thing I noticed most, I regret to say, was Mr. Shipley's statement in reference to truck drivers, which was: "We will persecute them with this." I repeat; this statement of his annoyed me. When I went home, I wrote his statements down so that I would not forget them. His first statement about the truck drivers was: "We will persecue them with this." In reference to a young driver who had just passed, he said: "We can fool h--- out of these kids into behaving."

Now I ask you, Mr. President, are those the proper statements to be used by an officer of the law? He was not then an officer of the law. He and I were then friends, as we are today. However, that was not the proper language for anyone in an official position, even with the Motor Truck Association, to use or to make statements of that kind.

I, perhaps , should be rather reluctant to say this, but about 115 members of the State Police—and they are a good organization—have left the force since our present Commissioner of State Police has come into power. There were ten deaths, three dismissals and one Major left because of his age. Some of the very best men from the State Police have left the force and—

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDENT. Senator Wade, will you yield?

Mr. WADE. I will, Mr. President.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state his point of order.

Mr. WEINER. Mr. President, my point of order is that I believe the bill we are on deals with radar, not with Mr. Shipley, not with the State Police and not with any of these other matters. I believe that I have been very tolerant in not calling the gentleman to order earlier. However, I think this ought to come under Petitions and Remonstrances, and not under the discussion of Senate Bill No. 79.

The PRESIDENT. We will come to Petitions and Remonstrances, Senator Wade. Would you like to wait?

Mr. WADE. Mr. President, I ask for your ruling, please.

The PRESIDENT. The ruling is that it is out of order.

Mr. WADE. That is perfectly satisfactory to me, because I was through with that item anyway.

Now, Mr. President, I want to refer to a national magazine known as "Argosy." I am not reading this for the benefit of the other Members of the Senate because I favored them with a copy of the April issue—April of this year—of the Argosy Magazine. It sums up radar in a very able manner. The title is "Radar—Hoax of the Highway!"

I am not reading this for their benefit, because they all have a copy, as I said a few moments ago, but I am reading it for the benefit of the record. The title again is:

> "Radar—Hoax of the Highways!"
> "How accurate can a speed-clocking device be when a bunch of keys jingling in an officer's pocket makes it register forty-five miles per hour without a car in sight?
> "Ever been caught in a radar speed trap? It's the biggest bum-traffic rap in the books. Yet most drivers don't even bother to fight it."

And I add, they cannot afford to fight it.

> "But Charles A. Weil of New York is an exception. Last October, Weil was tagged by radar in a forty-mile speed zone on the Long Island Expressway. Weil's speedometer registered thirty-five.
> "'The machine says fifty-four,' the cop said, pointing to the radar graph. 'And you can't argue with radar.'"

I am not quoting any longer. That is the argument against radar—right or wrong—and it is very often wrong. The man accused has no defense at all, and that is contrary—as I said on this floor the other day—to American jurisprudence. The man accused is entitled, under our form of government, to his day in court, and with radar he does not have it.

This aritcle further states:

> "In Flushing Traffic Court, Weil did argue with radar—and won. He convinced Magistrate Thomas Fitzpatrick the device was wrong.
> "If Weil is right, radar is wrong—a highway hoax hoodwinking thousands of judges and millions of motorists. And it's time we asked some of the experts just how accurate police radar really is.
> "According to Philip J. Martin, Chicago Auto Club, 'The flagrant misuse of these devices (radar) is becoming a serious menace to the entire motoring public'
> "J. Kelly Johnson, electronics expert and former radar consultant to the Secretary of the Navy, says: 'The use of radar to catch speeders has more holes in it than Swiss cheese.'
> "To most drivers, police radar is a mysterious contraption, an invisible 'Big Brother' haunting the highways.
> ". . . the machine can't think; it can't tell the difference between a moving car and any other source of energy. And therein lies it weakness.
> "In Greenwich, Connecticut, Judge John P. Knox accidently jingled a set of keys in his pocket and activated a radar unit in his courtroom. Today, radar evidence is not allowed in Greenwich.
> "Last June, I sat in a radar car on the Bronx River Parkway in New York while a cop, thirty feet away, dangled a set of keys. The radar registered forty-five miles an hour without a car in sight.
> "Speed radar is so sensitive (ten tubes, thirty-five capacitators, sixty-nine resistors) that the Traffic Institute of Northwestern University warns police not to use it 'within a quarter of a mile of a diathermy machine, railroad or busy intersection.'
> "A manufacturers of speedmeters supplies tuning forks to calibrate the machine. Held in front of the set, the fork will produce readings of fifty to a hundred miles an hour. If a tuning fork can produce a radar reading, what about other noises? The ringing of a bicycle bell has made the meter go up to thirty.
> "Louis N. Ridenour, electronics expert who received the Bronze Star for war-time work on radar, says this about the doppler system used by police:"—and I remind you what I said the other day; that doppler radar is different than that used in the military service—" 'One can never be absolutely sure that any observed peak is not due to a chance noise fluctuation, and one cannot even say how probable it is that the peak is not due to noise.'
> "Under cross-examination, radar cops have admitted that even operation of the police radio can cause readings of forty-five miles per hour. Interference from other radio channels, especially the amateur band, can also affect radar readings. In licensing radar speedmeters, the Federal Communication Commission warns: 'Such devices must accept any harmful interference from other services sharing the same band.'
> "And these outside influences cannot be screened out. In proceedings before the Institute of Radio Engineers, radar expert Edward J. Barlow reported: 'Any modulation, at a frequency corresponding to the doppler frequency of the moving target, cannot be filtered out without removing the desired target signal also.'
> ". . . if you're driving a small car through the radar beam at forty mph and a larger car comes into range at seventy mph, the radar meter can shoot up past the speed limit and you can be tagged for somebody else's speeding."

I would like at this point, while we are mentioning the State Police, to break away from the article to say this. I have two volunteers. One is a former sergeant and one is a former corporal of the State Police of Maryland, who voluntarily would come here at a hearing to testify that they knew their machine was not operating properly and when the accused were brought into court, they refused to testify against them. Within two months after that time, they lost their jobs on the Maryland State Police.

Quoting further from this magazine article, it states:

> "'The radar speedmeter will record the speed of the faster car,' says the research director for a speedmeter manufacturer. Here are some reports from actual field tests which bear out this statement.
> "On a Wisconsin highway: '. . . to asses the radar's performance where two cars pass, the readings varied over such a wide range, they were unuseable for determining speed.'
> "Another major source of error is the split-second timing of a radar arrest. In dismissing a radar ticket in New York City last June seventeenth, Magistrate Edward D. Caiazzo said: 'At fifty miles an hour, everything connected with the judging of the speed of this vehicle is taking place in probably less than two seconds: the police officer spotting the car he thinks is going too fast; the shifting of the officer's eyes from the rear-view mirror to the speedmeter of the device; and his activity in using the radio telephone to warn his apprehending officer down the road. In view of this,' concludes Judge Cai-

azzo, 'the opportunity for error in interpreting the impulses recorded as pips on the graphic recorder gives too great an opportunity for inaccuracy.'

"Despite the defects, every State except Pennsylvania accepts radar evidence. Police and prosecutors promote the idea that radar is infallible. They point to miraculous feats performed in World War II—but they fail to mention that police and military radar are completely different in concept, design and operation.

"But you can't completely blame judges for being hypnotized by the radar label. Judges, jurors, even radar victims, have been fooled by phony tests. For example, I sat in a radar car while a cop in a patrol car parked alongside make a racket honking his horn and racing his siren. The radar speedmeter stayed at zero. I was convinced noise did not affect the instrument—until I discussed the test with a radar expert."

And so forth and so on, Mr. President, I could repeat from this very informative article, and I could say more about my own experience.

However, I would like to say to the Members of this Senate today that a reasonable and decent amendment was offered a few minutes ago by Senator Berger. The opposition is not willing to take a reasonable and decent amendment.

Senator Mallery pointed out that law is law only when it is written on our law books.

Today, Mr. President, each man in this Senate has a vote. Today, Mr. President, because of the inaccuracies that we can point out by the hour, my judgment is that a bill which would legalize radar evidence in our courts is most unfair and unjust. I am going to cast my vote in favor of those who drive automobiles, or trucks or whatever on the highways of Pennsylvania which they have paid to build. They are the ones who really own the highways because only through State Government have the roads been built, and they furnished the money to build them. Now, by an affirmative vote on this bill, Senate Bill No. 79, you would say to them that we are going to trick you, we are going to take undue advantage of you, and we are going to authorize or legalize a machine that has been proven inaccurate so many times that the books hardly would hold the times that it has been proven that way.

I, for myself, am going to vote against this bill and in favor of the citizens of Pennsylvania who pay taxes, build roads and drive automobiles or trucks.

Mr. WEINER. Mr. President, I believe the amendments about which the gentleman was talking would make little or no difference to him. I do not think he would ever be in favor of a radar bill, nor do I think he would ever vote for it.

I think it is a little farfetched to read a magazine such as "Argosy," as an authority on this matter. Of course, I never read the magazine, but I was informed it used to deal with subjects other than radar. I am sorry the Senator did not send me a subscription at that time. I will say that the gentleman is very forward-looking. Here it is only March and we have an April issue of "Argosy" today.

I would also like to point out to the gentleman that I think the use of radar is more of an adjunct to law enforcement and safety on the highways. It is not Mr. Shipley's radar and it is not Colonel McCartney's radar. It is radar for all the people, to be used as such. I think the Senator is reaching pretty far down in his arguments when he must attack people like Mr. Shipley or the State Police. I think we should just stick to the issue and that is whether it is good or not.

I might point out to the Senator one other aspect of this matter. We are one of three States which does not have radar. There are forty-seven other States which now use radar in one form or another. Therefore, we are not going off on the deep end, nor are we doing anything that is radical. We are not departing from the normal course of operation. We are merely trying to get into the same category that other States have found to be so useful and helpful.

Mr. BELL. Mr. President, I rise to oppose radar. We have heard Senator Wade state that he was in the car which was clocked. He personally saw it going sixty-two miles an hour. I was the closest person to the gauge of the radar set and I read it at fifty-four miles an hour. I saw a newspaper photograph which had Senator Weiner almost as close as I was, but not quite.

However, Mr. President, there is no question in anybody's mind in this Chamber that there was an eight-mile an hour variance between a speedometer and a radar set last week. I am sure that if forty-seven other States had a number of their Legislators there to see that farce, you would not be boasting about forty-seven other States with radar. I think that Legislatures, as a whole, are deliberate bodies. We are sent here by the sovereign people of our Districts in order to carefully consider proposals and then vote on them. That is what I think we are endeavoring to do here today.

On March 7, 1961, we saw an error of eight miles an hour between a radar set and a speedometer. I think everyone in this room thinks the same as I; that one of the most basic foundations of American justice is that evidence shall be accurate. I believe this is a principle which the police of our Commonwealth follow. I believe it is a principle which our courts seek after. I believe it is something which our juries carefully search after when they meet with two types of conflicting evidence. They go after the accurate evidence. They try to find the truth of the matter.

Gentlemen, do you realize how miserable it would be for a citizen of this Commonwealth to be framed in a criminal proceeding by the inaccurate evidence of a faulty radar? Think that one over.

We are all interested in highway safety. Every man in this room is interested in highway safety. I see in the Chamber of this Senate two other men who are representatives of the great Motor Clubs of this Commonwealth, who are also interested in highway safety. I speak of the Keystone Automobile Club and the Pennsylvania Motor Federation. Mr. President, I know, as far as I am concerned, that the Keystone and A.A.A. Motor Clubs were interested in highway safety before I was born. Both of these great federations of motorists have taken a position against radar. I happen to have in my possession the news release of March 17 of the American Automobile Association. It says:

"Current Senate legislation designed to legalize radar in Pennsylvania as an instrument to arrest speed law violators fails to embody the safeguards with which we feel its use should be qualified and the Federation, therefore, cannot approve the bill."

Therefore, let us get away from this branding people with names.

I think this entire debate resolves itself to whether or not radar is accurate. At this display of March 7, we had two instruments. One was a speedometer of a State Police car and the other was a radar set, operated on a State Police car. I, personally, saw the radar set calibrated, as I said earlier today. I made inquiry of the operator of the State Police car and he said that that car had been calibrated the night before. Gentlemen, I have in my possession a copy of The Harrisburg Evening News, dated Thursday, March 16, 1961. On the front page is a feature article, written by The Evening News Staff Writer, Revere Stoner. I have great respect for this newspaper and I have great respect for this Staff Writer. I am going to tell you how a State Police speedometer is calibrated. The newspaper article reads, in part, as follows:

> "In the dynamotor method,—the one used by the State Police—a set of steel rollers is mounted in the floor. The rear wheels of the car are driven onto the rollers, the car is placed in gear and the motor started. The speed of the wheels drives the rollers.
>
> "As the wheels begin to spin, their speed registers on a large dial mounted on the wall. The indicator begins to note the speed of the wheels immediately . . ."

The article goes on much further, but I shall not read it.

In other words, there is a mechanical test which has been used by the State Police for years and, frankly, I would assume that it is accurate. I have heard the flimsy excuse, given by the State Police to my good friend, Senator Rooney, last week, that the speedometer cable was dry or it was kinked. Since then, I have made inquiry as to these speedometer cables. Gentlemen, they are geared. When a gear on a speedometer cable is kinked or dry, it makes a tremendous noise, strips the gears and destroys itself. I am not charing my good friend, Commissioner McCartney, with fabricating that. I believe somebody gave him that report, just as it was given to Senator Rooney and he presented it to the Senate. I think all of us realize that a poor excuse is worse than no excuse.

We have this situation with two mechanical devices; one, a speedometer and the other a set which utilizes radio microwaves. Where was the error? Was it in that speedometer which was tested the night before on those heavy rollers? Was it in that little box, the radar set? I do not know. However, if it was in that little box, it indicates that radar is not accurate.

I do not know how many of you gentlemen know one of my constituents by the name of Gus Houtman. About a year ago, Gus was Pennsylvania President of the Boroughs' Association. In this afternoon's mail, I received a letter from Gus. I want to belabor you by reading from his letter, as follows:

> "Driving through New Jersey recently, I could swear I was not doing over 55, because I knew there was a trap. I was watching my speedometer, which I know very well. All of the cars you met gave you the trap warning—turning on their lights.
>
> "The officers at the trap said that the radar indicated that I was doing 60. Then the same officer made me feel good by charging me with doing only 59 so I would not lose my license.
>
> "Either that radar was a crook or the cops had to make a showing to counteract the warning signals given by one car to another. So, they stop you and tell you you were doing 60"—and the following is the whole keynote of this letter—"(who can argue with a radar) . . ."

Mr. President, I think our question resolves itself on one single issue and that is: Is police radar accurate? I do not think it is a proper comparison to compare it with military radar. That little box—a radar set—cost about $1,000. This military radar, which they use a lot on either airborne missiles, intercontinental ballistic missiles or manned aircraft, costs hundreds of thousands of dollars and even more than that. It is constantly handled by trained technicians.

Gentlemen, I say that police radar has its relation to military radar in the same way as a crystal set has with colored television. We go back to the question of whether or not radar is accurate. By what I saw with my eyes, it is not accurate.

Mr. SILVERT. Mr. President, I have always felt that we are here in this Legislature to legislate for the majority and not for the minority. Figures show that out of some 5,000,000 drivers in the Commonwealth of Pennsylvania, some one and one-quarter per cent were disciplined. Ninety-eight and three-quarters per cent of the drivers throughout the Commonwealth, throughout the year of 1960, drove in a legal manner.

Mr. President, Senator Wade stated that an officer on the New Jersey Turnpike told him that radar is guesswork. It is pretty good guesswork for the State of New Jersey, because that Legislature will not repeal their radar tests. They have had it there for several years and they intend to keep it.

Radar is used in all the surrounding States. Therefore, Mr. President, I intend to vote for the safety of ninety-eight and three-quarter per cent of our drivers and not worry too much about the one and one-quarter per cent.

Mr. ROONEY. Mr. President, several weeks ago when I introduced Senate Bill No. 79, commonly referred to as the "radar bill," I predicted that it would be the bombshell of this legislative session. Apparently, after hearing all of the debate during the past week, I was not too far from wrong.

However, I would like to say, with respect to the demonstration which was held on March 7, 1961, that as Chairman of the Highways Committee I invited all of the Senators to participate in this demonstration. We did not want to hide anything. We wanted to give every Senator an opportunity to see radar in action. To me, Mr. President, the test proved one thing. It proved the infallibility of radar because, despite the fact that the car in which Senator Wade and I were riding was traveling at the rate of sixty-two miles an hour, the radar clocked us at fifty-four miles an hour. It gave an uncalibrated speedometer reading and it gave the driver of the car the benefit of the doubt. I suggested that Commissioner McCartney return the car immediately to the garage. I received a statement from Mr. McCartney and I received a statement from the garage attendant. I have every reason to believe that the statement, which was issued and which was read on the floor of this Senate, was accurate and true.

I would like to also say that I disagree with my distinguished colleague from Delaware County. First of all, the three tuning forks which were used registered fifty, registered sixty and registered seventy, right on the button. I would like to say that my distinguished colleague from Delaware County is very much interested in radar at this time. I wonder why he did not look into the infallibility of radar when he voted for it in the 1959 Session? Senator Wade, and my colleague from Delaware County, stated that they were both interested in highway safety. Well, gentlemen, if you are interested in highway safety, I should like to remind both of you that within the past thirteen months, while we have used radar in Pennsylvania for educational purposes, we decreased the death toll, compared to the previous thirteen months, by 142. There were still over 1,600 lives lost last year, and I am sure that if we adopt radar, that same amount will not occur this year.

I should also like to say that the Keystone Automobile Club and the A.A.A. submitted amendments which would have emasculated this bill. One amendment would have called for a sign to be posted 750 feet before the radar set. If that amendment would have been adopted, I would have voted against the bill because I think it would have been a waste of the taxpayers' money.

I sincerely urge my Democratic colleagues to support this bill. We had four subsequent demonstrations during the past week, and some of my Republican colleagues have also stated to the press that they were greatly impressed with radar and the infallibility of it. As far as the five mile leeway is concerned, that is a gentleman's agreement with the Commissioner of the State Police. I am sure there will not be one motorist picked up in Pennsylvania who is traveling at fifty-five miles an hour or less. When and if that occurs, I will vote for the repeal of radar.

I urge you today to vote for this bill. It will save lives, and Pennsylvania can then join the other forty-seven States.

Mr. WADE. Mr. President, I desire to interrogate Senator Rooney, the Chairman of the Highways Committee.

The PRESIDENT. Will the gentleman from Northampton, Mr. Rooney, permit himself to be interrogated?

Mr. ROONEY. I will, Mr. President.

Mr. WADE. Mr. President, both Senator Rooney and myself have referred to our presence in the automobile that went through the radar test on March 7th. So, it is not necessary to interrogate him as to whether or not we were together.

I should like to ask him, however, if the driver in each instance showed us a certificate of the speedometer test and the automobile in general being in good condition before we started through the speedometer calibration?

Mr. ROONEY. Mr. President, I saw the certification of the car. I believe it was certified on the Saturday previous to March 7th.

Mr. WADE. That is correct. I think two days prior.

Again, I would like to ask Senator Rooney if I understood him correctly to say that if the radar did not prove to be an instrument that would bring down the fatality rate, he would vote to repeal the use of radar two years hence? Did you make that statement?

Mr. ROONEY. No, I did not. You misunderstood me or apparently you were not listening, Senator. I said that if any motorist is arrested at fifty-five miles or less, I would vote to repeal the use of radar inasmuch as Commissioner McCartney gave me the assurance that he would allow a five mile tolerance.

Mr. WADE. Mr. President, I am sorry. I misunderstood the gentleman, and I apologize to him.

I now would like to ask him if the experience of Pennsylvania, if radar is adopted, proves similar to the experience of Virginia, where the fatality rate went up eight-tenths of one point the following year, would he be willing then to vote for the repeal of radar in Pennsylvania?

Mr. ROONEY. Mr. President, I do not have the figures here at my disposal, so I do not know whether or not they are correct. I heard the gentleman quote some figures last week which were incorrect, and I do not think I can answer that question at this time.

I would like to know, if the Senator has the figures at hand, whether or not he would give me the New Jersey and Connecticut statistics.

Mr. WADE. Mr. President, I think that is off the interrogation. However, I shall be very glad to give him—

Mr. ROONEY. I did not hear that, Senator Wade.

Mr. WADE. I say, I am interrogating Senator Rooney through the permission of the President, and that he is interrogating me by his last question. However, I shall be very glad, if he wishes, to give him the last available figures from New Jersey, Pennsylvania or any other State which I have in my hand.

The third question I wanted to ask him is this, and I do not know that the question is in good order. The demonstration that he put on for all of the Members of the Senate was handled very nicely, and I compliment him on that. However, I should like to ask him why the other demonstrations given were not given the same broad invitations as the demonstration put on during the latter part of last week. Why were the invitations to those demonstrations so limited?

Mr. ROONEY. Mr. President, the demonstrations were given to various Senators, out of courtesy, at the request of the Senators. Senator Miller had one. I believe he requested one. Senator Van Sant stated on the floor of this Senate that he needed more time and he would like to perhaps see another demonstration, and I arranged for it.

We are getting on past the hour and we are nearing a vote. However, this Senate Bill will go over to the House and if the Senators in the meantime would like to have a demonstration, I would be very happy to set one up upon request.

Mr. WADE. I thank the gentleman, Mr. President, and I simply say this. I do not understand why the change in pace. Why do we give demonstrations for individuals after the first demonstration was given for everyone? That is not the way to put on a demonstration, as I see it.

Thank you very much.

Mr. HALUSKA. Mr. President, in the past several weeks, I have heard a great deal in this Chamber about radar and about highway safety. Every man appears to be in favor of highway safety, and I am no exception, of course. I am in favor of highway safety. Is radar the answer? As long as we build cars with 380 horsepower and 400 horsepower, there is going to be carnage on the highways.

I am going to find out, I hope before the Session is over, the sincerity of my colleagues. There is but one answer. It is not radar, although I will vote for it until I get the answer. I shall introduce to this Body a bill to put governors on every car in Pennsylvania. If you are sincere about highway safety, I believe every man in this Chamber will vote for it. In the next couple of weeks, I will present such a bill and find out once and for all whether we are for safety or whether we are not.

Mr. MULLIN. Mr. President, I am speaking on this bill and not necessarily for or against it. There has been an awful lot of poppycock and extravagant claims brought up here in this discussion.

I heard one speaker say, for instance, that there were 142 less deaths. Now we could not even drive a car from December 16 I suppose up until the end of the year, which I assume was his time if he is using the year as an indication. Naturally, you would have less traffic accidents during that period. Then, again, a car that is brand-new can go sixty, seventy and eighty miles an hour on any road with very much ease. On the other hand, an older car must, of necessity, travel with less speed on the highways.

Also, we have to consider the highways and also the terrain. None of those things are taken into consideration by radar.

In addition to that, people are people. They make mistakes. They are in accidents around their houses. They are in accidents every place they go. It would be nice if we were all careful in everything that we do. I know that some people with the lowest I. Q.'s drive cars. Some of them have accidents. Other people with very high I. Q.'s drive cars and have accidents. Some people with a lot of things on their mind have accidents.

I believe the article in "Argosy," mentioned by a previous speaker, stated that when accidents went down, they went down for other reasons, and they went down where we had radar and where we did not have radar.

It is pretty hard to get rid of something after you have it. I think that is the origin of Parkinson's Law. If you get something, especially something in public government, it is hard to get rid of it because the people there keep building it up and building it up, and in time you cannot get rid of it. We witnessed that in Pennsylvania with our great number of local governments or spheres of interest in government. They are there, but they are there when people fill the gap and they do not want to get out unless some big upheaval happens and then they are thrown out.

We can overdo this persecution of drivers on the highways. We can overdo it by punishing them too much. We may overdo the punishment of drivers on the highways. We can also have better inspection laws for drivers. We can have better inspection laws for automobiles. That is very important, and right now we do not seem to have adequate inspection laws for automobiles or adequate examination of drivers. They are matters which, in my opinion, should take precedence over other types of legislation.

A far as radar is concerned, I think if there are any erros in radar, I do think that our government will try to correct them. If a radar machine is not working properly, I do believe that whoever iis operating that radar machine will try to make it more perfect than it is so that it will not create an injustice. I do not think there is any deliberate intent here to use radar to persecute people.

Also, we have to take into consideration that the more radar you use, the fewer State Police you use, and that, perhaps, is one of the reasons why the State Government wants to use radar. They might save on the expense of operating the State Police because they can use less police and more radar equipment.

Last week, it was sort of indicated that we would pass a commercial driver's license or a restricted license. I would not want a restricted license. However, I would want a commercial driver's license. I believe that operating an automobile is no longer a privilege to be afforded by some gracious sovereign. Today, an automobile is a necessity. You cannot get anywhere without an automobile. Even in the city, you cannot get anywhere in your community without an automobile. There is no transportation to take anybody anywhere. Public transportation has fallen flat. It does not meet the needs of modern society, and we do need the automobile. It is about time we came to the conclusion that it is a right—a fundamental right—of the American people to drive an automobile. I think we are overstepping the bounds of constitutional and fundamental rights to take any man's license away from him when we have other means of punishing or disciplining people for overstepping their rights, just the same as we do in other infractions of the law.

I would hate very much to see radar become a fetish and put up as a barrier to further accidents on the highway. It will not stop any accident on the highway. You will have to put a new mind into the head of every person in order to stop accidents on the highway. Everybody sees their friends, the bright ones, the dumb ones, the careless ones and every other type of person, driving an automobile. All he has to do to drive an automobile is pass a little examination and he drives on the highway. However, by passing that examination, he does not become more careful in the things he does.

I can sympathize with the people who do not want radar. I can sympathize with them very much. Today every time a State Policeman writes you up, you are fined. There is no back tracking. His word is gospel, and everybody knows it. It is just the same with radar in having a State Policeman put a charge of speeding against you. He cannot be wrong. No one is ever acquitted of a traffic charge where a State Policeman makes the charge of speeding on a State highway.

I also understand why some motor clubs, unions of auto drivers and owners of trucks are opposed to this bill. I have not received one letter from anybody asking me to vote in favor of radar.

I do say this: If the Governor and our Party puts it in their Platform and seems to want to try radar, I do not think it is momentous. I do not think it will be too much abused. However, I do not think it is going to stop accidents or lower them. If Governor Lawrence and others say that the engineers thinks so, I certainly will give them an opportunity to prove it.

Mr. WARE. Mr. President, I recall two things that I was going to mention. One relates to supporting Senator Rooney in his reference—the first I have heard during the two days in which we debated Senate Bill No. 79—to the fact that we now use radar in the Commonwealth of

Pennsylvania. I would like to suggest that I have heard no opposition, whatsoever, to the present use of radar or the present method by which our State Police are using it. In fairness to the driving public, it merits continued use and support.

Secondly, I hope my distinguished colleague from Northampton County will forgive me if I remaind him that sometime ago, shortly after the vote on March 7, I said that I would like to see another test of radar. Somehow or another, in these individual tests which have been granted, I have been overlooked. I believe there are some other colleagues who feel the same as I and, therefore, possibly we could have another demonstration.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Camiel,	Hays,	Mullin,	Silvert,
Confair,	Kalman,	Murray,	Staisey,
Devlin,	Lane,	Ripp,	Stiefel,
DiSilvestro,	Mahady,	Rooney,	Van Sant,
Donolow,	McCreesh,	Sarraf,	Weiner,
Ehrgood,	McGinnis,	Sesler,	Yatron,
Haluska,	Miller,	Seyler,	

NAYS—19

Bell,	Hawbaker,	Propert,	Taylor,
Berger,	Keller,	Scott,	Wade,
Chapman,	Kessler,	Shafer,	Wagner,
Flack,	Kromer,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

GUESTS OF SENATOR JO HAYS PRESENTED TO SENATE

Mr. HAYS. Mr. President and Members of the Senate, in Harrisburg today and tomorrow the Pennsylvania Council of Churches is conducting a citizenship seminar, and some of the people connected with that seminar are present in the Senate Chamber at this time. Therefore, I would like you to recognize them. I can only mention two names. The leader of this seminar I believe is The Reverend George Evans. Another member of the seminar is a person I have known favorably for a number of years, Mrs. Helen Hays.

The PRESIDENT. Thank you, Senator Hays.

REMAINING BILLS ON CALENDAR OVER IN ORDER

All remaining bills on today's Calendar were passed over in their order at the request of Mr. WEINER.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 44, 45 and 46.**

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, MARCH 21, 1961

TIME	COMMITTEE	ROOM
10:00 A.M.	EDUCATION	302
10:30 A.M.	FORESTS & WATERS, GAME & FISH	Senate Majority Caucus Room
11:00 A.M.	LOCAL GOVERNMENT	301
11:00 A.M.	STATE GOVERNMENT	535
11:30 A.M.	AGRICULTURE	539
12:00 Noon	INSURANCE	542

NOTICE

The Joint Committee of the Senate and House to study the Abolition of Capital Punishment will hold hearings in the House Majority Caucus Room, 1st Floor of the Capitol Building, Harrisburg, Pennsylvania on the following days:

WEDNESDAY, MARCH 22nd 1:00 to 6:00 P.M.

THURSDAY, MARCH 23rd 10:00 A.M. to 5:00 P.M.

The Committee on Forests and Waters, Game and Fish will hold hearings on Senate Bill 350 on Tuesday, March 28th at 10:00 a.m., in the Court house, Easton, Pennsylvania; on Wednesday, March 29th at 10:00 a.m., in the Lieutenant Governor's Office, State Office Building, Broad and Spring Garden streets, Philadelphia; and on Wednesday, April 5th at 10:00 a.m., in the Senate Caucus Room, 1st Floor of the Capitol Building, Harrisburg, Pennsylvania.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, March 21, 1961, at 1:00 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:44 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, March 20, 1961

The House met at 4 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Gracious Father, in this period of deep disturbance and distressing turmoil both to physical and spiritual well-being, we turn to Thee because Thou hast the power to bring peace to troubled hearts and minds as well as calm to terrified and needy lives. O God, out of Thy love and concern for all the children of men, we pray that Thou wilt bless this solemn assembly; endow them with the competency of Thy divine wisdom and the relevancy of Thy divine power; and enable them to work diligently for the alleviating of both physical and spiritual ills which plague the peoples of this great Commonwealth. In Thy dear name, we pray. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, February 27, Tuesday, February 28, and Monday, March 6, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journals for Monday, March 13, and Tuesday, March 14, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. O'DELL and FILO. HOUSE BILL No. 925.

An Act requiring the use of a canvas or other barrier to prevent the spread of sand when the exterior of a building is cleansed by sand blasting, and prescribing penalties.

Referred to the Committee on State Government.

By Messrs. WM. JOSEPH LONG, ROVANSEK, FLYNN and BACHMAN. HOUSE BILL No. 926.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) further providing for the transportation of explosives and providing penalties.

Referred to the Committee on State Government.

By Mr. FOERSTER (By Request). HOUSE BILL No. 927.

An Act amending the "Funeral Director Law," approved January 14, 1952 (P. L. 1898), extending the time in which certain experience as an apprentice may be in lieu of educational requirements.

Referred to the Committee on Professional Licensure.

By Messrs. GOODRICH and POLEN, Mrs. REIBMAN and Mr. A. W. JOHNSON. HOUSE BILL No. 928.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement to school districts on account of depreciation charges for certain vehicles.

Referred to the Committee on Education.

By Mr. STONE, Mrs. MUNLEY and Mrs. S. A. ANDERSON. HOUSE BILL No. 929.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) deleting certain limitations with respect to aids and services to the blind.

Referred to the Committee on Judiciary.

By Messrs. DAVIS, TOMPKINS, GRAMLICH and GOODRICH. HOUSE BILL No. 930.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779) further providing for reimbursement by the Pennsylvania Fish Commission to counties for maintenance of prisoners.

Referred to the Committee on Fisheries.

By Messrs. DAVIS, TOMPKINS, GRAMLICH and GOODRICH. HOUSE BILL No. 931.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), further providing for reimbursement by the Pennsylvania Game Commission to counties for maintenance of prisoners.

Referred to the Committee on Game and Conservation.

By Messrs. McCANDLESS, KING, Mrs. REIBMAN and Mr. GAILEY. HOUSE BILL No. 932.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for voting for mergers where some of the districts are already merged.

Referred to the Committee on Education.

By Messrs. McCANDLESS, KING, Mrs. REIBMAN and Mr. GAILEY. HOUSE BILL No. 933.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the adoption of annual budgets by the joint committee in certain cases.

Referred to the Committee on Education.

By Messrs. McCANDLESS, KING, Mrs. REIBMAN and Mr. GAILEY. HOUSE BILL No. 934.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for a vote of the majority of electors to enlarge or form union districts.

Referred to the Committee on Education.

By Messrs. SCARCELLI, PARLANTE and CAPITOLO. HOUSE BILL No. 935.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing that the commission shall not have the power to revoke the license of any hunter for the first offense of unlawfully killing game when game of the specie killed is in season.

Referred to the Committee on Game and Conservation.

By Messrs. SHERMAN, GELFAND, A. D. WILLIAMS and PERRY.
HOUSE BILL No. 936.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), exempting from the imposition of this tax conveyances in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale.

Referred to the Committee on Ways and Means.

By Messrs. KRAMER, McLAUGHLIN, LAMB, and DONALDSON. HOUSE BILL No. 937.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the establishing of local offices of the Department of Revenue in certain counties for the purposes of issuing registration plates and operators' licenses.

Referred to the Committee on Motor Vehicles.

By Messrs. J. A. SULLIVAN, TAYLOR, WELSH and FILO. HOUSE BILL No. 938.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) requiring the issuance of restrictive licenses to certain persons.

Referred to the Committee on Motor Vehicles.

By Messrs. J. A. SULLIVAN, WELSH, PARLANTE and Mrs. PASHLEY. HOUSE BILL No. 939.

An Act requiring the State Treasurer * * * to deduct the tax imposed by any first class city upon salaries, wages * * * paid to officers * * * of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the revenue commissioner of such city.

Referred to the Committee on Cities—Counties First Class.

By Messrs. SHELTON, GREMMINGER, GRAY and RUBIN. HOUSE BILL No. 940.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing that operators' license cards be mailed directly to applicants.

Referred to the Committee on Motor Vehicles.

By Messrs. A. D. WILLIAMS, McCANDLESS, HAMILTON and STONE. HOUSE BILL No. 941.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), further providing for the valuation, assessment and taxation of house trailers.

Referred to the Committee on Counties.

By Messrs. KELLY, GALLAGHER, DOUGHTEN and HANKINS. HOUSE BILL No. 942.

An Act amending the act of March 20, 1810 (P. L. 208), entitled "An act to amend and consolidate with its Supplements the act entitled 'An act for the recovery of debts and demands, not exceeding one hundred dollars, . . .'" providing for service of writs issued for violations of municipal ordinances by any justice by registered or certified mail.

Referred to the Committee on Judiciary.

By Messrs. J. P. O'DONNELL, RUBIN, Mrs. S. A. ANDERSON and Mr. EILBERG.
HOUSE BILL No. 943.

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit; . . ." by extending the time within which actions of assumpsit may be brought to six years.

Referred to the Committee on State Government.

By Messrs. SAKULSKY, MAXWELL, MILLS and KORNS. HOUSE BILL No. 944.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further defining "professional employe" and "teacher" to include manager of school food services.

Referred to the Committee on Education.

By Messrs. CAPITOLO, SCARCELLI, REIDENBACH and ESHBACK. HOUSE BILL No. 945.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), clarifying the method of tax collections on liquor sales and imposing duties on persons making liquor sales by the bottle.

Referred to the Committee on Ways and Means.

By Messrs. JENKINS, GUESMAN and MURRAY.
HOUSE BILL No. 946.

An Act making it unlawful to hereafter establish a junk yard or scrap yard within a certain distance of a State highway, and prescribing penalties.

Referred to the Committee on State Government.

By Messrs. HARTLEY, MORLEY, SHERMAN and SHELTON. HOUSE BILL No. 947.

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the period for revival of suggestions and averments of nonpayment and default, and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class, to twenty years.

Referred to the Committee on Cities—Counties First Class.

By Mr. ARLENE, Mrs. JONES, Messrs. CIANFRANI and A. M. LEE. HOUSE BILL No. 948.

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) prohibiting the purchase, acceptance, receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

Referred to the Committee on Law and Order.

By Messrs. HANKINS, KELLY, Mrs. S. A. ANDERSON and Mr. PERRY. HOUSE BILL No. 949.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the issuance of registration plates by requiring that all registration plates be mailed to the applicants.

Referred to the Committee on Motor Vehicles.

By Messrs. BUCHANAN, HAMILTON, STONE and EDWARDS. HOUSE BILL No. 950.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), permitting the supervisors to assess certain property at a uniform rate in lieu of an assessment based on front footage.

Referred to the Committee on Townships.

By Messrs. SCARCELLI, PARLANTE, CAPITOLO and GELFAND. HOUSE BILL No. 951.

An Act defining and relating to installments land contracts in cities of the first class and providing for and regulating the rights and obligations between parties to such contracts under certain terms and conditions.

Referred to the Committee on Cities—Counties First Class.

By Mr. FRY. HOUSE BILL No. 952.

An Act amending the "Legislative Reapportionment Act," approved July 29, 1953 (P. L. 956), changing certain districts in Montgomery County.

Referred to the Committee on Legislative Apportionment.

By Messrs. PARLANTE, A. M. LEE, SCARCELLI and GRAY. HOUSE BILL No. 953.

An Act amending the act of November 21, 1959 (P. L. 1583), entitled "An act providing that in cities and school districts of the first class real estate taxes, water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated * * * providing that the provisions of this act shall extend to real estate tax, water rent and sewer rent claims or judgments filed or revived hereafter.

Referred to the Committee on Cities—Counties First Class.

By Mr. WORLEY (By Request). HOUSE BILL No. 954.

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571), taxing real estate owned by a political subdivision which is located outside of such political subdivision for local purposes.

Referred to the Committee on Counties.

By Mr. WORLEY (By Request). HOUSE BILL No. 955.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Commonwealth to bear the cost of erection and maintenance of all traffic signs, signals and markings on State highways.

Referred to the Committee on Highways.

By. Mr. WORLEY (By Request). HOUSE BILL No. 956.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring third and fourth class school districts to hold public hearings on budgets which require increased tax levies.

Referred to the Committee on Education.

By Messrs. PERRY, GAILEY, SCARCELLI and PARLANTE. HOUSE BILL No. 957.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), exempting certain purchases of food and beverages from taxation.

Referred to the Committee on Ways and Means.

By Messrs. PERRY, GAILEY, SCARCELLI and CAPITOLO. HOUSE BILL No. 958.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), exempting school books, school supplies and art materials sold for use in public, private and parochial schools, colleges and universities from the tax.

Referred to the Committee on Ways and Means.

By Messrs. PERRY, DOUGHTEN, Mrs. JONES and Mr. A. M. LEE. HOUSE BILL No. 959.

An Act amending the act of July 9, 1901 (P. L. 614), entitled "An act relating to the service of certain process in actions at law, * * *" providing for service of writs issued for violations of municipal ordinances by any magistrate, justice of the peace or alderman by registered or certified mail.

Referred to the Committee on Judiciary.

By Messrs. VARNER, O'DELL, DENNISON and PRICE. HOUSE BILL No. 960.

An Act amending the act of June 29, 1937 (P. L. 2420), entitled, as amended, "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania State Police, and Guards in State Parks," limiting the weekly hours of duty of such persons and providing for overtime payments.

Referred to the Committee on Rules.

By Messrs. A. D. WILLIAMS, WARGO, NEEDHAM and HOLLIDAY. HOUSE BILL No. 961.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), directing the issuance of special registration plates to war amputees, blind veterans and paralytics, and exempting motor vehicles bearing such plates from certain parking restrictions for a limited period of time.

Referred to the Committee on Motor Vehicles.

By Messrs. BUCHANAN, IRVIS, GELFAND and WILLAREDT. HOUSE BILL No. 962.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), increasing the borrowing capacity of the Authority and allocating the proceeds of such increased borrowing capacity for the purchase of grounds and buildings at Indiana State College.

Referred to the Committee on Rules.

By Messrs. MURRAY, GUESMAN, JENKINS and BLAIR. HOUSE BILL No. 963.

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream, artificial or natural body of water, or nontidal waters of any river within the Commonwealth; * * *," providing for the issuance without charge of licenses and license plates for motor boats owned and operated by volunteer fire companies or rescue squads.

Referred to the Committee on State Government.

By Messrs. MURRAY, GUESMAN and JENKINS. HOUSE BILL No. 964.

An Act requiring cities, boroughs, towns and townships to provide for police investigations of "Liquor Code" violations by retail licensees.

Referred to the Committee on Liquor Control.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 965.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring elected public officials to disclose to the Auditor General their sources of income.

Referred to the Committee on Rules.

By Messrs. PETROSKY, STONE, O'DELL and Mrs. MARKLEY. HOUSE BILL No. 966.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing registration fees for motor buses and motor omnibuses operated by mass transportation systems.

Referred to the Committee on Motor Vehicles.

By Messrs. PETROSKY, STONE, O'DELL and Mrs. MARKLEY. HOUSE BILL No. 967.

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (P. L. 1965), reducing the tax upon the fuel used in vehicles operated by mass transportation systems as defined in the act, and providing for disposition and use of the tax imposed by the act.

Referred to the Committee on State Government.

By Messrs. PETROSKY, STONE, O'DELL and Mrs. MARKLEY. HOUSE BILL No. 968.

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149), reducing the tax on liquid fuels used in vehicles operated by mass transportation systems, providing for disposition of taxes for reduction in amount paid to counties and for refunds of overpayments.

Referred to the Committee on State Government.

By Mr. MORLEY, Mrs. PASHLEY, Mrs. MONROE and Mr. GRAY. HOUSE BILL No. 969.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of temporary permits for the retail sale of liquor at trade shows and conventions in cities of the first class.

Referred to the Committee on Liquor Control.

By Messrs. KAMYK, FOERSTER, M. H. GOLDSTEIN and THOMPSON. HOUSE BILL No. 970.

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

Referred to the Committee on Cities—Counties Second and Second Class A.

By Messrs. HARTLEY, DOUGHTEN and MORLEY. HOUSE BILL No. 971.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), limiting the prohibition against and penalty for speed contests and drag races.

Referred to the Committee on Motor Vehicles.

By Messrs. HARTLEY, MORLEY and DOUGHTEN. HOUSE BILL No. 972.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), authorizing possession of loaded firearms on vehicles along or upon certain highways.

Referred to the Committee on Game and Conservation.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 973.

An Act amending the "Estate Tax Apportionment Act of 1951," approved August 24, 1951 (P. L. 1405), authorizing the Court to assess certain expenses against nontestamentary property or interests.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 974.

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163), clarifying provisions relating to verdicts which are advisory only.

Referred to the Committee on Judiciary.

By Messrs. EILBERG, HARTLEY, DOUGHTEN and Mrs. JONES. HOUSE BILL No. 975.

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes * * * and permitting penalties to be imposed and enforced," eliminating State license fee provisions and making changes to conform to existing law.

Referred to the Committee on Cities—Counties First Class.

By Messrs. McNALLY, CIOFFI, MILLER and STIMMEL. HOUSE BILL No. 976.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the minimum requirements for retirement of firemen.

Referred to the Committee on Cities—Third Class.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 977.

An Act amending the "Intestate Act of 1947," approved April 24, 1947 (P. L. 80), prescribing the spouse's rights in the decedent's estate and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without her joinder.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 978.

An Act amending the "Intestate Act of 1947" approved April 24, 1947 (P. L. 80), prescribing the spouse's rights in the decedent's estate and eliminating dower and statutory rights in lieu thereof of a widow in real estate conveyed by her husband in his lifetime without joinder.

Referred to the Committee on Judiciary.

By Messrs. GAILEY and A. M. LEE. HOUSE BILL No. 979.

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), including the person of an incompetent within the provisions of the and providing for appointment of a coguardian or succeeding guardian.

Referred to the Committee on Judiciary.

By Messrs. LUTTY, LEONARD, A. D. WILLIAMS and FOX. HOUSE BILL No. 980.

An Act relating to the payment of wages or compensation for labor or services; providing for regular pay days; conferring powers and duties upon the Department of Labor and Industry, including powers and duties with respect to the civil collection of wages; providing civil and criminal penalties for violations of the act; providing for their collection and disposition and providing for additional civil damages.

Referred to the Committee on Labor Relations.

By Mr. COMER (By Request). HOUSE BILL No. 981.

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. COMER (By Request). HOUSE BILL No. 982.

An Act making an appropriation to the Department of Justice for the payment of certain moral claims against the Commonwealth.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 983.

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. CIOFFI. RESOLUTION No. 38.

In the House of Representatives, March 13, 1961.

The transportation of Members of the General Assembly and legislative employes to the legislative chambers is constantly hampered by the unavailability or slowness of elevator service; therefore, be it

Resolved, That the Department of Property and Supplies is hereby requested to proceed with plans for and construction of two escalators between the basement and second floor of the Capitol Building.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 44.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

HOUSE BILL No. 45.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

HOUSE BILL No. 46.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949, authorizing the assistant secretary or the assistant treasurer to sign certain papers.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate bills for concurrence Nos. 86, 139, 172, 174 and 188.

COMMUNICATION FROM GOVERNOR

1961-1963 CAPITAL BUDGET

The SPEAKER laid before the House a communication from the Governor, "1961-1963 Capital Budget."

(For Governor's communication, see appendix)

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 197, entitled:

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 315, entitled:

An Act amending the act of September 23, 1959 (P. L. 941) entitled "An act authorizing the Department of Property and Supplies * * * to sell and convey an easement in lands situate in the Township of Skippack Montgomery County" further providing for an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 470, entitled:

An Act amending the act of December 14, 1863 (1864 P. L. 1127) entitled "An act relating to the liens of common carriers and others" reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 489, entitled:

An Act amending the act of May 3, 1923 (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State * * *" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 490, entitled:

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county"

correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 491, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 492, entitled:

An Act amending the act of May 5, 1945 (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents * * *" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 493, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 495, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) correcting the name of the Italian American Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 496, entitled:

An Act amending the act of April 19, 1929 (P. L. 609) entitled "An Act providing for the location care and maintenance of graves of soldiers, sailors, marines and members of the enlisted nurse corps * * *" changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 497, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 498, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 499, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons * * * providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 500, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) correcting the names of the Italian American War Veterans of the United States, Incorporated to conform with name in its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 501, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 502, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties fo the third, fourth, fifth, sixth, seventh and eighth classes amending, revising, consolidating and changing the laws relating thereto" by correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 503, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 504, entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian-American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 507, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 556, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the temporary investment of funds by school districts of the first class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 591, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828) providing for authorized investments in interest-bearing deposits.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 594, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) further providing for the bringing of informations in cities of the first and second class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 624, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053) authorizing certain services by public utilities operating taxicabs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 649, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payment of regular employes in order to be credited for service for pension.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 662, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 672, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) imposing powers and duties on the Department of Public Welfare and deleting certain powers and duties from the Department of Public Assistance.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926) adding a definition changing tag stamp and registration provisions providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518) changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 739, entitled:

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 811, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing a method of paying service increments from the pension fund to employes of the city after retirement.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 changing the measure of relief for disability or death of personnel on active duty.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 844, entitled:

An Act amending the act of July 10, 1957 (P. L. 685) entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 845, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" prescribing additional enforcement powers to the Secretary of Labor and Industry and increasing certain fees.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 850, entitled:

An Act amending The "Game Law" approved June 3, 1937 (P. L. 1225) permitting the purchase and sale of the flesh of raccoons.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 857, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 869, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) regulating voluntary admission of minors to institutions and further regulating emergency commitments.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 870, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) removing from the jurisdiction of the Department of Public Welfare jails prisons and penal institutions and inmates thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 871, entitled:

An Act amending the act of April 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants * * *" further defining terms * * * imposing powers and duties on the Department of Public Welfare * * * and making repeals.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 872, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing for the use of intrest on patients' funds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 873, entitled:

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045) qualifying the liability of property owners with respect to minor children.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 874, entitled:

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177) creating and redesignating boards

of trustees of certain institutions in the Department of Public Welfare.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 875, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 879, entitled:

An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled as amended "An act providing for the preservation of the records or photographic film reproductions * * * of banks * * *" extending the provisions thereof to employes' mutual banking associations.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513), entitled "An act regulating the construction, equipment maintenance operation and inspection of boilers and unfired pressure vessels * * * and repealing all acts or parts of acts inconsistent with this act" providing for submission of plans and specifications of the mechanical system in buildings and providing for a fee therefore.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

COMMUNICATION

ACCOUNTING OF ESTATE OF STEPHEN GIRARD FOR 1960

The SPEAKER laid before the House the detailed account of the estate of Stephen Girard, deceased, with investments and application of the same, together with a report of the estate of Girard College for the year 1960.

(For report, see appendix)

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 44.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions.

HOUSE BILL No. 45.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds.

HOUSE BILL No. 46.

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved Mach 31, 1949 authorizing the assistant secretary or the assistant treasurer to sign certain papers.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REQUEST FOR WRIT OF SPECIAL ELECTION

The SPEAKER. The Chair desires to read the following letter addressed to the Speaker.

"This letter concerns the vacancy created by the untimely death of the Honorable Willard F. Agnew, who represented the seventeenth district of Allegheny County.

> "It is my feeling, as well as those Republican leaders concerned, that the date of May 16, 1961, will be appropriate for holding this special election. We hope that this date will meet with your approval. With appreciation for past consideration, we extend our thanks.
>
> "Sincerely,
>
> "George I. Bloom.'

In conformity with the request, the writ of the Speaker will be issued for a special election on the date requested by the Republican State Chairman.

EXPLORER SCOUTS WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of a group of Explorer Scouts with their advisors from Canton, Pennsylvania, Post No. 3. They came to Harrisburg at the request of Mr. Golden, executive director of the Pennsylvania Game Commission, to receive the William T. Hornaday Award for outstanding service in the field of wild life conservation. This award is made available by the New York Zoological Society. This is the first time this award has been made to a group in Pennsylvania and represents five years of continuous work in wild life conservation.

The members of the group are here as the guests of the gentleman from Bradford County, Mr. Williams.

We are honored with your presence and appreciate your visit.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 67, entitled:

An Act to protect the public safety by regulating the mining of anthracite coal prescribing duties for certain municipal officers and imposing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 453, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts

or leases for fining or removal of valuable minerals in State parks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 454, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), waiving the requirement of competitive bidding for contracts and leases for mining or removal of minerals under State forest land when the Commonwealth owns only a fractional interest in such minerals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. WALSH from the Committee on Highways, reported as amended, House bill No. 560, entitled:

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highmays; providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways; and providing penalties for violations.

Mr. CURWOOD from the Committee on Highways, reported as committed, House bill No. 368, entitled:

An Act requiring that all policemen and other persons exercising police powers, while directing traffic at night, wear a luminous or reflective outer garment.

Mr. BOIES from the Committee on Appropriations, reported as committed, House bill No. 451, entitled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township Juniata County for State forest administrative purposes.

Mr. ESHLEMAN from the Committee on Highways, reported as committed, House bill No. 468, entitled:

An Act repealing section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; * * *; and making an appropriation," abolishing certain requirements.

Mr. BOIES from the Committee on Appropriations, reported as committed, House bill No. 558, entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 694, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343), appropriating certain moneys obtained through proceedings relating to escheatable property to the Department of Revenue for the payment of compensation fees and expenses.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 368, entitled:

An Act requiring that all policemen and other persons exercising police powers, while directing traffic at night, wear a luminous or reflective outer garment.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 468, entitled:

An Act repealing section 8, act of July 5, 1957 (P. L. 479), entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; * * *; and making an appropriation," abolishing certain requirements.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 694, entitled:

An Act amending "The Fiscal Code" approved April 9, 9, 1929) P. L. 343(, appropriating certain moneys obtained through proceedings relating to escheatable property to the Department of Revenue for the payment of compensation fees and expenses.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

BILLS RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 520, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), granting a credit for certain suspensions toward revocation penalties, including motorcycles within the provisions relating to reflectors and reflective materials, providing for enforcement of equipment requirements, further defining the duty to stop in the event of an accident,***.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House bill No. 627, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), permitting courts to grant club licenses to desirable applicants despite the limitations of the quota provisions of the law.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the

Committee on Liquor Control, House bill No. 629, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the transfer of hotel restaurant and eating place licenses to clubs without affecting the number of licenses thereafter grantable in any municipality.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House bill No. 665, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing licensees, manufacturers and their employes and agents to sponsor, support or contribute to certain fund raising drives or solicitations.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Liquor Control, House bill No. 666, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing the sale of liquor and malt or brewed beverages during certain hours on Sunday.

The SPEAKER. The bill is re-referred to the Committee on Liquor Control.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS CALLED OUT OF ORDER

Mr. McCANN asked and obtained unanimous consent to call up bills out of order.

Mr. Speaker, I request permission of the House to turn to page 19 of today's calendar. On House bill 636, I request permission to amend the bill to bring it into form for voting today.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 636, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149), reducing the tax rate of fuels used in turbine propeller jet, turbo-jet or jet driven aircraft and aircraft engines.

On the question,

Will the House agree to the bill on third reading?

Mr. EILBERG asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Title, page 2, last line of Title, by striking out "for a certain period of time."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, upon an agreement I would like to act on the bills which are to be recommitted and amended only, prior to the Republican request for a caucus. I ask that we turn to page 12.

Mr. Speaker, I call up House bill No. 20.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 20, entitled:

Requiring the prothonotary to add interest to awards and verdicts in tort actions.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Cities—Counties, First Class to meet during the session of the House.

PHILADELPHIA ASSOCIATION OF SETTLEMENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of the members of the Philadelphia Association of Settlements, representing the staff and neighborhood groups from 14 settlement houses. The members of this group are present as guests of the Philadelphia delegation, and the visit was arranged by Mrs. Varallo, a former member.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646), entitled "An act authorizing the Commonwealth to

negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

RECONSIDERATION OF VOTE

Mr. POLEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 1), page 4, line 7, by striking out "including Federal contributions."

Amend Sec. 3 (Sec. 2), page 6, lines 14 and 15, by striking out "including Federal contributions."

Amend Sec. 3 (Sec. 4), page 7, line 14, by striking out "including Federal contributions."

Amend Sec. 4, page 8, line 4, by striking out "including Federal contributions."

Amend Sec. 4, page 8, line 7, by striking out "including Federal contributions."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? the Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 423, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating field meets tand trails.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 720), page 2, line 8, by striking out "coon" and inserting: "raccoon."

Amend Sec. 1 (Sec. 720), page 2, lines 8 and 9, by striking out "recognized wild coon night hunt" and inserting: "field trial."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 472, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), designating certain house trailers as subjects of taxation.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. ROVANSEK. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, those are all the bills on which amendments are ready at this point. I will now yield to the Republican acting floor leader for the purpose of discussion and consideration of the operation of the House today.

Mr. TOMPKINS. Mr. Speaker, do you care to take leaves of absence at this time?

The SPEAKER. The Chair will receive leaves of absence at this time.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Tompkins for Mr. PRICE for the week because of illness.

Mr. Tompkins for Mr. STECKEL for the week because of illness.

Mr. Tompkins for Mr. WALL for the week because of illness.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Armstrong, Mr. Helm.

Mr. HELM. Mr. Speaker, I desire to request time for a Republican caucus to be held immediately in the old House caucus room.

The SPEAKER. The request is for a caucus of the minority group immediately. For how long?

Mr. HELM. Mr. Speaker, I would like to say that I hope it will not last over thirty minutes, but I cannot be sure.

The SPEAKER. The Chair hears no objection and leave is granted. The members of the minority party will proceed to the appointed place.

Mr. McCANN. Mr. Speaker, I realize that the Republican membership must have their caucus at 5 o'clock today. I would like to say, if the Republican caucus can complete its action from 5 to 5:30, we will come back here and operate in the House from 5:30 to 6:30. If they cannot, if they find it impossible and their caucus would go until 6, I will ask for a recess from 6 to 8 or 8:30, whichever the case may be, upon agreement, and the

House will reconvene at 8 o'clock tonight to work until 10 o'clock.

Mr. Speaker, we have bills that we would like to have introduced and reports of committees now before they go to caucus.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. ROVANSEK asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, Senate bill No. 74, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" prohibiting persons under fourteen years of age from operating tractors and other equipment except under limited circumstances.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, Senate bill No. 77, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" imposing duties on the secretary relating to lights on certain vehicles tractors and machinery making it illegal to opearte them during certain hours and providing penalties.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

RECESS

The SPEAKER. Without objection, the Chair declares a recess for an indefinite period.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR

REPORTS FROM COMMITTEE

Mr. RUBIN from the Committee on Cities—Counties First Class, reported as committed, House bill No. 206, entitled:

An Act amending the act of October 14, 1959 (P. L. 1314), entitled "An act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class," further regulating the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 695, entitled:

An Act amending the "Public Code of 1949," approved March 10, 1949 (P. L. 30), providing a residence requirement for officers, teachers and employes of school districts of the first class.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House Bill No. 742, entitled:

An Act amending the act of April 3, 1860 (P. L. 630), entitled "An act relative to Proceedings upon Mortgages and Recognizances," excluding counties of the first class from the provisions of the act.

Mr. J. A. SULLIVAN from the Committee on Cities—Counties First Class, reported as committed, House bill No. 743, entitled:

An Act amending the act of April 25, 1850 (P. L. 569), entitled "An act relating to the bail of executrixes; to partition in the orphans' court and common pleas; to colored convicts in Philadelphia; to the limitation of actions against corporations; to actions enforcing the payment of ground rent; * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 939, entitled:

An Act requiring the State Treasurer * * * to deduct the tax imposed by any first class city upon salaries, wages * * paid to officers * * of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the revenue commissioner of such city.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 947, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the period for revival of suggestions and averments of non-payment and default, and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class, to twenty years.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 206, entitled:

An Act amending the act of October 14, 1959 (P. L. 1314), entiled "An act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the municipal court of Philadelphia, in counties of the first class," further regulating the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace, and the muncipal court of Philadelphia, in counties of the first class.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 695, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing a residence requirement for officers, teachers and employes of school districts of the first class.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 742, entitled:

An Act amending the act of April 3, 1860 (P. L. 630), entitled "An act relative to Proceedings upon Mortgages and Recognizances," excluding counties of the first class from the provisions of the act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 743, entitled:

An Act amending the act of April 25, 1850 (P. L. 569), entitled "An act relating to the bail of executrixes; to partition in the orphans' court and common pleas; to colored convicts in Philadelphia; to the limitation of actions against corporations; to actions enforcing the payment of ground rent; * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 939, entitled:

An Act requiring the State Treasurer * * * to deduct the tax imposed by any first class city upon salaries, wages * * paid to officers * * of the Commonwealth domiciled or performing services within the city and to make a return and remit the tax so deducted to the revenue commissioner of such city.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 947, entitled:

An Act amending the "Municipal Claim and Tax Lien Law," approved May 16, 1923 (P. L. 207), extending the period for revival of suggestions and averments of non-payment and default, and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class, to twenty years.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

ALBERT W. JOHNSON RETURNED AS MINORITY FLOOR LEADER

Mr. WOOD. Mr. Speaker, I have been instructed by the Republican caucus to announce for the information of the members and for the record that the gentleman from McKean, Mr. Albert W. Johnson, has been elected minority floor leader.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Johnson, minority floor leader.

Mr. A. W. JOHNSON. Mr. Speaker, it is sure pleasant to be back as minority leader again. I express my deep appreciation to my caucus and I want to say to the members of the House that we will carry on as a vigilant minority over on this side. I have always appreciated my very pleasant relations with Mr. McCann and the rest of the majority, and we on the Republican side hope from here on out to carry on the wonderful work that Representative Agnew put forth as our floor leader. It was a terrible blow, not only to this House but to the Republican Party, that such a fine young man was taken so untimely in his life. Despite that terrible loss, we hope to carry on for the good of this House, for the good of the Republican Party, and for the good of the State of Pennsylvania.

I want to give my greetings to the House and I will do my best to carry on the traditions of the Republican Party.

I thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, we, of course, are not privileged to be a part of the deliberations of the Republican Party in the selection of their minority floor leader, but we say to you, as we have said in the past, our relationship has always been excellent in working for the betterment of all the people of Pennsylvania, and I am confident that Mr. Johnson and the Republican leadership and the Republican Party will continue to strive for what they believe to be in the best interests of Pennsylvania. There will be times that we will disagree, but we will disagree honestly along the paths by which we are trying to achieve the same goals.

Therefore, we say, welcome back, Albert, and say hello to your wife, and thanks to those people for electing you to that position.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 20, 1961.

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Tuesday, April 4, 1961, at three o'clock p. m., e. s. t., unless sooner recalled by the President pro Tempore; and when the House of Representatives adjourns this week, it reconvene Tuesday, April 4, 1961, at four o'clock p. m., E. s. t., unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 588, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provisions relating to when license tags are required to be displayed.

The first section was read.

On the question,

Will the House agree to the section?

Mr. CURWOOD offered the following amendment:

Amend Section 1 (Sec. 308), page 2, line 9, by inserting after "trapping" "Nothing in this section shall be con-

strued to require any person under the age of eighteen years to display a license tag while trapping for fur-bearing animals other than beavers or while trapping for predators."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Eilberg for Mr. MUSTO because of illness.

Mr. Eilberg for Mr. McNALLY because of illness.

Mr. Tompkins for Mr. GUTHRIE for the week because of illness.

Mr. Tompkins for Mr. SIMMONS for the week because of death in family.

Mr. Tompkins for Mr. LIPPINCOTT for the week.

Mr. Tompkins for Mr. MERRY for the week.

BILLS ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House bill No. 53, printer's No. 1017,

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 160, entitled:

An Act amending the act of March 27, 1945 (P. L. 83), entitled "An act regulating the issuance of execution on judgments confessed on written instruments * * *" providing defenses in any county in which a judgment is transferred.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Ashton,	Gelfand,	Limper,	Rutherford,
Auker,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Magee,	Schuster,
Boles,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Bossert,	Gramlich,	Marsh,	Sherman,
Bower,	Gray,	Maxwell,	Shupnik,
Bowman,	Gremminger,	May,	Slack,
Branca,	Gross,	McCandless,	Snare,
Breth,	Guesman,	McCann,	Stank,
Buchanan,	Hamilton,	McCormack,	Stimmel,
Bush,	Hankins,	McDevitt,	Stiteler,
Capano,	Hartley,	McDonald,	Stone,
Cauley,	Haudenshield,	McInroy,	Strausser,
Cianfrani,	Heavey,	McKeever,	Sullivan, J. A.,
Clarke,	Heffner,	McLaughlin,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Mihm,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holliday,	Mills,	Tompkins,
Davis,	Holman,	Monroe,	Trusio,
Dengler,	Horst,	Morley,	Ujobai,
Dennison,	Irvis,	Mullen,	Varner,
Donaldson,	Isaacs,	Munley,	Verona,
Dougherty,	Jenkins,	Murphy,	Walsh,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Wood,
Fineman,	Klein,	Polen,	Worley,
Flynn,	Knecht,	Pursley,	Wynd,
Foerster,	Kooker,	Reibman,	Yetter,
Foor,	Kornick,	Reidenbach,	Zember,
Fox,	Korns,	Renwick,	Andrews,
Frascella,	Kramer,	Riley,	Speaker

NAYS—0

NOT VOTING—16

Capitolo,	Lippincott,	Musto,	Simmons,
Cioffi,	McNally,	Perry,	Steckel,
Guthrie,	Merry,	Prendergast,	Wall,
Lamb,	Murray,	Price,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 343, printer's No. 1020,

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 369, entitled:

An Act requiring employers to pay for medical examination fee, where such examination is a condition for employment.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Bowman.

Mr. BOWMAN. Mr. Speaker, I would like to interrogate the majority leader on one point, that is all.

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker. Mr. Fineman also worked on the bill, I believe, clearing out the final amendments.

Mr. BOWMAN. Mr. Speaker, my interrogation is this: As I read the bill there is a question in my mind as to the meaning of the phrase dealing with requiring a physical examination, with the phrase, "if the applicant or employe works for the employer for one work week." Now, do I understand that phrase to mean that as a condition to employment the employer may ask the employe for a medical examination at the expense of the employe if he does not have him work for a week in the first instance?

Mr. McCANN. I believe the intention of that phraseology was that if you, as an employer, were employing someone and you were going to employ him for one week or more, that by requiring a medical examination to be a part of the condition of the employment, then you, as the employer, would pay for the said medical examination. Suppose you were to employ a person for one day or two days as temporary help, that you have

such an examination does not fall in the category, unless it were required by law. For example, the waitress who handles food or a cook in a restaurant, and so forth.

Mr. BOWMAN. I thank the majority leader. I only suggest that the way the particular condition is phrased, and I just read it, I think it can very easily be construed to the contrary and certainly I do not think that is the intent of the bill as explained by the majority leader. I merely point that out. It is, perhaps, not serious, and I certainly do not oppose this legislation; I merely pointed it out. I would also point out that there is a typographical error on line 14 of the same bill.

The SPEAKER. Does the gentleman from Perry, Mr. Holman, desire to be recognized?

Mr. HOLMAN. I had the same question to ask, Mr. Speaker.

Mr. McCANN. Is it satisfactory to proceed with the bill? The Senate will amend it if it needs a correctional error.

Mr. BOWMAN. I am only suggesting, Mr. Speaker, that the bill can be rephrased much more precisely and concisely to attain the objective which you have expressed. Whether you desire to roll the bill or not is, of course, not my prerogative to say.

Mr. McCANN. Mr. Speaker, if this is the situation, I will let House bill 369 be voted on today and then, if the error does need to be corrected, I will amend the bill in the Senate on that phraseology. Satisfactory?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Frascella,	Lee, A. M.,	Royer,
Anderson, J. H.,	Fry,	Leonard,	Rubin,
Anderson, S. A.,	Fulmer,	Limper,	Rudisill,
Arlene,	Gailey,	Long, Wm. Jas.,	Rutherford,
Ashton,	Gallagher,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gelfand,	Lutty,	Scarcelli,
Bachman,	George,	Magee,	Schaaf,
Backenstoe,	Gibb,	Manbeck,	Schuster,
Blair,	Gibbons,	Markley,	Seltzer,
Boies,	Goldstein, J. H.,	Marsh,	Shelton,
Bonner,	Goldstein, M. H.,	Maxwell,	Sherman,
Bossert,	Goodrich,	May,	Shupnik,
Bower,	Gramlich,	McCandless,	Slack,
Bowman,	Gray,	McCann,	Snare,
Branca,	Gremminger,	McCormack,	Stank,
Breth,	Gross,	McDevitt,	Stimmel,
Buchanan,	Guesman,	McDonald,	Stiteler,
Bush,	Hamilton,	McInroy,	Stone,
Capano,	Hankins,	McKeever,	Strausser,
Cauley,	Hartley,	McLaughlin,	Sullivan, J. A.,
Cianfrani,	Haudenshield,	Meholchick,	Sullivan, T. F.,
Cioffi,	Heavey,	Mihm,	Taylor,
Clarke,	Heffner,	Miller,	Thompson,
Comer,	Helm,	Mills,	Tomascik,
Cooley,	Henzel,	Monroe,	Tompkins,
Crossin,	Hocker,	Morley,	Trusio,
Curwood,	Holliday,	Mullen,	Ujobai,
Davis,	Holman,	Munley,	Varner,
Dengler,	Horst,	Murphy,	Verona,
Dennison,	Irvis,	Needham,	Walsh,
Donaldson,	Isaacs,	O'Dell,	Wargo,
Dougherty,	Jenkins,	O'Donnell, J. A.,	Weidner,
Doughten,	Jim,	O'Donnell, J. P.,	Welsh,
Down,	Johnson, A. W.,	Odorisio,	Wescott,
Edwards,	Johnson, R. P.,	Ogilvie,	Whittaker,
Eilberg,	Jones,	Parlante,	Willard,
Elvey,	Kamyk,	Pashley,	Willaredt,
Eshback,	Keiser,	Petrosky,	Williams, A. D.,
Eshleman,	Kelly,	Piper,	Williams, E. S.,
Ewing,	Kernaghan,	Polaski,	Wilt,
Farabaugh,	Kessler,	Polen,	Wood,
Fetterolf,	King,	Pursley,	Worley,
Filo,	Klein,	Reibman,	Wynd,
Fineman,	Kooker,	Reidenbach,	Yetter,
Flynn,	Kornick,	Renwick,	Zember,
Foerster,	Korns,	Riley,	Zimmerman,
Foor,	Kramer,	Rovansek,	Andrews,
Fox,	Lawson,		Speaker

NAYS—0

NOT VOTING—17

Capitolo,	Lee, K. B.,	Murray,	Price,
Guthrie,	Lippincott,	Musto,	Simmons,
Kistler,	McNally,	Perry,	Steckel,
Knecht,	Merry,	Prendergast,	Wall,
Lamb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 416, entitled:

An Act amending the act of May 23, 1945 (P. L. 903), entitled "An act authorizing cities of the third class to establish an optional retirement system for officers and employes independently of any pension system or systems existing in such cities" changing the basis for pensions.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gallagher,	Leonard,	Royer,
Arlene,	Gelfand,	Limper,	Rudisill,
Ashton,	George,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibbons,	Lutty,	Scarcelli,
Blair,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Cauley,	Hartley,	McDonald,	Stiteler,
Cianfrani,	Haudenshield,	McInroy,	Stone,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Cooley,	Henzel,	Mihm,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holliday,	Mills,	Tompkins,
Davis,	Holman,	Monroe,	Trusio,
Dengler,	Horst,	Morley,	Ujobai,
Dennison,	Irvis,	Mullen,	Varner,
Donaldson,	Isaacs,	Munley,	Verona,
Dougherty,	Jenkins,	Murphy,	Walsh,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Fineman,	Kistler,	Polaski,	Wood,
Flynn,	Klein,	Polen,	Worley,
Foerster,	Kooker,	Pursley,	Wynd,
Foor,	Kornick,	Reibman,	Zember,
Fox,	Korns,	Reidenbach,	Zimmerman,
Frascella,	Kramer,	Renwick,	Andrews,
Fry,	Lawson,		Speaker

NAYS—2

Boies,	Filo,

NOT VOTING—19

Auker,	Lippincott,	Perry,	Steckel,
Capitolo,	McNally,	Prendergast,	Taylor,
Guthrie,	Merry,	Price,	Wall,
Knecht,	Murray,	Rubin,	Yetter,
Lamb,	Musto,	Simmons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 474, entitled:

An Act amending the act of May 20, 1921 (P. L. 984), entitled as amended "An act providing for the condemnation by the Commonwealth of lands suitable and desirable for forest and State park purposes or game preserve purposes or the perpetuation and protection of fish * * *" providing for the payment of money into court for the benefit of persons entitled thereto and for the crediting of such payments.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fulmer,	Lee, K. B.,	Rubin,
Anderson, J. H.,	Gailey,	Leonard,	Rudisill,
Anderson, S. A.,	Gallagher,	Limper,	Rutherford,
Arlene,	Gelfand,	Long, Wm. Jas.,	Sakulsky,
Ashton,	George,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Gibb,	Lutty,	Schaaf,
Backenstoe,	Gibbons,	Magee,	Schuster,
Blair,	Goldstein, J. H.,	Manbeck,	Seltzer,
Boies,	Goldstein, M. H.,	Markley,	Shelton,
Bonner,	Goodrich,	Marsh,	Sherman,
Bossert,	Gramlich,	Maxwell,	Shupnik,
Bower,	Gray,	May,	Slack,
Bowman,	Gremminger,	McCandless,	Snare,
Branca,	Gross,	McCann,	Stank,
Breth,	Guesman,	McCormack,	Stimmel,
Buchanan,	Hamilton,	McDevitt,	Stiteler,
Bush,	Hankins,	McDonald,	Stone,
Capano,	Hartley,	McInroy,	Strausser,
Cauley,	Heavey,	McKeever,	Sullivan, J. A.,
Cianfrani,	Heffner,	McLaughlin,	Sullivan, T. F.,
Cioffi,	Helm,	Meholchick,	Taylor,
Clarke,	Henzel,	Mihm,	Thompson,
Comer,	Hocker,	Miller,	Tomascik,
Cooley,	Holliday,	Mills,	Tompkins,
Crossin,	Holman,	Monroe,	Trusio,
Curwood,	Horst,	Morley,	Ujobai,
Davis,	Irvis,	Mullen,	Varner,
Dengler,	Isaacs,	Munley,	Verona,
Dennison,	Jenkins,	Murphy,	Walsh,
Donaldson,	Jim,	Needham,	Wargo,
Dougherty,	Johnson, A. W.,	O'Dell,	Weidner,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Down,	Jones,	O'Donnell, J. P.,	Wescott,
Edwards,	Kamyk,	Odorisio,	Whittaker,
Eilberg,	Keiser,	Ogilvie,	Willard,
Elvey,	Kelly,	Parlante,	Willaredt,
Eshback,	Kernaghan,	Pashley,	Williams, A. D.,
Eshleman,	Kessler,	Petrosky,	Williams, E. S.,
Ewing,	King,	Piper,	Wilt,
Fetterolf,	Kistler,	Polaski,	Wood,
Filo,	Klein,	Polen,	Worley,
Fineman,	Kooker,	Pursley,	Wynd,
Flynn,	Kornick,	Reibman,	Yetter,
Foerster,	Korns,	Reidenbach,	Zember,
Fox,	Kramer,	Riley,	Zimmerman,
Frascella,	Lawson,	Rovansek,	Andrews,
Fry,	Lee, A. M.,	Royer,	Speaker

NAYS—3

Auker,	Farabaugh,	Renwick,

NOT VOTING—17

Capitolo,	Lamb,	Murray,	Price,
Foor,	Lippincott,	Musto,	Simmons,
Guthrie,	McNally,	Perry,	Steckel,
Haudenshield,	Merry,	Prendergast,	Wall,
Knecht,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I was busy reading a bill and neglected to vote. I would like to be recorded as voting "aye," if you please.

The SPEAKER. The remarks of the gentleman will be spread upon the record. He cannot be recorded as having voted. His intention will be recorded.

Mr. FOOR. I will now be recorded in my home paper as missing a roll call vote. My perfect record is now broken.

The SPEAKER. We will correct that. We will find a way of establishing the gentleman's presence in the House because he arose immediately after and said he was so busy studying legislation that he did not have time to consider that bill.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 485, entitled:

An Act to encourage and permit the prospecting for and development of certain valuable minerals on State forest land and providing for the waiver for competitive bidding requirements therefor.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fulmer,	Lee, A. M.,	Royer,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gallagher,	Leonard,	Rudisill,
Arlene,	Gelfand,	Limper,	Rutherford,
Ashton,	George,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibbons,	Lutty,	Schaaf,
Blair,	Goldstein, J. H.,	Magee,	Schuster,
Boies,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bonner,	Goodrich,	Markley,	Shelton,
Bossert,	Gramlich,	Marsh,	Sherman,
Branca,	Gray,	Maxwell,	Shupnik,
Breth,	Gremminger,	May,	Slack,
Buchanan,	Gross,	McCandless,	Snare,
Bush,	Guesman,	McCann,	Stank,
Capano,	Hamilton,	McDevitt,	Stimmel,
Cauley,	Hankins,	McDonald,	Stiteler,
Cianfrani,	Hartley,	McInroy,	Stone,
Cioffi,	Haudenshield,	McKeever,	Strausser,
Clarke,	Heavey,	McLaughlin,	Sullivan, J. A.,
Comer,	Heffner,	Meholchick,	Sullivan, T. F.,
Cooley,	Helm,	Mihm,	Taylor,
Crossin,	Henzel,	Miller,	Thompson,
Curwood,	Hocker,	Mills,	Tomascik,
Davis,	Holliday,	Monroe,	Tompkins,
Dengler,	Holman,	Morley,	Trusio,
Dennison,	Horst,	Mullen,	Ujobai,
Donaldson,	Irvis,	Munley,	Varner,
Dougherty,	Isaacs,	Needham,	Verona,
Doughten,	Jenkins,	O'Dell,	Walsh,

Down,	Jim,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Johnson, R. P.,	Odorisio,	Welsh,
Elvey,	Jones,	Ogilvie,	Wescott,
Eshback,	Kamyk,	Parlante,	Whittaker,
Eshleman,	Keiser,	Pashley,	Willard,
Ewing,	Kelly,	Petrosky,	Willaredt,
Farabaugh,	Kernaghan,	Piper,	Williams, E. S.,
Fetterolf,	Kessler,	Polaski,	Wilt,
Filo,	King,	Polen,	Wood,
Fineman,	Kistler,	Pursley,	Worley,
Flynn,	Klein,	Reibman,	Wynd,
Foerster,	Kornick,	Reidenbach,	Yetter,
Foor,	Korns,	Renwick,	Zember,
Fox,	Kramer,	Riley,	Zimmerman,
Frascella,	Lawson,	Rovansek,	Andrews,
Fry,			Speaker

NAYS—4

Auker,	Kooker,	Murphy,	Williams, A. D.,

NOT VOTING—18

Bower,	Lamb,	Murray,	Price,
Bowman,	Lippincott,	Musto,	Simmons,
Capitolo,	McCormack,	Perry,	Steckel,
Guthrie,	McNally,	Prendergast,	Wall,
Knecht,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 10, entitled:

An Act amending the act of July 11, 1917 (P. L. 758), entitled "An act for the protection of the public health by regulating the possession control dealing in and use of certain drugs and keeping records thereof * * *" clarifying the definition of "drug" to include heroin in any quantity.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I wonder if the gentleman from Philadelphia, Mr. Eilberg, will explain to us the purpose of this bill and what it does.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Eilberg, to explain the bill.

Mr. EILBERG. Mr. Speaker, briefly, we want to be very sure that heroin in any quantity shall be deemed a drug under the narcotics law. The Narcotics Law of 1917 provided, and I am reading from 35 Purdon's, section 852, that the word drug shall not be construed to include preparations, and remedies, and compounds, which do not contain more than two grains of opium, or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or any salt or derivative of any of them.

This was amended in 1955 so that the word "drug," which presently appears, shall not be construed to include preparations and remedies and compounds which do not contain more than two grains of opium, or more than one-fourth grain of morphine or more than one grain of codeine, and so forth, eliminating the words "pertaining to heroin."

Heroin, the chemists tell me, is a derivative of morphine, and morphine in turn is a derivative of opium. We are afraid that the law as it presently exists eliminates the one-eighth of a grain and in its place provides for one-fourth of a grain. Our experience in Philadelphia indicates that many astute defense counsel take advantage of this and some persons who are charged with possession of drugs or as addicts are getting away with it. We know that dope addicts in Philadelphia, notwithstanding the prosecutions and the care that the police exercise, secrete their drugs and very often are apprehended with their droppers and their needles with almost infinitesimal quantities of film which do not meet the one-fourth of a grain, which we believe the law presently is. We would like to be sure that possession of heroin, in any quantity, is a crime.

Mr. TOMPKINS. I thank the gentleman. That clarifies it as far as I am concerned.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I would like to further interrogate the gentleman from Philadelphia, Mr. Eilberg.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. McCORMACK. I am wondering whether or not, Mr. Speaker, the definition of "drug" under section 2 would be inconsistent then with this amendment, because under this amendment you have two distinct and contradictory clauses, namely, under the first, the word "drug" shall not be construed to include preparations, et cetera, which do not contain more than—I am just reading this over now. I would ask you to bear with me. I saw something when I was sitting here and now I do not seem to see it. I thought there was a provision in there with respect to heroin prior to the amendatory clause defining the amount of heroin, but now in looking it over further I cannot seem to see that, so I am wrong and therefore I do not wish to interrogate the gentleman. I am satisfied. I am sorry.

Mr. GRAMLICH. Mr. Speaker, I would like to interrogate the sponsor or Mr. Eilberg, please.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Eilberg, permit himself to be interrogated?

Mr. EILBERG. I shall, Mr. Speaker.

Mr. GRAMLICH. I would like to know, Mr. Speaker, why on page 2 of this bill, line 15, it plainly states, underscored, "except that heroin in any quantity shall be deemed a drug under the provisions of this act"?

Now I would like to ask you, sir, why that is incorporated in this bill.

Mr. EILBERG. Mr. Speaker, I thought I had answered that, but I will attempt to answer it again.

The law as it presently stands, as amended, provides that the possession of opium, marihuana and coca-leaves is against the law, but there are certain exceptions. Those exceptions involve the possession of such substances of a drug base that are so insignificant in quantity that they will not be considered as being in violation of the law, so that the law as presently amended says that the word "drug" shall not be construed to include preparations, and remedies, and compounds which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or any salt or derivative of any of them.

Mr. Speaker, since heroin is a derivative of morphine, if one were in possession of heroin of less than one-fourth of a grain, this would not constitute a violation of the narcotics law which we are so anxious to amend.

Mr. GRAMLICH. Mr. Speaker, I thank the gentleman. I would like to inform the gentleman that heroin, in case he does not know this, is not permitted to be even handled in the United States. So I see no reason why heroin should be considered a drug in this bill, or why it is in the bill, when heroin is not allowed in this Country.

Mr. EILBERG. Mr. Speaker, the gentleman is quite correct, and the State of Pennsylvania is now in the inconsistent position of allowing persons to have heroin in quantities of less than one-fourth of a grain, whereas the Federal law contradicts our local law. I say to you that this is the opportunity to have the Pennsylvania law conform to the Federal law.

Mr. GRAMLICH. Will the gentleman please repeat that?

Mr. EILBERG. Mr. Speaker, the law as presently on the books, as amended in 1955, allows one to have possession of heroin in quantities less than one-fourth of a grain per ounce.

The State of Pennsylvania allows anyone to have possession of heroin in quantities of less than one-fourth of a grain per ounce, whereas the Federal law says you cannot have it at all.

So we say, let us have the Pennsylvania law be exactly the same as the Federal law. Let us have Pennsylvania outlaw it just the same as the Federal Government has outlawed it.

Mr. GRAMLICH. Thank you, sir.

Will the gentleman kindly tell me what law that is on the books, the Federal law, that will grant you permission to have a fourth of a grain of heroin in an ounce? I realize that you can have an eighth of codeine . . .

The SPEAKER. The Chair recognizes the gentleman from Philadelphia.

Mr. EILBERG. The gentleman evidently has not heard me. I agree with him in his statement of the Federal law. The Federal Narcotics Control Act of 1956 states just what the gentleman said. It is against the United States Federal law to have possession of heroin in any quantity, but if the gentleman will look at 35 Purdon's Statutes, section 852, as amended, it specifically says that the word "drug" shall not include preparations, and remedies, and compounds, which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine. Heroin is a derivative of morphine. So what this means is that if you have a composition consisting of less than one-fourth of a grain it is perfectly all right in Pennsylvania under our State law.

Now we are in the awkward position of our State law conflicting with the Federal law.

Mr. GRAMLICH. I understand it is an opium derivative, there is no question about that, but I still do not agree that heroin should be in this bill. I am agreed entirely on the rest of it, but I do not see why heroin should even be considered in this bill. I most assuredly say it is a drug and a potent drug, and it should absolutely be unable to be used in any way, in any prescription.

The SPEAKER. For what purpose does the gentleman from Philadelphia rise?

Mr. McCORMACK. Mr. Speaker, will the gentleman yield for a moment?

The SPEAKER. Will the gentleman from Venango yield to the gentleman from Philadelphia, Mr. McCormack?

Mr. GRAMLICH. I shall, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, I was confused myself and maybe I can clarify this by asking the gentleman from Philadelphia a set of questions.

The SPEAKER. The gentleman has the floor.

Mr. McCORMACK. Mr. Speaker, I was thinking that perhaps since the Federal law prohibits the possession and use of it in any quantity, and, since the Pennsylvania law, the penal laws of Pennsylvania with the respect to the use and possession of narcotics, allows possession of heroin in the stated quantity, you might be confronted with the situation where the Federal authorities refuse to prosecute and the Pennsylvania authorities, despite the fact that the person has that quantity in his possession, cannot prosecute because of the present law, whereas, if this amendment were adopted, the Pennsylvania authorities would then be in a position to prosecute for the possession and use of heroin in any quantity.

May I suggest that might be the reason?

Mr. EILBERG. I will agree with the gentleman that that might be the reason.

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, in short, this bill makes the Pennsylvania law conform to the Federal law?

Mr. EILBERG. Exactly.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fry,	Lee, K. B.,	Rubin,
Anderson, J. H.,	Fulmer,	Leonard,	Rudisill,
Anderson, S. A.,	Gailey,	Limper,	Rutherford,
Arlene,	Gallagher,	Long, Wm. Jas.,	Sakulsky,
Ashton,	Gelfand,	Long, Wm. Jos.,	Scarcelli,
Auker,	Gibb,	Lutty,	Schaaf,
Bachman,	Gibbons,	Magee,	Schuster,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Seltzer,
Blair,	Goldstein, M. H.,	Markley,	Shelton,
Boies,	Goodrich,	Marsh,	Sherman,
Bonner,	Gramlich,	Maxwell,	Shupnik,
Bossert,	Gray,	May,	Slack,
Bower,	Gremminger,	McCandless,	Snare,
Bowman,	Guesman,	McCann,	Stank,
Branca,	Hamilton,	McCormack,	Stimmel,
Breth,	Hankins,	McDevitt,	Stiteler,
Buchanan,	Hartley,	McDonald,	Stone,
Bush,	Haudenshield,	McInroy,	Strausser,
Capano,	Heavey,	McKeever,	Sullivan, J. A.,
Cauley,	Heffner,	McLaughlin,	Sullivan, T. F.,
Cianfrani,	Helm,	Meholchick,	Taylor,
Cioffi,	Henzel,	Mihm,	Thompson,
Clarke,	Hocker,	Miller,	Tomascik,
Comer,	Holliday,	Mills,	Tompkins,
Cooley,	Holman,	Monroe,	Trusio,
Crossin,	Horst,	Morley,	Ujobai,
Curwood,	Isaacs,	Mullen,	Varner,
Davis,	Irvis,	Munley,	Verona,
Dengler,	Jenkins,	Murphy,	Walsh,
Donaldson,	Jim,	Needham,	Wargo,
Dougherty,	Johnson, A. W.,	O'Dell,	Weidner,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Down,	Jones,	O'Donnell, J. P.,	Wescott,
Edwards,	Kamyk,	Odorisio,	Whittaker,
Eilberg,	Keiser,	Ogilvie,	Willard,
Elvey,	Kelly,	Parlante,	Willaredt,
Eshback,	Kernaghan,	Pashley,	Williams, A. D.,
Eshleman,	Kessler,	Petrosky,	Williams, E. S.,
Ewing,	King,	Piper,	Wilt,
Farabaugh,	Kistler,	Polaski,	Wood,

Fetterolf,	Klein,	Polen,	Worley,
Filo,	Kooker,	Pursley,	Wynd,
Fineman,	Kornick,	Reibman,	Yetter,
Flynn,	Korns,	Reidenbach,	Zember,
Foerster,	Kramer,	Renwick,	Zimmerman,
Foor,	Lawson,	Riley,	Andrews,
Fox,	Lee, A. M.,	Rovansek,	Speaker
Frascella,			

NAYS—0

NOT VOTING—19

Capitolo,	Knecht,	Murray,	Royer,
Dennison,	Lamb,	Musto,	Simmons,
George,	Lippincott,	Perry,	Steckel,
Gross,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 227, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further specifying rights which shall not be exempt from execution when assigned as security for a loan from a credit union.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Frascella,	Lawson,	Rovansek,
Anderson, J. H.,	Fry,	Lee, K. B.,	Royer,
Anderson, S. A.,	Fulmer,	Leonard,	Rubin,
Ashton,	Gailey,	Limper,	Rudisill,
Auker,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	George,	Lutty,	Scarcelli,
Blair,	Gibb,	Magee,	Schaaf,
Boles,	Gibbons,	Manbeck,	Schuster,
Bonner,	Goldstein, J. H.,	Markley,	Seltzer,
Bossert,	Goldstein, M. H.,	Marsh,	Shelton,
Bower,	Goodrich,	Maxwell,	Sherman,
Bowman,	Gramlich,	May,	Shupnik,
Branca,	Gray,	McCandless,	Slack,
Breth,	Gremminger,	McCann,	Snare,
Buchanan,	Guesman,	McCormack,	Stank,
Bush,	Hamilton,	McDevitt,	Stimmel,
Capano,	Hankins,	McDonald,	Stiteler,
Cauley,	Hartley,	McInroy,	Stone,
Cianfrani,	Haudenshield,	McKeever,	Strausser,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	Meholchick,	Sullivan, T. F.,
Comer,	Helm,	Mihm,	Taylor,
Cooley,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Mills,	Tomascik,
Curwood,	Holliday,	Monroe,	Tompkins,
Davis,	Holman,	Morley,	Trusio,
Dengler,	Horst,	Mullen,	Ujobai,
Dennison,	Irvis,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Willaredt,
Ewing,	Kernaghan,	Petrosky,	Williams, A. D.,
Farabaugh,	Kessler,	Piper,	Williams, E. S.,
Fetterolf,	King,	Polaski,	Wilt,
Filo,	Kistler,	Polen,	Wood,
Fineman,	Klein,	Pursley,	Worley,
Flynn,	Kooker,	Reibman,	Wynd,
Foerster,	Kornick,	Reidenbach,	Yetter,
Foor,	Korns,	Renwick,	Zember,
Fox,	Kramer,	Riley,	Zimmerman,

NAYS—1

Andrews,
Speaker

NOT VOTING—18

Arlene,	Lamb,	Murray,	Price,
Capitolo,	Lee, A. M.,	Musto,	Simmons,
Gross,	Lippincott,	Perry,	Steckel,
Guthrie,	McNally,	Prendergast,	Wall,
Knecht,	Merry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 297, printer's No. 326

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 328, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), redesignating the burgess as the mayor.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I would like to file this for the record.

The SPEAKER. The letter will be spread upon the record, if there is no objection.

Mr. McCANN submitted the following for the record:

RESOLUTION

Be It Resolved The General Assembly of the Commonwealth of Pennsylvania amend the Borough Code in regards to designating the Executive and Administrative Officer of a borough to read The Mayor of a Borough instead of the former title of that of a Burgess of the Borough.

Whereas this should be done to bring the borough form of municipal government up to its level as many boroughs have populations greater than many third class cities.

Whereas other states surrounding the Commonwealth have nothing but mayors even in small villages of a few hundred persons. There they are called the major of the village, in cities the mayor of the city.

Whereas too the title of mayor will add more dignity and prestige to the office that is now held by the Burgess.

The above resolution was passed by the Westmoreland County Burgesses Association on February 24, 1960.

Pat Bucci, Burgess of Derry, Pres.
Theo. Ceconnie, Burgess of Hyde Park, Secry.
Wm. L. Hurst, Burgess of Irwin, Chm. Legislative Committee.

A copy of this resolution to be presented to the Allegheny County Burgesses Association.

Michael J. Kallock, Burgess of East Vandergrift, Rec. Secry.

February 23, 1961.

TO ALL MEMBERS:
TOPIC: House Bill No. 328
Introduced by Mr. Jim, Westmoreland County January 31, 1961
Referred to Committee on Boroughs, Feb. 1, 1961
HOUSE BILL—328

An Act—to Change the title of Burgess to Mayor of the Borough.

A majority of our members are in favor of the change in title, from Burgess to Mayor.
Therefore, the official position of the Pennsylvania State Burgesses Association shall be to support House Bill 328, in its entirety.
Please lend your support to the passage of House Bill 328 by writing or talking with the members of the State Legislature from your legislative District.

James K. K. Smith
President
James J. Butler,
Secretary-Treasurer

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—154

Adams,	Frascella,	Leonard,	Riley,
Anderson, J. H.,	Fry,	Limper,	Rubin,
Anderson, S. A.,	Fulmer,	Long, Wm. Jas.,	Rudisill,
Arlene,	Gallagher,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gelfand,	Lutty,	Scarcelli,
Bachman,	George,	Manbeck,	Schaaf,
Blair,	Gibb,	Markley,	Schuster,
Boles,	Gibbons,	Marsh,	Seltzer,
Bonner,	Goldstein, J. H.,	Maxwell,	Shelton,
Bossert,	Goldstein, M. H.,	May,	Sherman,
Bower,	Gray,	McCann,	Shupnik,
Bowman,	Gremminger,	McDevitt,	Snare,
Branca,	Guesman,	McDonald,	Stank,
Buchanan,	Hamilton,	McKeever,	Stiteler,
Breth,	Hankins,	McLaughlin,	Stone,
Capano,	Hartley,	Meholchick,	Strausser,
Cauley,	Haudenshield,	Mihm,	Sullivan, J. A.,
Cianfrani,	Heavey,	Miller,	Sullivan, T. F.,
Cioffi,	Heffner,	Mills,	Taylor,
Clarke,	Henzel,	Monroe,	Thompson,
Comer,	Holliday,	Morley,	Tomascik,
Cooley,	Irvis,	Mullen,	Trusio,
Crossin,	Isaacs,	Munley,	Ujobai,
Curwood,	Jenkins,	Murphy,	Varner,
Davis,	Jim,	Needham,	Verona,
Dengler,	Johnson, R. P.,	O'Dell,	Walsh,
Dennison,	Jones,	O'Donnell, J. A.,	Wargo,
Donaldson,	Kamyk,	O'Donnell, J. P.,	Weidner,
Dougherty,	Kelly,	Odorisio,	Welsh,
Doughten,	Kernaghan,	Ogilvie,	Willaredt,
Ellberg,	Kessler,	Parlante,	Williams, A. D.,
Elvey,	King,	Pashley,	Williams, E. S.,
Eshback,	Klein,	Petrosky,	Wilt,
Ewing,	Kornick,	Piper,	Worley,
Filo,	Korns,	Polaski,	Yetter,
Fineman,	Kramer,	Polen,	Zember,
Flynn,	Lawson,	Reibman,	Andrews,
Foerster,	Lee, A. M.,	Reidenbach,	Speaker
Fox,	Lee, K. B.,	Renwick,	

NAYS—38

Ashton,	Goodrich,	Kooker,	Slack,
Backenstoe,	Gramlich,	Magee,	Stimmel,
Bush,	Gross,	McCandless,	Tompkins,
Down,	Helm,	McCormack,	Wescott,
Edwards,	Hocker,	McInroy,	Whittaker,
Eshleman,	Holman,	Pursley,	Willard,
Farabaugh,	Horst,	Rovansek,	Wood,
Fetterolf,	Johnson, A. W.,	Royer,	Wynd,
Foor,	Keiser,	Rutherford,	Zimmerman,
Galley,	Kistler,		

NOT VOTING—15

Capitolo,	Lippincott,	Musto,	Simmons,
Guthrie,	McNally,	Perry,	Steckel,
Knecht,	Merry,	Prendergast,	Wall,
Lamb,	Murray,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House bill No. 337, printer's No. 1019,
was passed over at the request of the SPEAKER.
There being no objection
House bill No. 356, printer's No. 478 and
House bill No. 387, printer's No. 424,
were passed over temporarily at the request of Mr. McCANN.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 418, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the basis for pensions.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Lee, K. B.,	Royer,
Anderson, J. H.,	Galley,	Leonard,	Rubin,
Anderson, S. A.,	Gallagher,	Limper,	Rudisill,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Ashton,	George,	Long, Wm. Jos.,	Sakulsky,
Auker,	Gibb,	Lutty,	Scarcelli,
Bachman,	Gibbons,	Magee,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Schuster,
Blair,	Goldstein, M. H.,	Markley,	Seltzer,
Bonner,	Goodrich,	Marsh,	Shelton,
Bossert,	Gramlich,	Maxwell,	Sherman,
Bower,	Gray,	May,	Shupnik,
Bowman,	Gremminger,	McCandless,	Slack,
Branca,	Gross,	McCann,	Snare,
Breth,	Guesman,	McCormack,	Stank,
Buchanan,	Hamilton,	McDevitt,	Stimmel,
Bush,	Hankins,	McDonald,	Stiteler,
Capano,	Hartley,	McInroy,	Stone,
Cauley,	Haudenshield,	McKeever,	Strausser,
Cianfrani,	Heavey,	McLaughlin,	Sullivan, J. A.,
Cioffi,	Heffner,	Meholchick,	Sullivan, T. F.,
Clarke,	Helm,	Mihm,	Taylor,
Comer,	Henzel,	Miller,	Thompson,
Cooley,	Hocker,	Mills,	Tomascik,
Crossin,	Holliday,	Monroe,	Tompkins,
Curwood,	Holman,	Morley,	Trusio,
Davis,	Horst,	Mullen,	Ujobai,
Dengler,	Irvis,	Munley,	Varner,
Dennison,	Isaacs,	Murphy,	Verona,
Donaldson,	Jenkins,	Needham,	Walsh,
Dougherty,	Jim,	O'Dell,	Wargo,
Doughten,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Down,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Edwards,	Jones,	Ogilvie,	Wescott,
Ellberg,	Kamyk,	Odorisio,	Whittaker,
Elvey,	Keiser,	Parlante,	Willard,
Eshback,	Kelly,	Pashley,	Willaredt,
Eshleman,	Kernaghan,	Petrosky,	Williams, A. D.,
Ewing,	Kessler,	Piper,	Williams, E. S.,
Farabaugh,	King,	Polaski,	Wilt,
Fetterolf,	Kistler,	Polen,	Wood,
Fineman,	Klein,	Pursley,	Worley,
Flynn,	Kooker,	Reibman,	Wynd,
Foerster,	Kornick,	Reidenbach,	Yetter,
Foor,	Korns,	Renwick,	Zember,
Fox,	Kramer,	Riley,	Zimmerman,
Frascella,	Lawson,	Rovansek,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—2

Boies,	Filo,

NOT VOTING—15

Capitolo,	Lippincott,	Musto,	Simmons,
Guthrie,	McNally,	Perry,	Steckel,
Knecht,	Merry,	Prendergast,	Wall,
Lamb,	Murray,	Price,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm, preside temporarily?

Mr. HELM IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 635, entitled:

An Act amending the "Fuel Use Tax Act" approved January 14, 1952 (P. L. 1965), reducing the tax rate of fuels used in turbine propeller turbo-jet or jet driven aircraft and aircraft engines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—165

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Royer,
Arlene,	Gelfand,	Leonard,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Boies,	Goldstein, M. H.,	Marsh,	Schaaf,
Bonner,	Goodrich,	Maxwell,	Schuster,
Bossert,	Gramlich,	May,	Seltzer,
Bower,	Gray,	McCann,	Shelton,
Branca,	Gremminger,	McCormack,	Sherman,
Breth,	Gross,	McDevitt,	Shupnik,
Buchanan,	Guesman,	McDonald,	Snare,
Capano,	Hamilton,	McInroy,	Stank,
Cauley,	Hankins,	McKeever,	Stone,
Cianfrani,	Hartley,	McLaughlin,	Strausser,
Cioffi,	Haudenshield,	Meholchick,	Sullivan, J. A.,
Clarke,	Heavey,	Mihm,	Sullivan, T. F.,
Comer,	Heffner,	Miller,	Taylor,
Cooley,	Helm,	Mills,	Thompson,
Crossin,	Henzel,	Monroe,	Tomascik,
Davis,	Hocker,	Morley,	Trusio,
Dengler,	Horst,	Mullen,	Ujobai,
Dennison,	Irvis,	Munley,	Verona,
Dougherty,	Isaacs,	Murphy,	Walsh,
Doughten,	Jenkins,	Needham,	Wargo,
Down,	Jim,	O'Dell,	Weidner,
Edwards,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Ellberg,	Johnson, R. P.,	O'Donnell, J. P.,	Wescott,
Elvey,	Jones,	Odorisio,	Willard,
Eshback,	Kamyk,	Parlante,	Willaredt,
Eshleman,	Keiser,	Pashley,	Williams, E. S.,
Farabaugh,	Kelly,	Petrosky,	Wilt,
Fetterolf,	Kernaghan,	Piper,	Wood,
Filo,	Kessler,	Polaski,	Yetter,
Fineman,	Kistler,	Polen,	Zember,
Flynn,	Klein,	Reibman,	Zimmerman,
Foerster,	Kornick,	Reidenbach,	Andrews,
Fox,	Korns,	Renwick,	Speaker
Frascella,	Kramer,		

NAYS—26

Auker,	Fulmer,	McCandless,	Tompkins,
Bowman,	Holliday,	Ogilvie,	Varner,
Bush,	Holman,	Pursley,	Whittaker,
Curwood,	King,	Slack,	Williams, A. D.,
Donaldson,	Kooker,	Stimmel,	Worley,
Ewing,	Magee,	Stiteler,	Wynd,
Foor,	Markley,		

NOT VOTING—16

Capitolo,	Lippincott,	Murray,	Price,
Guthrie,	Lutty,	Musto,	Simmons,
Knecht,	McNally,	Perry,	Steckel,
Lamb,	Merry,	Prendergast,	Wall,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk presents the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS. Mr. Speaker, I would just like to comment that we have now lowered the tax on liquid fuels for airplanes within 10 or 11 days of the date when the tax on gasoline for the motorists of Pennsylvania and the truckers of Pennsylvania will go up two cents.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, so the record will show clearly, the agreement was that unless this was passed the planes of the Pan-American and the airline flights scheduled to start from Philadelphia to Europe, would not fuel in the Commonwealth of Pennsylvania, and by this very act we are producing more money in the Commonwealth of Pennsylvania, which money can be used in the construction of airports in a county like Bucks.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 636, entitled:

An Act amending "The Liquid Fuels Tax Act" approved May 21, 1931 (P. L. 149), reducing the tax rate of fuels used in turbine propeller jet, turbo-jet or jet driven aircraft and aircraft engines.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Adams,	Fox,	Kornick,	Reidenbach,
Anderson, J. H.,	Frascella,	Korns,	Renwick,
Anderson, S. A.,	Fry,	Kramer,	Riley,
Arlene,	Gailey,	Lawson,	Rovansek,
Ashton,	Gallagher,	Lee, A. M.,	Royer,
Bachman,	Gelfand,	Lee, K. B.,	Rubin,
Backenstoe,	George,	Leonard,	Rudisill,
Blair,	Gibb,	Limper,	Rutherford,
Boies,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goldstein, J. H.,	Manbeck,	Scarcelli,
Bossert,	Goldstein, M. H.,	Maxwell,	Schaaf,
Bower,	Goodrich,	May,	Schuster,
Branca,	Gramlich,	McCann,	Seltzer,
Breth,	Gray,	McCormack,	Shelton,
Buchanan,	Gremminger,	McDevitt,	Sherman,
Capano,	Gross,	McDonald,	Shupnik,
Cauley,	Guesman,	McInroy,	Snare,
Cianfrani,	Hamilton,	McKeever,	Stank,
Cioffi,	Hankins,	McLaughlin,	Stone,

Clarke,	Hartley,	Meholchick,	Strausser,
Comer,	Haudenshield,	Mihm,	Sullivan, J. A.,
Cooley,	Heavey,	Miller,	Sullivan, T. F.,
Crossin,	Heffner,	Mills,	Taylor,
Curwood,	Helm,	Monroe,	Thompson,
Davis,	Henzel,	Morley,	Tomascik,
Dengler,	Hocker,	Mullen,	Trusio,
Dennison,	Horst,	Munley,	Ujobai,
Dougherty,	Irvis,	Murphy,	Verona,
Doughten,	Isaacs,	Needham,	Walsh,
Down,	Jenkins,	O'Dell,	Wargo,
Edwards,	Jim,	O'Donnell, J. A.,	Weidner,
Eilberg,	Johnson, A. W.,	O'Donnell, J. P.,	Welsh,
Elvey,	Johnson, R. P.,	Odorisio,	Wescott,
Eshback,	Jones,	Parlante,	Willard,
Eshleman,	Kamyk,	Pashley,	Willaredt,
Farabaugh,	Keiser,	Petrosky,	Williams, E. S.,
Fetterolf,	Kelly,	Piper,	Wood,
Filo,	Kernaghan,	Polaski,	Yetter,
Fineman,	Kessler,	Polen,	Zember,
Flynn,	Kistler,	Reibman,	Zimmerman,
Foerster,	Klein,		

NAYS—26

Auker,	Holliday,	Ogilvie,	Varner,
Bowman,	Holman,	Pursley,	Whittaker,
Bush,	King,	Slack,	Williams, A. D.,
Donaldson,	Kooker,	Stimmel,	Wilt,
Ewing,	Magee,	Stiteler,	Worley,
Foor,	Markley,	Tompkins,	Wynd,
Fulmer,	McCandless,		

NOT VOTING—19

Capitolo,	Long, Wm. Jas.,	Murray,	Simmons,
Guthrie,	Lutty,	Musto,	Steckel,
Knecht,	Marsh,	Perry,	Wall,
Lamb,	McNally,	Prendergast,	Andrews,
Lippincott,	Merry,	Price,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STONE asked and obtained permission for the Committee on Welfare to meet during the session of the House.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, chairman, Room 131-A, Tuesday, March 21, at 10 a.m.

CITIES-THIRD CLASS, Mr. Walsh, chairman, Room 131-C, Tuesday, March 21, at 12:30 p.m.

COUNTIES, Mr. Cioffi, chairman, Room 131-C, Tuesday, March 21, at 11:30 a.m.

GAME and CONSERVATION, Mr. Curwood, chairman, Room 323, Tuesday, March 21, at 11 a.m.

JUDICIARY, Mr. Rudisill, chairman, Room 149, Tuesday, March 21, at 10 a.m.

MINES and MINERALS INDUSTRIES, Mr. Rovansek, chairman, Room 131-E, Tuesday, March 21, at 12:30 p.m.

PROFESSIONAL LICENSURE, Mr. Boies, chairman, Room 131, Tuesday, March 21, at 12 noon.

STATE GOVERNMENT, Mr. Fineman, chairman, Room 522, Tuesday, March 21, at 11 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Tuesday, March 21, at 11 a.m.

BILL RE-REFERRED

Mr. KAMYK from the Committe on Welfare, returned with the recommendation that it be re-referred to the Committee on Cities—Counties, Second Class and Second Class A, House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; * * *," providing for payments to dependent parents.

The SPEAKER. The bill is re-referred to the Committee on Cities—Counties Second Class and Second Class A.

Mr. McCANN. Mr. Speaker, I call up House bill No. 355 on page 14 of today's calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the third reading of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the third reading of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I would appreciate it if they would read the amendments, if they are not too long.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 8, by inserting after "may" each

Amend Sec. 1 (Sec. 3), page 3, line 9, by striking out "their first deputies" and inserting: "a deputy."

Amend Sec. 1 (Sec. 3), page 3, lines 10, 11 and 12, by striking out "and to serve at the discretion of the respective" in line 10, all of line 11, and "ternal Affairs and Secretary of Property and Supplies" in line 12.

Amend Sec. 1 (Sec. 3), page 3, line 15, by inserting after "may" "each."

Amend Sec. 1 (Sec. 3), page 3, lines 16 and 18, by inserting brackets before "to" where it appears the second time in line 16 and after "leader" in line 18 and inserting immediately thereofter: "Any person who has been designated to act instead of another, as provided above, shall

present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings for which such designee shall act, which letter shall be duly signed by the person having the power to make such designation."

Amend Sec. 1 (Sec. 3), page 3, line 18, by inserting after "Authority" "or their respective designees."

Amend Sec. 1 (Sec. 3), page 3, line 18, by inserting after "shall" "not."

Amend Sec. 1 (Sec. 3), page 3, line 19, by inserting a bracket before and after "no" and inserting immediately thereafter: "any."

Amend Sec. 1 (Sec. 3), page 3, line 19, by inserting after "members" "or designees."

Amend Sec. 1 (Sec. 3), page 4, line 1, by inserting after "members" "or designees."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 356, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec 3), page 3, line 5, by inserting after "may" "each."

Amend Sec. 1 (Sec. 3), page 3, line 6, by striking out "their first deputies" and inserting: "a deputy."

Amend Sec. 1 (Sec. 3), page 3, lines 7, 8 and 9 by striking out "to serve at the discretion of the respective Governor" in line 7 all of line 8 and "struction and Secretary of Property and Supplies" in line 9.

Amend Sec. 1 (Sec. 3), page 3, line 12, by inserting after "may" "each."

Amend Sec. 1 (Sec. 3), page 3, lines 13 to 16, by striking out "to serve at the discretion of the respective" in line 13, all of lines 14 and 15 and "Representatives" in line 16 and inserting: "Any person who has been designated to act instead of another, as provided above, shall present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings for which such designee shall act which letter shall be duly signed by the person having the power to make such designation."

Amend Sec. 1 (Sec. 3), page 3, line 16, by inserting after "Authority" "or their designees."

Amend Sec. 1 (Sec. 3), page 3, line 16, by inserting after "shall" "not."

Amend Sec. 1 (Sec. 3), page 3, line 16, by inserting a bracket before and after "no" and inserting immediately thereafter: "any."

Amend Sec. 1 (Sec. 3), page 3, line 17, by inserting after "members" "or designees."

Amend Sec. 1 (Sec. 3), page 3, line 19, by inserting after "members" "or designees."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. McCANN. Mr. Speaker, these amendments to 356 and 387 are the same as the amendments offered to 355.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 13, by inserting after "may" "each."

Amend Sec. 1 (Sec. 3), page 3, lines 13 and 14, by striking out "their first deputies" and inserting: "a deputy."

Amend Sec. 1 (Sec. 3), page 3, lines 14, 15 and 16, by striking out "out to serve at the discretion of the re-" in line 14, all of line 15, and "Affairs and Secretary of Highways" in line 16.

Amend Sec. 1 (Sec. 3), page 3, line 19, by inserting after "may" "each."

Amend Sec. 1 (Sec. 3), page 3, line 20, page 4, lines 1 and 2, by striking out "to serve at the discretion of the respective Speaker of" in line 20, page 3, and all of lines 1 and 2, page 4, and inserting: 'Any person who has been designated to act instead of another, as provided above, shall present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings for which such designee shall act, which letter shall be duly signed by the person having the power to make such designation."

Amend Sec. 1 (Sec. 3), page 4, by inserting after "Authority" "or their deputies."

Amend Sec. 1 (Sec. 3), page 4, line 3, by inserting after "shall" "not."

Amend Sec. 1 (Sec. 3), page 4, line 3, by inserting a bracket before and after 'no" and inserting immediately thereafter: "any."

Amend Sec. 1 (Sec. 3), page 4, by inserting after "members" "or designees."

Amend Sec. 1 (Sec. 3), page 4, line 6, by inserting after "members" "or designees."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar, both on final passage and third reading, be passed over in order.

The SPEAKER pro tempore. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

RESOLUTION

Mr. SCHAAF offered a resolution which was filed with the clerk under the rules.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 21, 1961, at 1 p.m., e.s.t.

The motion was agreed to, and (at 6:63 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, MARCH 21, 1961. No. 30.

SENATE

TUESDAY, MARCH 21, 1961

The Senate met at 1:00 p.m., Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Right Reverend Monsignor ROBERT J. MAHER, of Saint Patrick's Cathedral, Harrisburg, offered the following prayer:

"You are the salt of the earth . . ."

"You are the light of the world . . ."

Here in this distinguished Assembly are gathered, O almighty King of Kings, the Senators elected by the people of this Commonwealth to consult and advise on those practical problems which may be solved by legislative action. Often their thought, study and effort are too hidden to be reached by words of praise and public appreciation. They, like all human beings, are heir to weakness and temptation. There are hours of fatigue and frustration. At such times, let them remember Your admonition, conveyed through Your Divine Son: "You are the salt of the earth . . ." "You are the light of the world . . ."

Let these words, O eternal Truth and Strength, renew in each Senator his sense of dignity, as one set apart by a trusting people; his sense of confidence, in his assets of character and intellect; his sense of fulfillment, for having given the full measure of objective thought to the practical end of devising laws for the people of the Commonwealth.

No man can be greater than his master. Your master, O Senator, is the Divine Master of all men. To Him you are responsible for the welfare of the citizens of this great State. To him you will answer for deliberate and studied cowardice when your voice of protest is silenced by personal self-seeking, or from Him you will receive your reward as His just and deserving servant and numbered in heaven as a lawmaker who, in the words of the Book of Proverbs, "Decreed just things."

Give, then, O God of law and truth, a full measure of enlightenment to these Senators and their counselors, that from their deliberations may issue legislation of a character befiitting their own noble purposes and reaching the desirable end of all law—the common good of the people. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

GUESTS OF SENATOR THOMAS A. EHRGOOD PRESENTED TO SENATE

Mr. EHRGOOD. Mr. President, it is with a great deal of pleasure that I request the Chair to extend the greetings of the Senate of Pennsylvania to some good Lebanon County Dutchmen from Myerstown, which, of course, adjoins what was your home county of Berks at one time.

We have with us today seventy members of the senior class of the Myerstown High School. They are here under the tutelage of Mr. Dwight Fake, Chairman of the Social Studies Department; and Mr. Harvey L. Nitrauer, Administrative Assistant of the Eastern Lebanon County Joint School System.

I would appreciate it, Mr. President, if you would welcome this group on behalf of the Senate.

The PRESIDENT. Would the seniors from the Myerstown High School please rise?

Some years have passed since I used to tread the streets of Myerstown. However, it was always a lovely town and we are very happy to welcome you here to the Senate. We hope you will enjoy yourselves today.

LEAVES OF ABSENCE

Mr. BERGER asked and obtained leave of absence for Messrs. WOLFE and PECHAN.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary of the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

March 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Loyal V. Dunkle, Prospect, Butler County, for appointment as

Justice of the Peace in and for the Borough of Prospect, Butler County, to serve until the first Monday of January 1962, vice Wayne Allen, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 10,** which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 160,** which was referred to the Committee on Judiciary General.

He also presented for concurrence **HB 227,** which was referred to the Committee on State Government.

He also presented for concurrence **HB 328, 416** and **418,** which were referred to the Committee on Local Government.

He also presented for concurrence **HB 369,** which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 474,** which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 485,** which was referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 635** and **636,** which were referred to the Committee on Finance.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment

REPORTS FROM COMMITTEES

Mr. RIPP, from the Committee on Local Government, reported, as committed, **SB 138.**

Mr. DEVLIN, from the Committee on State Government, reported, as committed, **SB 273, 260, 268 336, HB 37, 191, 450, 461** and **569.**

Mr. VAN SANT, from the Committee on Local Government, reported, as committed, **SB30.**

He also, from the Committee on State Government, reported, as amended, **SB 133.**

Mr. McCREESH, from the Committee on Insurance, reported, as amended, **SB 309,** and, as committed, **SB 419** and **HB 71.**

Mr. STAISEY, from the Committee on Education, reported, as committed, **HB 132.**

He also, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 291, 292, 314 372;** as amended, **SB 299;** and, as committed, **HB 42** and **388.**

Mr. YATRON, from the Committee on Agriculture, reported, as committed, **HB 303, 304** and **310.**

Mr. HAYS, from the Committee on Local Government, reported, as committed, **SB 92.**

BILL REREFERRED

Mr. HALUSKA, from the Committee on Local Government, returned to the Senate, **HB 395,** which was rereferred to the Committee on Judiciary General.

RESOLUTION REPORTED FROM COMMITTEE

Mr. McCREESH, from the Committee on Insurance, reported without amendment, House Concurrent Resolution **No. 29,** entitled:

Joint State Government Commission to Recodify the Insurance Laws.

The PRESIDENT. The resolution will be placed on the Calendar.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leroy R. Weiner, 2626 North Jefferson Street, Ext., New Castle, Lawrence County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Dr. Joseph F. Novak, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Ralph M. Eccles, Rimersburg, Clarion County.

Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Josephine Hoffman, Clintonville, Venango County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary S. Brucato (Democrat), 20 Main Street, Rouse-

ville, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Ross Atwell, Oil City, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sophie K. Eppihimer, Breakneck Bridge Road, R. D. 2, Portersville, Lawrence County, for appointment as Justice of the Peace in and for the Township of Perry, Lawrence County, to serve until the first Monday of January 1962, vice Lloyd A. Hamill, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Antoinette Falco, 173 Main Stareet, Hellertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Hellertown, Northampton County, to serve until the first Monday of January 1962, vice Robert K. Matey, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Beverly B. Haupt, R. D. 1, Julian, Centre County, for appointment as Justice of the Peace in and for the Township of Union, Centre County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Papa, 107 Lincoln Avenue, Stockertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Stockertown, Northampton County, to serve until the first Monday of January 1962, vice Joseph Breidinger, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred H. Wagner, Box 257, Portland, Northampton County, for appointment as Justice of the Peace in and for the Borough of Portland, Northampton County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer L. Evans, 1204 Arlington Road, Erie, Erie County, for reappointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Angelia Dives Heinzmann (Republican), P. O. Box 156, Shillington, Berks County, for appointment as a member of the Berks County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Marget F. Brumbach, Reading, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris R. Bigam, P. O. Box 41, Normalville, Fayette County, for appointment as Justice of the Peace in and for the Township of Springfield, Fayette County, to serve until the first Monday of January 1962, vice Ronald Bigam, Jr., resigned.

DAVID L. LAWRENCE.

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT presented to the Chair **SB 430,** entitled:

An Act amending the act of February 21, 1961 (Act No. 15), entitled "An act imposing a State tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by certain insurance companies, associations and exchanges; . . ." providing an exemption for the first five hundred thousand dollars of gross premiums of certain companies.

Which was committed to the Committee on Finance.

Messrs. STROUP, SHAFER, DEVLIN and SCOTT presented to the Chair **SB 431,** entitled:

An Act relating to the competency of surviving and interested witnesses, and the admissibility of evidence in civil proceedings.

Which was committed to the Committee on Judiciary General.

Messrs. STROUP, MURRAY, YATRON, KESSLER, FLACK, KELLER and Propert presented to the Chair **SB 432,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," changing the permitted length of vehicles operated in combination.

Which was committed to the Committee on Highways.

Messrs. MURRAY, SEYLER, VAN SANT and DEVIN presented to the Chair **SB 433,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," prohibiting the purchase of insurance from or through any person employed by the school district in a teaching or administrative capacity.

Which was committed to the Committee on Education.

Mr. MILLER presented to the Chair **SB 434,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," prescribing a minimum period of time for assistance payments to be made by the State Veterans Commission.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. MILLER, on behalf of Messrs. MULLIN and McCREESH, presented to the Chair **SB 435,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing issuance of liquor licenses in lieu of retail dispenser's licenses to clubs.

Which was committed to the Committee on Law and Order.

Messrs. SEYLER, MAHADY, SESLER, EHRGOOD, SCOTT and SHAFER presented to the Chair **SB 436,** entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "The Game Law," restricting the powers of game protectors and others in the enforcement of the act.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. RIPP presented to the Chair **SB 437,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing in certain cases for continuing operation of joint school systems which constitute approved administrative units.

Which was committed to the Committee on Education.

GUESTS OF SENATOR CLARENCE D. BELL PRESENTED TO SENATE

Mr. BELL. Mr. President, I ask permission of the Senate to divert from the normal order of business to introduce some very fine constituents.

Mr. President and Members of the Senate, today, the second day of spring, this Chamber is graced by some of the fine ladies of Delaware County. It gives me much personal pleasure to introduce to the gentlemen of the Senate a group of gracious ladies from Delaware County, the Members of the Haverford Township Council of Republican Women.

The PRESIDENT. Will the ladies from Delaware County please rise?

On behalf of the Senate, the Chair is very happy to welcome you to these hallowed halls. We do hope you will enjoy yourselves here in Harrisburg.

Mr. BELL. Mr. President, among the ladies is one who is known to a number of the Senators as a former Secretary of the Department of Public Assistance; namely, Mrs. Eleanor Evans. I believe she is seated in the back of the Chamber.

The PRESIDENT. Mrs. Evans, you particularly deserve the adulation of this Body. Thank you, Mrs. Evans.

It is now my pleasure to turn the gavel over to the gentleman from Allegheny, Senator Ripp, who will be presiding for a short time while I visit the Governor.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

BILLS INTRODUCED AND REFERRED

Mr. STAISEY presented to the Chair **SB 438,** entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," providing a civil service system for firemen employed by second class counties; regulating the appointment, promotion, suspension, reduction, removal and reinstatement of such firemen and imposing powers and duties upon the Civil Service Commission in relation thereto.

Which was committed to the Committee on Local Government.

Mr. WEINER presented to the Chair **SB 439,** entitled:

An Act amending the act of March 31, 1949 (P. L. 372), entitled "The General State Authority Act of 1949," empowering the Authority to construct additions and improvements to manual training schools receiving State aid; authorizing contracts to lease and leases by the Department of Public Instruction from the Authority of any additions or improvements to manual training schools receiving State aid, and furnishing and equipment thereof when used or occupied, and authorizing subleases of such projects.

Which was committed to the Committee on State Government.

Messrs. WEINER, SHAFER and SARRAF presented to the Chair **SB 440,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," requiring the Department of Health to develop a program for the study, prevention, treatment and control of alcoholism, narcotic addiction and complusive gambling; providing for the maintenance of a certain institution for said purposes, and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

CONGRATULATIONS EXTENDED TO SENATOR AND MRS. HARRY E. SEYLER UPON THEIR WEDDING ANNIVERSARY

Mr. WARE. Mr. President, if I am correctly informed, it would seem appropriate at this time to offer our congratulations, as well as sympathy, to Mrs. Seyler for her patience and forebearance with Senator Seyler. I understand this is their twenty-first wedding anniversary.

The PRESIDING OFFICER. Mrs. Seyler, for the benefit of all those in the audience, both on the first floor and in the balcony, will you please rise?

Inasmuch as Senator McGinnis is not in the room, we will have no song.

SENATE RESOLUTION

CONGRATULATIONS OF THE SENATE EXTENDED TO OLNEY HIGH SCHOOL, PHILADELPHIA

Mr. SILVERT offered the following resolution **(Serial No. 25),** which was read, considered and adopted:

In the Senate, March 21, 1961.

WHEREAS, Olney High School, Philadelphia, Pennsylvania, is now celebrating its thirtieth year of community service, and

WHEREAS, Olney High School has made for itself a unique place in Philadelphia by graduating over 25,000 young men and women who have taken their places in the arts, professions, sciences and trades as worthy citizens of their community, State and Nation, and

WHEREAS, These graduates have further brought distinction to their school by loyal, patriotic service in the uniforms of their Country and have established homes devoted to the sanctity of a wholesome family life, and

WHEREAS, The faculty and administrative staff of Olney High School have maintained the highest professional standards and shown their personal devotion in helping these young people to take their productive places insociety; therefore be it

RESOLVED, That the Senate of Pennsylvania extend its recognition and congratulations to the Olney High School and the city it serves so well in preserving its distinguished position as a community school and fulfilling the highest goals of public education that the Commonwealth of Pennsylvania has always sought to encourage in its long and honorable history; and be it further

RESOLVED, That a copy of this resolution be sent to Olney High School, Front Street and Duncannon Ave., Philadelphia, Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. ROONEY asked and obtained unanimous consent to address the Senate.

Mr. ROONEY. Mr. President, on Friday evening, the Bethlehem High School lost a heartbreaking decision to Reading High School in the P.I.A.A. interdistrict playoffs. Earlier in the season, Bethlehem High School defeated Reading High School by thirty points. Last Friday, it was a different story. The score was 49 to 48 and Bethlehem was defeated. This defeat eliminated Bethlehem from the P.I.A.A. playoffs.

About the only consolation, Mr. President, which I have in this defeat is the fact that the Coach of Reading High School was a former All-State Basketball Player at Bethlehem High School.

Therefore, Mr. President, on behalf of Senator Van Sant and myself, I am offering this resolution and ask for its immediate adoption.

SENATE RESOLUTION

COMMENDING BETHLEHEM HIGH SCHOOL FOR WINNING THE DISTRICT 11 BASKETBALL CROWN

Messrs. ROONEY and VAN SANT offered the following resolution **(Serial No. 26)**, which was read, considered and adopted:

In the Senate, March 21, 1961.

It is with pride that we take this opportunity to congratulate the Hurricanes of Bethlehem for winning the District 11 crown. This is an outstanding job that has been done by coach John Howard and the boys who make up this remarkable basketball team. Playing an extremely difficult schedule, the boys showed the qualities that have made them champions.

The Senate of the Commonwealth of Pennsylvania takes this method to congratulate and commend the Harricanes of Bethlehem and their coach, John Howard, for a job well done and for the honor which it gives not only to the city of Bethlehem, but to the Lehigh Valley and the Commonwealth of Pennsylvania; therefore be it

RESOLVED, That the Senate hereby commend the Hurricanes of Bethlehem High School for winning the District 11 crown, and be it further

RESOLVED, That a copy of this resolution be sent to the Principal of Bethlehem High School Bethlehem, Pennsylvania and to John Howard, coach of the basketball team.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, possibly because of the newspapers giving so much space to these types of stories, we are becoming more and more aware of the problem of the sex offender. I have introduced resolutions from time to time, most of which were discussed in the Joint State Government Commission and elsewhere. However, nothing has actually been done, other than the Acts which we have.

We do have in Pennsylvania the Barr-Walker Act, which deals with six offenders. If a judge finds a man guilty, he can sentence him to from one day to life imprisonment. This is not used too much in Pennsylvania by most of the judges for a number of reasons. One reason is that we do not have the proper institutions in which to place these people.

Secondly, I think many of the judges are not that intimately acquainted with the proceedings in the prisons. However, I think they are aware of the fact that there is not proper personnel to handle this type of a problem.

My own solution I feel would be to examine these youngsters, beginning with the day when they go to school. Just as we look at their teeth and check them to find out whether or not they have tuberculosis or elements of other diseases which might affect the community or their schoolmates, I think we should begin with perhaps some kind of an investigation into their personalities in order to find out whether or not they are adjusted.

I think all of us have heard about people who get into serious trouble. Their teachers will say: "Yes, I knew that youngster. He had a problem when he was here and I found him to be troublesome." I think the teacher who is living with the youngster more intimately, and sees him in a background of being out in society,—even among his own classmates—is somewhat of a better judge than his own parents who have difficulty in being objective about someone with whom they feel a kinship.

Therefore, Mr. President, I am offering the following resolution, which requests that the Joint State Government Commission look into this type of a problem. By expending perhaps not too much money, we can probably have some of these youngsters receive phychiatric treatment. It might very well be that we will be able to find some of these youngsters who should be put out of society for their own good and the good of society, and not wait until such time when we find they have committed some very horrible crime or have done serious injury to someone.

Therefore, Mr. President, I ask that this resolution be referred to committee.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEM OF SEX OFFENDERS IN PENNSYLVANIA

Mr. WEINER offered the following resolution **(Serial No. 113)**, which was read and referred to the Committee on Rules:

In the Senate, March 21, 1961.

The problem of sex offenders is one which demands immediate attention in this Commonwealth. It is absolutely necessary that a study be undertaken to prevent the recurrence of offenses by sex maniacs similar to those which have recently so shocked the public.

The best way of avoiding such tragedies is by prevention. An immediate study of ways and means of trying to discover such latent tendencies during the formative school years should be undertaken. Psychiatrists know that by proper examination, such tendencies can be detected and, with proper treatment, these leanings can be avoided in later life; therefore be it

RESOLVED (the House of Representatives concurring), That the Joint State Government Commission be directed to study the problem of sex offenders in Pennsylvania, with a view toward establishing a program of a preventative nature during formative school years; and be it further

RESOLVED, That in connection hereby, the Joint State Government Commission shall invite the departments of law and psychiatry of the University of Pennsylvania and the University of Pittsburgh to participate in the study of this problem; and be it further

RESOLVED, That the Joint State Government Commission report to the next Session of the General Assembly its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. SARRAF,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE BOARD OF TRUSTEES OF DIXMONT STATE HOSPITAL

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Leroy R. Weiner, 2626 North Jefferson Street, Ext., New Castle, Lawrence County, for appointment as a member of the Board of Trustees of Dixmont State Hospital, until the third Tuesday of January 1963, and until his successor is appointed and qualified, vice Dr. Joseph F. Novak, Pittsburgh, resigned.

DAVID L. LAWRENCE.

MEMBERS OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

January 23, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for reappointment as members of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until their successors are appointed and qualified:

Ralph M. Eccles, Rimersburg, Clarion County.

Donald E. Hittle, 315 Main Street, Sharpsville, Mercer County.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF POLK STATE SCHOOL

February 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Josephine Hoffman, Clintonville, Venango County, for reappointment as a member of the Board of Trustees of Polk State School, until the third Tuesday of January 1963, and until her successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE VENANGO COUNTY BOARD OF ASSISTANCE

February 21, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary S. Brucato (Democrat), 20 Main Street Rouseville, Venango County, for appointment as a member of the Venango County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Ross Atwell, Oil City, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Sophie K. Eppihimer, Breakneck Bridge Road, R. D. 2, Portersville, Lawrence County, for appointment as Justice of the Peace in and for the Township of Perry Lawrence County, to serve until the first Monday of January 1962, vice Lloyd A. Hamill, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Antoinette Falco, 173 Main Street, Hellertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Hellertown, Northampton County, to serve until the first Monday of January 1962, vice Robert K. Matey, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 7, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Beverly B. Haupt, R. D. 1, Julian, Centre County, for appointment as Justice of the Peace in and for the Township of Union, Centre County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 31, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas M. Papa, 107 Lincoln Avenue, Stockertown, Northampton County, for appointment as Justice of the Peace in and for the Borough of Stockertown, Northampton County, to serve until the first Monday of January 1962, vice Joseph Breidinger, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 30, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Alfred H. Wagner, Box 257, Portland, Northampton County, for appointment as Justice of the Peace in and for the Borough of Portland, Northampton County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF WARREN STATE HOSPITAL

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Elmer L. Evans, 1204 Arlington Road, Erie, Erie County, for reappointment as a member of the Board of Trustees of Warren State Hospital, until the third Tuesday of January 1967, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE BERKS COUNTY BOARD OF ASSISTANCE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Angela Dives Heinzmann (Republican), P. O. Box 156, Shillington, Berks County, for appointment as a member of the Berks County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Mrs. Margaret F. Brumbach, Reading, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Doris R. Bigam, P. O. Box 41, Normalville, Fayette County, for appointment as Justice of the Peace in and for the Township of Springfield, Fayette County, to serve until the first Monday of January 1962, vice Ronald Bigam, Jr., resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	**Hays,**	Miller,	Stevenson,
Berger,	**Kalman,**	Mullin,	Stiefel,
Camiel,	**Keller,**	Murray,	Stroup,
Chapman,	**Kessler,**	Propert,	Taylor,
Confair,	**Kromer,**	Rooney,	Van Sant,
Devlin,	**Lane,**	Sarraf,	Wade,
DiSilvestro,	**Madigan,**	Scott,	Wagner,
Donolow,	**Mahady,**	Sesler,	Ware, III,
Ehrgood,	**Mallery,**	Seyler,	Weiner,
Flack,	**McCreesh,**	Shafer	Yatron,
Fleming,	**McGinnis,**	Silvert,	Ripp,
Haluska,	**McMenamin,**	Staisey,	Presiding Officer
Hawbaker,			

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

GUESTS OF SENATOR D. ELMER HAWBAKER PRESENTED TO SENATE

Mr. HAWBAKER. Mr. President, I am very happy to introduce to the Senate a rather large group of students from the Lower Adams Joint High School, of New Oxford, Adams County.

This group is visiting the Capitol today under the sponsorship of the New Oxford P.T.A. The adults in charge of this visit are the P.T.A. President, Mrs. J. Francis Yake; Mary E. Elder, geography teacher; Mrs. Donald Hudson, history teacher; and also members of the Adult Patrol, Mrs. Ethel Bean, Mrs. Betty Neiman, Mrs. Richard Holtry, Mrs. Martin Alleman, Mrs. Janet Miller, Mrs. Paul Harbaugh, Mrs. Clarence Noel, Mrs. William Stock, and Mrs. Charles Hockensmith. Members of the faculty accompanying this group are Mr. Charles Slaybaugh, Mr. Clair Slagle, Mr. A. P. Markel and Mrs. Fred Feiser.

Mr. President, I would appreciate very much your recognizing these guests and extending the greetings of the Senate to them.

The PRESIDING OFFICER. Will the students, and the ladies and gentlemen whose names were called, please rise so that the Senate may recognize them?

Apparently, most of them have departed. We will give them some applause, nevertheless.

SENATE RESOLUTION

REQUESTING THE SECRETARY OF LABOR AND INDUSTRY TO MAKE A STUDY OF UNEMPLOYMENT COMPENSATION PAYMENTS

Messrs. MAHADY, SESLER and YATRON, by unanimous consent, offered the following resolution **(Serial No. 27)**, which was read, considered and adopted:

In the Senate, March 21, 1961.

There has been a considerable amount of discussion concerning improvement in the method of paying unemployment compensation. The time that elapses between the application and the receipt of the initial check is usually from two to three weeks. It would appear that in a great many cases, this would amount to undue hardship on the members of the family.

It would appear that a more efficient method, with considerably less expense, could be made by a study of the procedure now in operation by the Secretary of the Department of Labor and Industry. It is the purpose of this resolution to urge the Secretary of Labor and Industry to make a study of the present procedure of unemployment compensation and also the possibility of checks or vouchers issued at the source of the application; therefore be it

RESOLVED, That the Secretary of Labor and Industry be requested to make a complete study of the unemployment compensation payments, and the possibility of having these payments made at the source of the application which, in addition to saving time and considerable expense, would prevent undue hardship.

GUESTS OF SENATOR GEORGE N. WADE PRESENTED TO SENATE

Mr. WADE. Mr. President, with apologies, I interrupt to introduce a very lovely group of high school seniors from the Perry Joint High School in Perry County. They are led by Mrs. Ralph Swan, who is an English and language teacher, and Mr. Norman Harrison, music superintendent of this high school.

Mrs. Swan, incidentally, is the wife of the Deputy Superintendent of Public Instruction.

If you will, Mr. President, I would appreciate it if you would introduce this group to the Members of the Senate.

The PRESIDING OFFICER. I would be very happy to do so, Senator Wade. On behalf of the Senate, I will ask that the student body of the Perry Joint High School, and the respective teachers whose names were mentioned, please rise so that the Senate may give you a grand welcome.

It is nice to have you with us, and we hope you can remain as we begin today's Calendar; Tuesday, March 21, 1961, page one thereof.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 54—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
Hawbaker,	McMenamin,	Staisey,	Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

HB 61—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrnce of the House is requested.

SB 62—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 75—Without objection, the bill was passed over in its order at the request of Mr. MALLERY.

SB 84—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Mr. WEINER. Mr. President, I request that House Bill No. 95, Printer's No. 95, go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I would like to just add here, as an observation, that this bill is a tax measure which will bring in eight millions of dollars. It has been on the Calendar for some little while.

I can understand the reluctance on the part of some of the Members on the other side of the aisle to vote for this measure. However, I do not think I am asking too much, if the Members do not want to vote for this bill or to help us to pass this measure, I cannot do it without your help—when I ask that you, at least, have all of your Members present so that we can vote on this bill and have the Lieutenant Governor break a tie on it.

This bill would mean the loss of $8,000,000 to the Commonwealth. As you have heard the Governor state when he delivered his message, if he does not have the mony, he does not intend to spend it. Therefore, there will be cuts in the appropriation measures as well. I am sure that when he cuts the $8,000,000 from the appropriation measures, he will cut in areas where none of us in our own Districts can afford or would be willing to live with it.

I, therefore, respectfully ask the gentlemen on the other side, if we cannot get any help in passing this measure, that you at least have all of your Members present so we can vote this measure ourselves.

Mr. BERGER. Mr. President, I know the gentleman would very much like to have sufficient votes to pass this measure, and I also know that the Governor would very much like to have the eight million odd dollars which they estimate it will provide. However, it should be considered also that this $8,000,000 is coming out of the pockets of people who are asked to be tax collectors for the State of Pennsylvania, with no recompense. That, I think, is what is uppermost in the minds of most of the people who are opposing this legislation.

In so far as the Lieutenant Governor casting a vote in case of a tie, I assure the gentleman that none of our Members are absent for any other reason than the fact that they are incapacitated and, in fact, in the hospital.

If we do have twenty-five Members on the floor, I cannot speak for how those Members will vote. The Majority Leader, however, seems to be confident that he can speak for the vote of the Lieutenant Governor, and if such a vote is permitted and if the Lieutenant Governor cares to cast it in the way that the Majority Leader has indicated that he will have him do, then we will have no objection when we can get our people on the floor.

Mr. WEINER. Mr. President, I do not want to debate this bill. However, I think of all the measures that we have passed, this is the least obnoxious, for the reason that the employer today has to be a collector for the Federal Government, the City Government and the State Government as well. He is not reimbursed for withholding the income tax that he must do each week. He is not reimbursed in the cities where they have a wage tax. He is not reimbursed for withholding the Social Security. This he must do on a regular basis. As a matter of fact, many employers have set up special bank accounts, some of which they pay to have serviced in order that this money will be there at the end of each quarter or whenever the payments are due.

These people who are in this business certainly are not losing anything. As all of us well realize, this is a difficult tax to collect and a difficult tax to administer. I think the people who are doing so are not being hurt by it. I will admit there is quite a bit of mail in regard to this measure, but that is true of every tax measure. I have never, since I have been here, received a letter on a tax measure where anybody ever wrote in favor of it. That does not make a tax good or it does not make it bad.

As you well realize, the taxes we have passed so far have helped to bring revenue to the State and they are helping us to operate the State in a manner in which we can all be proud, and which is our duty to do.

This is another area in which we must try to get the money for the State in order to take care of a problem. It is not a new tax. It is a tax that we already have. All we are doing is strengthening our position in it.

Mr. BERGER. Mr. President, I am not going to comment any further upon this bill, because we should not be debating it. However, I do want to thank the gentleman for his dissertation on comparative obnoxiousness.

The PRESIDING OFFICER. The Chair agrees that the bill should not be debated. The question was whether the bill should go over in order. There being no objection, the bill will go over in its order.

BILL OVER IN ORDER

SB 100—Mr. BERGER. Mr. President, I request that Senate Bill No. 100 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I doubt very much whether there is any particular objection to this legislation. I have none. However, I believe the amendments to this legislation are not in there in the right place, and I requested that the bill go over in order to make certain that it is in good order.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL OVER IN ORDER

SB 134—Mr. BERGER. Mr. President, I request that Senate Bill No. 134 go over in its order inasmuch as I understand this bill needs some more attention.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE

SB 159—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL REREFERRED

SB 175—Mr. WEINER. Mr. President, I move that Senate Bill No. 175 be rereferred to the Committee on Forests and Waters, Game and Fish.

Mr. SEYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I understand, of course, that this bill can be rereferred upon the motion just made. However, I do want to reiterate what I said previously. This bill would only permit townships to repair the floor and approaches to their twenty-foot bridges without a permit from the Water and Power Resources Board. I can see no reason why it is not pretty desirable legislation. However, the motion having been made, I know it will carry.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the affirmative and the bill was rereferred.

BILL OVER IN ORDER

SB 177—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 185—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 189—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 192—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
Hawbaker,	McMenamin,	Staisey,	Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 194—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Bell,	Hawbaker,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,

DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Shafer,	Weiner,
Flack,	McCreesh,	Silvert,	Yatron,
Fleming,	McGinnis,	Stalsey,	Ripp,
Haluska,	McMenamin,		Presiding Officer

NAYS—2

Hays,	Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 278—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Stalsey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 279—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Stalsey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 280—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Stalsey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 281—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Stalsey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 282—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Stalsey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 283—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 284—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 285—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 286—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 287—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup.
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 305—Read at length the third time and agreed to,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,

Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer,	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 312—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	McMenamin,	Staisey,
Berger,	Hays,	Miller,	Stevenson,
Camiel,	Kalman,	Mullin,	Stiefel,
Chapman,	Keller,	Murray,	Stroup,
Confair,	Kessler,	Propert,	Taylor,
Devlin,	Kromer,	Rooney,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wade,
Donolow,	Madigan,	Scott,	Wagner,
Ehrgood,	Mahady,	Sesler,	Ware, III,
Flack,	Mallery,	Seyler,	Weiner,
Fleming,	McCreesh,	Shafer	Yatron,
Haluska,	McGinnis,	Silvert,	Ripp, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

SECOND READING CALENDAR

BILL ON SECOND READING

HB 70—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

HB 73 and 74—Read at length the second time and agreed to, . .

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 78 and 88—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 93 and **94**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 99—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 103 and 104—Read at length the second time and agreed to, . .

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 105—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 173 and **181**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

SB 186 and **190**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 200—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 201—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 208—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 209 and **212**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 213—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

HB 224 and **SB 230**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. LANE, seconded by Mr. HAYS, and agreed to, **SB 230**, the bill just read, was rereferred to the Committee on Appropriations.

BILLS ON SECOND READING

HB 240 and SB 293—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 294—Mr. BERGER. Mr. President, I request that Senate Bill No. 294 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I would just like to make this comment. This bill should be read in connection with Senate Bill No. 105. This bill, Senate Bill No. 294,

appears to have the same provision in part of the bill that Senate Bill No. 105 has as the whole bill.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILLS ON SECOND READING

SB 296 and 297—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 301 and 302—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 302 and SB 303—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 313—Without objection, the bill was passed over in its order at the request of Mr. **LANE.**

BILLS ON SECOND READING

HB 332 and SB 377—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. LANE, seconded by Mr. DEVLIN, and agreed to, **SB 377,** the bill just read, was rereferred to the Committee on Appropriations.

RESOLUTIONS

HOUSE CONCURRENT RESOLUTION **No. 1** CALLED UP

Mr. LANE, without objection, called up from page 13 of the Calendar, House Concurrent Resolution **No. 1,** entitled:

Congress Memorialized to Support and Enact a Temporary Unemployment Compensation Act.

On the question,

Will the Senate concur in the resolution?

The resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTIONS OVER IN ORDER

Without objection, House Concurrent Resolution **No. 16** and Senate Resolutions, **Serial Nos. 17** and **22,** were passed over in their order at the request of Mr. LANE.

BILL INTRODUCED AND REFERRED

Mr. SEYLER, by unanimous consent, presented to the Chair **SB 441,** entitled:

An Act creating the Office of Court Administrator in counties of the first and second class; authorizing the Chief Justice and Associate Justices of the Supreme Court to appoint Administrators for the State courts of record in counties of the first and second class, and providing for a Judicial Council and a Judicial Conference.

Which was committed to the Committee on Judiciary General.

BILLS ON FIRST READING

Mr. LANE. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to,

The bills were as follows: **SB 30, 92, 133, 138, 260, 268, 273, 291, 292, 299, 309, 314, 336, 372, 419, HB 37, 42, 71, 132, 191, 303, 304, 310, 388, 450, 461** and **569.**

PETITIONS AND REMONSTRANCES

Mr. BELL. Mr. President, in the March 8, 1961 edition of the Delaware County Daily Times, which is a daily newspaper in the county of Delaware, there appeared a letter from a doctor, criticizing the Legislature because it had done nothing with respect to implementing the medical care for the aged, better known as the Kerr-Mills Act of 1960, or the Social Security Amendments of 1960.

We, in the county of Delaware, have just gone through a rather trying ordeal. Chester Hospital, which handles perhaps thirty-five to forty per cent of the indigent care, medical-hospital care in the county, was forced to close its doors to indigent patients for a period of fifteen days, from March 1 to March 15, 1961.

I am glad the Majority Leader has returned to the floor of the Senate because I asked him several weeks ago as to what the Administration plans are with respect to medical care for the aged. Therefore, Mr. President, I desire, at this time, to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BELL. Senator Weiner, could you enlighten the Senate as to the present status of the Administration's plans for medical care for the aged?

Mr. WEINER. Mr. President, the gentleman is referring to the Kerr-Mills Act, which passed during the past Session of Congress. We have until June, of this year, in which to make some determination as to which program we would like to be under. My reason for making this statement is because there has been stated publicly—and some of the Congressmen to whom I have written have also advised me—that there is another program which they are now getting into position. They hope to have it passed before that time.

I am certain the gentlemen in the United States Congress are somewhat constituted as we are and are aware of the situation as it exists. They will probably try to work out a compromise between these two measures. If we decide at this moment to be tied to the Kerr-Mills Act,—which many people feel is not a good measure or feel it not a proper way of handling this problem—we would be wedded to it with no chance of getting out from under it if a better measure came along. As long as we are in Session and we are not leaving here, this wait-and-see policy is doing no injury to anyone at the moment. I think we will be able to resolve this problem before we are through.

We feel that if we adopt the alternative measure, which has been suggested and which looks as though it

is going to become the law,—President Kennedy has stated that he is in favor of this program—this would bring approximately to the Commonwealth about $5,000,000. This is not a figure that I have arrived at, but it is a figure which has come about by the people who are concerned with this problem, each taking a position. The figures have varied between $5,000,000 and $7,000,000. I am purposely choosing the lower figure so that anything we get over that amount will be considered so much more, added to our chest or fund. If we received this $5,000,000, it will release a lot of money which will make available other funds for other activities. We would be able probably to raise the money, which we are paying back to reimburse the hospitals, from the rate that they are getting now to possibly a higher rate. I think, although that would not relieve the problem, it would make their deficits that much less.

I tried comprehensively to answer the gentleman's question. I tried to anticipate what other questions you might be interested in in this area.

Mr. BELL. Mr. President, I congratulate the Senator on his answer.

Now the next question is: I have shown the Senator the Sunday Bulletin of March 5, 1961, where there is a feature article by Mr. Chardak. He states in this article that a new Federal Act, which has not been passed yet, would not be effective until October 1962. I believe the Senator has checked on that.

Does the Senator have any information as to, if such a new Federal Act is passed, when it would be effective?

Mr. WEINER. Mr. President, as I stated earlier, they were talking about this coming into effect in 1962.

Of course, in the meantime, Senator, as you well realize, we do have the State-aid to hospitals that we have been living with all of these past years. Maybe that is not a happy solution to the problem, but I think the over-all picture or the future picture is one that we must constantly keep in mind.

To my way of thinking,—and it is a philosophy I believe in—we should tie this problem in with the problem of the aged, and the hospital care should fit into part of our Social Security system, and so on and so forth. I do not want to take the time of the Senate to go into that in great detail today.

Mr. BELL. Thank you very much, Senator.

Mr. WEINER. I think this is the area that we should go into. It might not be the philosophy that other people would subscribe to, but I feel that eventually if Congress does take a position, they will make some sort of compromise between these two measures. If they do not, I think at that time we will have to make a decision.

Mr. BELL. Thank you very much, Senator.

Mr. President and Members of the Senate, I think this situation with respect to our hospitals is a very serious one. All you have to do is face what we have gone through in Delaware County in the past month and see a hospital that is carrying a great share of the indigent care forced to either close its doors to indigent care or else go broke. We had that situation and, fortunately, the County Commissioners of the county of Delaware, by emergency action, poured money into this private hospital.

When you analyze the proposals of the General Fund Budget, you will see that on page 124, we are proposing to appropriate $18,000,000 to the private State-aided hospitals. I have gone into this, and I find that it costs about twenty-two dollars a day for an indigent patient. The State gives ten dollars. That is a big spread. You can have happen in your District what has happened in mine.

It looks like we have to face, in the very near future in this Session of the Legislature, either raising the ante of ten dollars a day to a higher figure, or we have to get into some purchase of care plan, or we might have to be in the position of adopting an implementation bill to the Kerr-Mills Act of 1960 to carry these hospitals through this trying period. I say this because if we have a situation, such as almost hit Delaware County, hit a number of our hospitals and you have any of these hospitals go down for the long count, gentlemen, the State is going to have to come in and bail them out.

You know one of the finest things we have—and I am not being political and I do not want to be taken politically on this thing—in this Commonwealth is a group of people throughout the Commonwealth who are willing to support the private hospitals by charitable work. Our experience with Chester Hospital was frightening, because if one of these private institutions goes down, those who do work in this private, charitable field will be discouraged.

I urge that this Senate look into this very carefully. I hope to keep this nonpolitical. I know the Governor said that he did not want to do anything until he saw the enactment of the new Federal law. I know some of my friends in the Democratic Party see as repulsive some of the features of the Kerr-Mills Act of 1960. However, that is water under the dam. Right now we are faced with the pressing problem in this Commonwealth of how and in what way the State can assist these private hospitals.

Thank you.

Mr. LANE. Mr. President, I would like to make a brief observation, if I may. I have listened to the discourse of the distinguished gentleman from Delaware County, and he probably knows that in order to bring about appropriations, we must have the revenue to do the job. As of right now, we have one tax bill here on our Calendar which would bring in eight millions of dollars. As of this date, we do not have the votes to pass this legislation.

I believe all of us should assume our proportionate share of our responsibility to the people of Pennsylvania. I believe Senator Bell is very sincere, and I know I certainly am. I know we must do something for these hospitals. However, in so doing, we must have the intestinal fortitude to take the lead and stand on the floor of this Senate and vote for revenues to do the job.

Therefore, Senaor Bell, if you have any device or any idea how we can increase these appropriations without enacting tax revenues or passing the revenue bills that are now on our Calendar, I certainly would like to hear from you.

Mr. BELL. Mr. President, I am afraid I have crossed the line into a political discussion, and I am going to cross it.

Senator Lane, there are two ways you could raise the $1,010,000 that the Pennsylvania Hospital Association estimates will be needed to put the Kerr-Mills implementation into effect. There are two ways to raise that $1,010,-

000. Your way is to raise taxes. My way is to dig into that budget and find that $1,010,000. I am not a budget expert. I have no crew available to me to search through this budget.

However, I recently read in the Harrisburg papers that someone in the Administration found a half-million dollars; a half-million dollars to build a new mansion for the Governor. He found it from a source which apparently had to do with either past appropriations that were not used, or maybe it was from the sale of the Governor's Mansion site in Harrisburg. Maybe the Harrisburg paper is wrong. I do not know.

I am sure the Governor of Pennsylvania, whom we perhaps ridicule on a political basis but admire as a man, would forego a mansion which he will not live in, politically speaking, because I am sure a Republican Governor will live in it. I do not want to give you the answer as to where the other half-million dollars might come from. It was in the papers last week. It is something perhaps some of us could do without. However, I would be very happy to talk to the gentleman in private.

Mr. LANE. Mr. President, the gentleman's statement, of course, is sort of vacillating. In the first place, we are not advocating additinal taxes. The eight millions of dollars which we are planning to use represents commissions which the merchants formerly received under the Sales Tax Law. We do not want to levy additional revenues. All we want to do is try to balance this budget and, in so doing, we may have the money to do the job. However, we need the eight millions of dollars, but we do not have the votes to get it.

With reference to your statement that you would like to talk to me confidentally, are you talking about—I do not know exactly what you are talking about—the pension system? Is that the thing that you are bringing up?

Mr. BELL. That is right.

Mr. LANE. If so, speak up, man. That is the thing to do, because this pension system will apply to every Member of the House and of the Senate. You have the prerogative of either voting for or against it, and I am in that same position. We have not committed ourselves one way or another on that particular program.

Mr. BELL. Mr. President, I am glad the Senator brought that to the floor. When the pension comes for a vote, I think he will see the way I am going to vote on it.

I am also going to say this. I think the basic philosophy of when we need money for hospitals, let us raise taxes or cut off some little merchants, which is your philosophy, differs from the basic philosophy which is my personal philosophy. I am not here with the blessing of my Party leadership. I am speaking as the Senator from Delaware County. I can show you in the budget far less pressing expenditures than the money necessary for the hospitals of Pennsylvania.

Mr. LANE. Mr. President, it is very easy for a Member in the Minority to take the floor and criticize consistently the positions of the Majority Party and the problems they have.

I wish to inform the distinguished Senator from Delaware County that there was a time when we Democrats were in the same position, and we, too, pointed with pride and viewed with alarm. We expect those things. However, in this particular case, a hospital in your District is affected. Therefore, if it were I, I believe I would take a broader point of view. My point of view would be cooperation, especially when it affected my own Senatorial District.

I can understand your position. I know you are trying to make political hay. That is all right with me because we have a two-party system. Nevertheless, we have the responsibility on this side of the Senate, as the Majority Party, to intelligently set up a legislative program to do the best we possibly can without levying additional taxes. Occasionally, we get some help from your side from those men who realize, too, their responsibilities. If we had a little more cooperation, I think we would be out of this Session within the next six weeks.

The PRESIDING OFFICER. May the Chair make the comment that this discussion appears to be taking the form of the Kennedy-Nixon Debates? Please do not forget that we are on Petitions and Remonstrances, and if we proceed along that line, I think we will be in order. Otherwise, we are going to go far afield.

Mr. BELL. Mr. President, your brief admonition is much on the order of what I was going to say.

I want to conclude this by stating that I regret exceedingly that politics crept into this discussion.

Mr. WEINER. Mr. President, I would just like to point out to the gentleman from Delaware County, before we leave this discussion, that under the proposed Kennedy program that is now pending in the Congress, three times as many people will be covered by this Act, and also considerably more money will be brought in by this bill than under the present Kerr-Mills Bill that we have before us now. Therefore, I think nothing will be lost by our being patient.

I also would like to point out to the gentleman, as I stated earlier, that we still have our State-aided program, and that this takes up a considerable amount of the deficiencies that the hospitals experience every year.

I do not want to get into the field of politics. However, I believe the gentleman's predecessor in the Senate, who was beloved on both sides of the aisle, was very much against the State taking any position. I now find, and happily so, that he is one of the fine Commissioners in Delaware County and he was quoted in the newspapers as stating that he thinks this is a State problem and that we ought to take care of it up here. I am happy that now he has seen both sides of the issue, and his position still remains the same.

I would also like to point out that this hospital situation is not only peculiar to Delaware County. We have a situation in the Philadelphia General Hospital which has existed all of these years. It is a nonsectarian institution and it does all of the very same things that the hospital down in Delaware County does, and they never get a penny from the State, even though they have met all of the requirements as did every other Senator's hospitals which now participate and enjoy this type of aid. They have never participated and never received aid. As a matter of fact, we have great difficulty even bringing it up here to discuss it.

I think if we are going to be fair in this problem and discuss it with an objective point of view and deal with it as a problem, we ought to take the over-all picture and the over-all view on this thing.

I am sympathetic with the problem you have in your county with your hospitals, Senator, because this is not

a political issue, and it should never get into the realm of politics. I certainly hope you will be as kind and as charitable when the Philadelphia problem comes up as you have been on this, and as you will find us when your problem comes before us.

Mr. LANE. Mr. President, I have no more statements, unless Senator Bell has another observation. In that case, I might speak for at least a half an hour.

Mr. WEINER. Mr. President, I want the record to reflect that House Bill No. 132, Printer's No. 686, has been reported from the Committee on Education.

This is the bill which deals with the library problem. This matter has been before the Legislature not only during this Session, but during a previous Session. I think, however, this bill is a little bit different than the other one. It is our intention to work on this bill when we return on April 4. I believe everyone here has received mail on this measure. I think everyone here has had people importune them about it and have had long discussions on this matter.

I would like to say to my colleagues on the other side of the aisle that I would respectfully suggest, if they get an opportunity during this recess, they look at this measure. I think it is one of the most important measures that has come before the Legislature during this Session. I think it will be one of the milestones in this legislative session, if we pass this bill. It is a rather lengthy bill; to be exact, it is forty-five pages. It involves some appropriation in this Session and some in the coming Sessions, in order to implement it and cause it to operate correctly. It will affect every Member here, as well as every District and every library in Pennsylvania. There has been a lot of misinformation about this measure.

Therefore, I would respectfully ask the gentlemen, if they get the opportunity, to look at it. If any of the gentlemen would like to discuss it with me, I will be here Monday and Tuesday of next week and will be glad to discuss it with them. I think we should work on it and get it as quickly as we possibly can in the hands of the Governor.

BILLS INTRODUCED AND REFERRED

Messrs. SHAFER, WEINER and STROUP, by unanimous consent, presented to the Chair **SB 442**, entitled:

An Act amending the act of June 9, 1911 (P. L. 736), entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions, for the use of the Commonwealth, and providing for the collection thereof," limiting the terms of such liens to twenty years.

Which was committed to the Committee on Appropriations.

Messrs. SHAFER and STROUP, by unanimous consent, presented to the Chair **SB 443**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for the medical and surgical care of inmates of State institutions in State-aided hospitals, and for reimbursement to the State for the cost thereof.

Which was committed to the Committee on Public Health and Welfare.

They also, by unanimous consent, presented to the Chair **SB 444**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," changing the membership of the State Board of Pharmacy, and the requirements for a quorum thereof.

Which was committed to the Committee on Education.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

REPUBLICAN CAUCUS .....1:00 P. M.

DEMOCRATIC CAUCUS .....1:30 P. M.

NOTICE

The Joint Committee of the Senate and House to study the Abolition of Capital Punishment will hold hearings in the House Majority Caucus Room, 1st Floor of the Capitol Building, Harrisburg, Pennsylvania on the following days:

WEDNESDAY, MARCH 22nd 1:00 to 6:00 P. M.

THURSDAY, MARCH 23rd 10:00 A. M. to 5:00 P. M.

The Committee on Forests and Waters, Game and Fish will hold hearings on Senate Bill 350 on Tuesday, March 28th at 10:00 a. m., in the Courthouse, Easton, Pennsylvania on Wednesday, March 29th at 10:00 a. m., in the Lieutenant Governor's Office, State Office Building, Broad and Spring Garden Streets, Philadelphia; and on Wednesday, April 5th at 10:00 a. m., in the Senate Caucus Room, 1st Floor of the Capitol Building, Harrisburg, Pennsylvania.

ADJOURNMENT

Mr. LANE. Mr. President, I move that the Senate do now adjourn until Tuesday, April 4, 1961, at 3:30 p. m.

Mr. SARRAF. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:17 p. m.

HOUSE OF REPRESENTATIVES

TUESDAY, March 21, 1961

The House met at 1 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

Reverend Geddes W. Hanson, Jr., Pastor of Reeve Memorial Presbyterian Church, Philadelphia, guest Chaplain and guest of the lady from Philadelphia, Mrs. S. A. Anderson, and the House Chaplain, offered the following prayer:

O Lord, Our Heavenly Father, the high and mighty Ruler of the universe, Who dost from Thy throne behold all the dwellers upon the earth; most heartily we beseech Thee with Thy favour to sit amongst and bless with Thy grace these who make our laws.

May these rulers whom the people have chosen to serve them, serve Thee in honesty of purpose and uprightness of life. May they never forget their answerableness to the people whom they serve and to their people's God. Deliver them from the love of power and from motives of personal gain; from considerations of men or money in place of the demands of truth and justice; and from the abdication of personal responsibility in the face of partisanship.

Bless them in their ministry with an ever wider vision of the truth, and ever deeper sense of the demands of righteousness, that through their faithfulness the life of our people may be guided in wise principles and lifted to higher ideals and nobler achievements.

All these and the private petitions of our hearts we ask in the names of our father Abraham and our Lord Jesus Christ. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, March 20, 1961, will be postponed until printed.

The Chair hears none.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LEONARD asked and obtained permission for the Committee on Judiciary Special to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Messrs. LUTTY, KAMYK, MIHM and M. H. GOLDSTEIN. HOUSE BILL No. 984.

A Supplement to the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, * * *" providing a period during which certain persons may join the pension fund created under the act.

Referred to the Committee on Cities—Counties Second Class and Second Class A.

By Messrs. MORLEY, A. M. LEE, Mrs. PASHLEY, Mrs. MONROE and Mr. GRAY. HOUSE BILL No. 985.

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

Referred to the Committee on Cities—Counties First Class.

By Mr. GROSS. HOUSE BILL No. 986.

An Act amending the "Optional Third Class City Charter Law," approved July 15, 1957 (P. L. 901), further regulating the compensation of mayors, councilmen, controllers, treasurers and department heads.

Referred to the Committee on Cities—Third Class.

By Messrs. KRAMER, McLAUGHLIN, M. H. GOLDSTEIN and WILT. HOUSE BILL No. 987.

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to excute bonds or other obligations in connection therewith and validating such actions heretofore taken.

Referred to the Committee on Judiciary.

By Messrs. MILLS, KRAMER, GIBB and THOMPSON. HOUSE BILL No. 988.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further providing for the operation of semi-trailers and trailers that are registered in another state, and providing a penalty.

Referred to the Committee on Motor Vehicles.

By Mr. VERONA, Mrs. REIBMAN, Messrs. PRENDERGAST and J. A. O'DONNELL. HOUSE BILL No. 989.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring school buses to be equipped with safety belts.

Referred to the Committee on Education.

By Mr. SCARCELLI and Mrs. MARKLEY. HOUSE BILL No. 990.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prescribing the prices at which malt and brewed beverages may be sold by manufacturers, distributors and importing distributors, and fixing penalties.

Referred to the Committee on Liquor Control.

By Messrs. SHERMAN, GELFAND, McCORMACK and Mrs. KERNAGHAN. HOUSE BILL No. 991.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania; authorizing the General Assembly to exempt from taxation, parsonages, land on which places of worship are situated and land adjacent thereto necessary for the use of the church.

Referred to the Committee on Judiciary.

By Messrs. FINEMAN, GELFAND, GIBBONS and STIMMEL. HOUSE BILL No. 992.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

Referred to the Committee on State Government.

By Messrs. TOMPKINS, AUKER, A. M. LEE and WHITTAKER. HOUSE BILL No. 993.

A Joint Resolution proposing an amendment to article nine, section four of the Constitution of the Commonwealth of Pennsylvania, providing for and regulating Commonwealth debt for capital improvements and certain other purposes and prohibiting debts and obligations inconsistent therewith.

Referred to the Committee on Judiciary.

By Messrs. RUDISILL, BOWMAN, CAULEY and AUKER. HOUSE BILL No. 994.

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

Referred to the Committee on Judiciary.

By Messrs. RUDISILL, BOWMAN, CLARKE and AUKER. HOUSE BILL No. 995.

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by clarifying and redefining the crime of prison breach.

Referred to the Committee on Judiciary.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 996.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), redefining manufacture.

Referred to the Committee on Ways and Means.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 997.

An Act amending the "Building and Loan Code" approved May 5, 1933 (P. L. 457), permitting mortgage loans on industrial property.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 998.

An Act creating and establishing the Industrial Development Committee; providing for its membership, prescribing its powers, functions and duties; providing for the appointment of industrial development consultant, clerical, legal, accounting and other personnel, and making an appropriation.

Referred to the Committee on State Government.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 999.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), providing for a work assignment program in cooperation with political subdivisions.

Referred to the Committee on Welfare.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 1000.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095), increasing the amount of bond to be paid by the operator and the amount to be paid to the Department of Mines and Mineral Industries for restoration and making editorial changes.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 1001.

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), redefining documents so as to exclude certain transfers from industrial development agencies.

Referred to the Committee on State Goverment.

By Messrs. STONE, KLEIN, HAMILTON and PIPER. HOUSE BILL No. 1002.

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; * * *," changing the age at which a member of a police force may retire.

Referred to the Committee on State Government.

By Messrs. BACHMAN, TOMASCIK, MEHOLCHICK and SHUPNIK. HOUSE BILL No. 1003.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) imposing powers and duties on the Department of Forests and Waters relative to parks established by political subdivisions.

Referred to the Committee on State Government.

By Messrs. FOERSTER, SCHUSTER and WILT. HOUSE BILL No. 1004.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating the retirement age of members of the police force.

Referred to the Committee on Cities—Counties Second Class and Second Class A.

By Mrs. REIBMAN, Messrs. CAPANO, BUCHANAN and YETTER. HOUSE BILL No. 1005.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

Referred to the Committee on Education.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 1006.

An Act amending the "Public School Employes' Retirement Code of 1959," aproved June 1, 1959 (P. L. 350), authorizing the purchase of preferred and common stock for investment purposes.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 1007.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing the purchase of preferred and common stock for investment purposes.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER and MIHM. HOUSE BILL No. 1008.

An Act amending the "State Employes Retirement Code of 1959" approved June 1, 1959 (P. L. 392), authorizing annuitants to work sixty days per year without loss of benefits.

Referred to the Committee on Appropriations.

By Messrs. ROVANSEK, SNARE, MURPHY and NEEDHAM. HOUSE BILL No. 1009.

An Act to protect the public safety by regulating the mining of bituminous coal; prescribing duties for certain municipal officers and imposing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. MURPHY and CAULEY. HOUSE BILL No. 1010.

An Act amending the "Pennsylvania Public Lands Act," approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated, unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

Referred to the Committee on Game and Conservation.

By Messrs. SCARCELLI, RUBIN, GALLAGHER and WILT. HOUSE BILL No. 1011.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), increasing the number of inhabitants for determining and further regulating the issuance of distributor and importing distributor licenses.

Referred to the Committee on Liquor Control.

By Messrs. BLAIR and O'DELL. HOUSE BILL No. 1012.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the supervision to regulate the construction, maintenance and operation of certain electric power transmission lines.

Referred to the Committee on Townships.

By Mr. POLEN, Mrs. MARKLEY and Mrs. S. A. ANDERSON. HOUSE BILL No. 1013.

An Act making an appropriation to the Cystic Fibrosis Laboratory at the Albert Einstein Medical Center in Philadelphia.

Referred to the Committee on Appropriations.

By Mr. WORLEY. (By Request) HOUSE BILL No. 1014.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) eliminating straight party voting.

Referred to the Committee on Elections.

By Messrs. MULLEN, BRANCA and J. P. O'DONNELL. HOUSE BILL No. 1015.

An Act amending the "Bail Approval Commissioner Act" approved June 25, 1937 (P. L. 2326), increasing the fee for bail certificates.

Referred to the Committee on Judiciary.

By Messrs. GOODRICH, HELM, BRETH and POLEN. HOUSE BIL No. 1016.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), extending the use of dealer's registration plates to patrons while their vehicles are being repaired.

Referred to the Committee on Motor Vehicles.

By Mr. DOUGHERTY. HOUSE BILL No. 1017.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), exempting in certain cases and to a certain extent concert music halls maintained by public or private charities from taxation.

Referred to the Committee on State Government.

By Mr. WORLEY. (By Request) HOUSE BILL No.1018.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), by removing racoons from the category of game and requiring the commission to pay certain bounties for the killing thereof for a specific period.

Referred to the Committee on Game and Conservation.

By Mr. WORLEY. (By Request) HOUSE BILL No. 1019.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction.

Referred to the Committee on Education.

By Mr. WORLEY. (By Request) HOUSE BILL No. 1020.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the issuance of temporary registration plates and markers by aldermen, justices of the peace, magistrates and notaries public.

Referred to the Committee on Motor Vehicles.

By Messrs. A. D. WILLIAMS, GIBBONS, KORNICK and FLYNN. HOUSE BILL No. 1021.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the improvement of streets without petition of property owners.

Referred to the Committee on Townships.

By Messrs. RUBIN, SHELTON, HARTLEY and Mrs. ANDERSON. HOUSE BILL No. 1022.

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for architects' plans to be furnished by the Department of Public Instruction.

Referred to the Committee on Education.

By Messrs. GROSS, PETROSKY, A. W. JOHNSON and BRETH. HOUSE BILL No. 1023.

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), giving the Secretary of High ways authority and discretion to issue permits to qualified individuals or corporations desiring to conduct seismic operations on certain State highways.

Referred to the Committee on Highways.

By Messrs. J. A. SULLIVAN, TAYLOR, WELSH and SCHAAF. HOUSE BILL No. 1024.

An Act relating to the licensing and bonding of collection agencies doing business in the Commonwealth and providing penalties.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. STONE, LAMB, CAPANO, Mrs. S. A. ANDERSON, Messrs. AUKER, A. D. WILLIAMS and Mrs. MARKLEY. HOUSE BILL No. 1025.

An Act authorizing and directing the Governor on be-

half of the Commonwealth of Pennsylvania to execute an interstate compact concerning mental health and for related purposes.

Referred to the Committee on State Government.

By Messrs. IRVIS, ROVANSEK, HAMILTON, BONNER, REIDENBACH, GUESMAN, GOODRICH, DENGLER, BUCHANAN, KNECHT and ZIMMERMAN.

HOUSE BILL No. 1026.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing a general standard reimbursement fraction for certain purposes where reimbursement fractions are used and revising the basis for reimbursements on account of instructions.

Referred to the Committee on Education.

By Messrs. IRVIS, ROVANSEK, HAMILTON, BONNER, REIDENBACH, GUESMAN, GOODRICH, DENGLER, BUCHANAN, KNECHT, ZIMMERMAN and M. H. GOLDSTEIN. HOUSE BILL No. 1027.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the payment of minimum salaries and increments of county and district superintendents, assistant county and district superintendents, assistant county and district superintendents, principals, supervising principals, teachers and other employes.

Referred to the Committee on Education.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 86.

An Act reenacting and amending the act of May 21, 1943 (P. L. 340), entitled as amended "An act empowering municipality authorities cities of the third class boroughs incorporated towns and townships adjoining each other to cooperate with each other through joint agreements in the exercise of their governmental powers duties and functions" extending the act to counties of the third, fourth, fifth, sixth, seventh and eighth classes further regulating joint purchases and the supply and exchange of certain services and functions and providing for the appointment of optional joint advisory boards and prescribing their powers and duties.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 139.

An Act amending the act of June 15, 1951 (P. L. 586), entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

Referred to the Committee on State Government.

SENATE BILL No. 172.

An Act authorizing counties, cities, boroughs, incorporated towns and townships to create historic districts within their geographic boundaries providing for the appointment of Boards of Historical Architectural Review empowering governing bodies of political subdivision to protect the distinctive historical character of these districts and to regulate the erection, reconstruction, alteration, restoration, demolition or razing of buildings within the historic districts.

Referred to the Committee on State Government.

SENATE BILL No. 174.

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," changing the time which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

Referred to the Committee on State Government.

SENATE BILL No. 188.

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," changing provisions relating to election of city charter commissioners.

Referred to the Committee on Cities—Third Class.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WORLEY. RESOLUTION No. 39.

In the House of Representatives, March 20, 1961.

The Commonwealth and its political subdivisions and all Pennsylvania business and individuals in need of labor, services or materials, should be urged to limit their contractual relations for such labor, services and materials to persons and companies located within the Commonwealth whenever possible. By adopting such a practice, we will realize many lasting benefits, first and foremost of which would be to provide employment for many of our presently unemployed residents. This would increase the buying capacity of such persons and thus help build up our over-all economy. Another benefit is that by dealing locally there is better opportunity to determine the capability, experience and background of those with whom you are dealing, thus giving more assurance that the labor will be properly performed, the services properly rendered and that the materials will be of the proper quality; therefore, be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby urges the Commonwealth, all political subdivisions thereof, and all Pennsylvania businesses and individuals to do as much of their business as possible within Pennsylvania; and, be it further

Resolved, That a copy of this resolution be transmitted to the Secretary of Commerce with the request that he make the contents of this resolution as widely known as possible by whatever media or methods he may have at his disposal.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS, Mrs. KOOKER and Mr. GALLAGHER. RESOLUTION No. 40.

In the House of Representatives, March 20, 1961.

The United States has become the most powerful democratic nation on earth. This position of leadership carries with it the solemn obligation to assist the peoples of all those nations struggling to maintain their freedom as well as to those seeking to lift the yoke of tyranny to which they are now subjected. Our own existence as a free, democratic nation depends in a large measure on our friendly foreign relations. Our way of life, our security and our ability to assist others are inextricably intertwined with an economy which depends considerably on world trade. Our nation must, in the years ahead, look toward coexistence and competition with powerful totalitarian nations whose values, cunning and ruthlessness require the utmost in intelligence and strategy on our part so that they may be effectively dealth with.

These aforesaid factors require a diplomatic corps whose education and training should be such as to cultivate the respect of all nations on earth, especially for their ability

to appropriate and understand the needs, culture, and aspirations of the people of the nation to which they are assigned. Education is basic to any effort to improve international good-will. It seems fitting, therefore, that we seek opportunities for our youth that will provide higher education, particularly of a kind that will advance our nation's best interest and the cause of peace for all mankind; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania recommends the establishment of an academy of foreign service which, in the fashion of the academics of the armed services at Annapolis, West Point and Colorado, would prepare the key personnel in our diplomatic corps for their unique, important mission to the end that the cause of freedom will be advanced and the prestige of the United States as a nation of friendly, cooperative, compassionate people, will be enhanced throughout the world; and be it further

Resolved, That because of its excellent geographical location and outsanding historical heritage, a suitable site in the County of Bucks, Commonwealth of Pennsylvania, is hereby recommended for the location of such an academy; and be it further

Resolved, That a copy of this resolution be forwarded to President John F. Kennedy, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

By Messrs. BACHMAN, TOMASCIK and MEHOLCHICK. RESOLUTION No. 41.

In the House of Representatives, March 20, 1961.

Industrial development has become a great problem in the Commonwealth. Many communities throughout the State have set up industrial development agencies to try and lure industry into their areas yet, in many cases, snags develop because of administrative procedure; therefore be it

Resolved, That the Governor be urged to appoint a joint administrative committee consisting of the Secretary of Commerce, Secretary of Revenue, the Attorney General or their designees and a representative from the Governor's office, whose duty it shall be to constantly work with the industrial development agencies to ascertain what changes should be made in administrative procedure to further aid the industrial development of the Commonwealth, particularly in the depressed areas; and be it further

Resolved, That a copy of this resolution be forwarded to the Governor.

Referred to the Committee on Rules.

By Mr. McCORMACK. (Concurrent) RESOLUTION (Not Printed)

In the House of Representatives, March 20, 1961.

In 1951 The Philadelphia Inquirer, a newspaper of general circulation, commenced the waging of a vigorous campaign to compel the Trustees of the Barnes Foundation, located in Merion, Montgomery County, Pennsylvania, to open to the general public its multi-million dollar collection of paintings.

The Barnes Foundation, despite the fact that it enjoys tax immunity as an educational institution, has successfully resisted every attempt made to open its gates to the public as well as to artists, students, and critics, because of rules laid down by its founder, Dr. Albert C. Barnes.

In further pursuit of its campaign on behalf of the public, the aforesaid newspaper instituted lawsuits in the Common Pleas and Orphans' Courts of Montgomery County to compel the trustees of the aforesaid Foundation to open its doors to the public.

Through the personal efforts and intervention of the Attorney General of the Commonwealth of Pennsylvania who relentlessly, and with diligence unparalleled in the history of the Attorney General's office, prosecuted on behalf of the public the aforementioned lawsuit in the Orphans' Court of Montgomery County.

On Decemeber 12, 1960, it was announced that an agreement had been reached between the Attorney General and the Trustees of the Barnes Foundation wherein and whereby the fabulous gallery would be open to the public.

On Saturady, March 18, 1961, the gallery was open to the public for the first time in thirty-eight years.

The Attorney General has stated publicly that the campaign to open the doors of the Barnes Foundation gallery to the public would never have started were it not for The Philadelphia Inquirer; therefore be it

Resolved (the Senate concurring), That The Philadelphia Inquirer and the Attorney General of the Commonwealth of Pennsylvania be given the highest commendation in bringing to a successful conclusion their untiring and public-spirited campaign for the good of the public in causing the gallery of the Barnes Foundation to be open to the public; and be it further

Resolved, That a copy of this resolution be transmitted to The Philadelphia Inquirer and to the Attorney General of the Commonwealth of Pennsylvania.

Referred to the Committee on Rules.

By Messrs. SCHAAF, VERONA, BRETH and McCANN. RESOLUTION (Not Printed).

In the House of Representatives, March 20, 1961.

On Tuesday, March 14, 1961, the National Broadcasting Company presented on television its fourth program in an educatoinal series entitled "N.B.C. White Paper," intended to bring certain vital issues to the attention of the general public. N.B.C. White Paper No. 4 was entitled "Man in the Middle, The State Legislator."

Expertly narrated by Chet Huntley, this program delved into the numerous problems and varied conflicting pressures wth which State Legislators are faced. Personal interviews with Legislators from several states explained the terrific pressures brought to bear upon them by their constituents, by lobbyists and by fellow members for or against legislation of varying degrees of importance and merit. Legislators interviewed also gave examples of the numerous requests and demands made upon them by their constituents, many of which are personal in nature and have no relation whatever to the legislative process.

Interviews with people on the street picked at random revealed the apathy of a large segment of the population as to legislative problems, and their lack of knowledge or even interest in what is occurring in the State Legislature.

Interviews with people on the street picked at random revealed the apathy of a large segment of the population as to legislative problems, and their lack of knowledge or even interest in what is occurring in the State Legislature.

This excellent program also disclosed that many legislative bodies are grossly underpaid; severely limited in their working time, understaffed and lack adequate facilities for the proper study and consideration of legislation.

The National Broadcasting Company, by televising the "White Paper" series, is performing a service of immeasurable value. Its most recent program has undoubtedly kindled a spark of interest in numerous persons who heretofore had little or no conception of the life and work of a State Legislator.

We all are well aware that education and understanding are of the utmost importance in preserving and improving the legislative process, and any effort toward that goal is indeed worthy of our praise; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby compliments Chet Huntley and the National Broadcasting Company upon its excellent presentation of "N.B.C. White Paper No. 4" entitled, "Man in the Middle, The State Legislator," and commends the National Broadcasting Company for its outstanding public service in preesnting to the viewing public material of such vital importance; and be it further

Resolved That a copy of this resolution be transmitted to the National Broadcasting Company.

Referred to the Committee on Rules.

DELEGATION FROM NEW OXFORD AREA MERGED SCHOOL DISTRICT WELCOMED

The SPEAKER. The Chair notes that we have with us today members of the Ninth Grade of the New Oxford Area Merged School District. They are here with three of their teachers, officers of the PTA, Volunteer Adult School Patrol, and three members of their School Board. They are the guests of the gentleman from Adams, Mr. Worley.

MYERSTOWN HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. We have with us a delegation from the Myerstown High School, Lebanon County. They are here with the administrative assistant, Mr. Nitrauer, and Mr. Fake. They are members of the Christian Social Studies Department. They are the guests of the gentlemen from Lebanon, Mr. Seltzer and Mr. Manbeck.

WELCOME EXTENDED TO HAVERFORD TOWNSHIP COUNCIL OF REPUBLICAN WOMEN

The SPEAKER. We have with us members of the Haverford Township Council of Republican Women of Delaware County. They are the guests of the Representatives from Delaware, Mrs. Kernaghan, Messrs. Odorisio, Gibbons, Isaacs and Lippincott.

PERRY COUNTY HIGH SCHOOL SENIORS WELCOMED

The SPEAKER. We have with us members of the Perry Joint High School Seniors, New Bloomfield, with their teacher, Mr. Ralph Swann. They are guests of the gentleman from Perry, Mr. Holman.

COMMUNICATION

APPRECIATION

The SPEAKER laid before the House a communication which was read as follows:

Mr. Andrews:
Will you please express to the membership my most sincere thanks.

(s) Martha Agnew

March 20

STATEMENT BY SPEAKER

The SPEAKER. There was an impressive testimonial given by the members of this House at the funeral of our minority floor leader. I know of no occasion when there was a larger delegation or more sincere sorrow expressed than there was on that particular occasion.

BILL ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 560, entitled:

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 197, entitled:

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

The first and second sections were separately read and agreed to.
The third section was read.
On the question,
Will the House agree to the section?
Mr. GALLAGHER offered the following amendment:

Amend Sec. 3, page 3, lines 17 and 18, by striking out both of said lines.

It was agreed to.
The section was agreed to as amended.
The fourth section was read.
On the question,
Will the House agree to the section?
Mr. GALLAGHER offered the following amendment:

Amend Sec. 4, page 3, line 19, by striking out "4" and inserting: "3."

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 206, entitled:

An Act amending the act of October 14, 1959 (P. L. 1314) entitled "An act to regulate and establish the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class" further regulating the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class.

And said bill having been read at lenth the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 315, entitled:

An Act amending the act of September 23, 1959 (P. L. 941) entitled "An act authorizing the Department of Property and Supplies * * * to sell and convey an easement in lands situate in the Township of Skippack Montgomery County" further providing for an easement in lands situate in the Township of Skippack Montgomery County.

And said bill having been read at lenth the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No.316, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681)

entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" prohibiting the sale or delivery of explosives to persons not complying with this act and imposing penalties and imposing additional duties on manufacturers.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 451, enittled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township, Juniata County for State forest administrative purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 468, entitled:

An Act repealing section 8 act of July 5, 1957 (P. L. 479) entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes * * * and making an appropriation" abolishing certain requirements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 489, entitled:

An Act amending the act of May 3, 1923 (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State * * *" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 490, entitled:

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 491, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 492, entitled:

An Act amending the act of May 5, 1945 (P. L. 426) entitled "An act to authorize certain pesons to take affidavits and acknowledgements in connection with the administration of the affairs of veterans and their dependents * * *" changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 493, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 495, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) correcting the name of the Italian American Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 496, entitled:

An Act amending the act of April 19, 1929 (P. L. 609) entitled "An act providing for the location care and maintenance of graves of soldiers, sailors, marines and members of the enlisted nurse corps * * *" changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 497, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 498, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day Flag Day and Armistice Day" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 499, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons * * * providing for the erection and care of markers headstones and flags and for the compilation of war records" changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 500, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) correcting the names of the Italian American War Veterans of the United States, Incorporated to conform with name in its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 501, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 502, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third, fourth, fifth, sixth, seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 503, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 504, entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian-American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 507, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 556, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the temporary investment of funds by school districts of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

The SPEAKER. The Chair requests the gentleman from Beaver, Mr. Hamilton, to preside temporarily.

Mr. HAMILTON IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 558 entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designated tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 632 entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 649, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled, "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of th second class * * *" furthr regulating payment of regular employes in order to be credited for service for pension.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 662, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled, "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class * * *" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 694, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343) appropriating certain moneys obtained through proceedings relating to escheatable property to the Department of Revenue for the payment of compensation fees and expenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 695, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing a residence requirement for officers teachers and employes of school districts of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926) adding a definition changing tag stamp and registration provisions providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518) changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted ot the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 739, entitled:

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 742, entitled:

An Act amending the act of April 3, 1860 (P. L. 630) entitled, "An act relative to Proceedings upon Mortgages and Recognizances" excluding counties of the first class from the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 743, entitled:

An Act amending the act of April 25, 1850 (P. L. 569) entitled, "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rents * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 811, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled, "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing a method of paying service increments from the pension fund to employes of the city after retirement.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 828, entitled:

An Act amending "The "Military Code of 1949" approved May 27, 1949, changing the measure of relief for disability or death of personnel on active duty.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 844, entitled:

An Act amending the act of July 10, 1957 (P. L. 685) entitled "An act regulating the use of explosives in certain blasting operations requiring examination and licensing of certain explosives detonators and prescribing the fee thereof and conferring powers and imposing duties on the Department of Labor and Industry" increasing certain fees.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 845, entitled:

An Act amending the act of July 1, 1937 (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" prescribing aditional enforcement powers to the Secretary of Labor and Industry and increasing certain fees.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 850, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) permitting the purchase and sale of the flesh of raccoons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 870, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) removing the jurisdiction of the Department of Public Welfare jails prisons and penal institutions and inmates thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 871, entitled:

An Act amending the act of Auril 14, 1925 (P. L. 234) entitled "An act relating to Boarding Houses for Infants * * *" further defining terms * * * imposing powers and duties on the Department of Public Welfare * * * and making repeals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 872, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) providing for the use of interest on patients' funds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 873, entitled:

An Act amending "The Support Law" approved June 24 1937 (P. L. 2045) qualifying the liability of property owners with respect to minor children.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 874, entitled:

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177) creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 875, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533) changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels * * * and repealing all acts or parts of acts inconsistent with this act" providing for submission of plans and specifications of the mechanical system in buildings and providing for a fee therefore.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 939, entitled:

An Act requiring the State Treasurer * * * to deduct the tax imposed by any first class city upon salaries wages * * * paid to officers * * * of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the revenue commissioner of such city.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. FINEMAN from the Committee on Judiciary, reported as amended, House bill No. 126, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace, magistrates and aldermen and repealing certain prior acts.

Mr. GIBBONS from the Committee on Counties, reported as amended, House bill No. 141, entitled:

An Act amending the act of September 29, 1951 (P. L. 1645), entitled "An act authorizing the orphans' courts of the several counties, upon application therefor, to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings; * * *" extending the provisions of the act to the recorder of deeds, the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

Mr. HAMILTON from the Committee on Agriculture and Dairy Industries, reported as amended, House bill No. 307, entitled:

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 ,P. L. 587) changing certain penalties and providing for license suspensions.

Mr. FINEMAN from the Committee on State Government, reported as amended, House bill No. 430, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race, religion, color, ancestry or national origin prohibiting such discriminatory practices; providing for procedure and enforcement; providing for judicial review; providing for administration by the Pennsylvania Human Relations Commission in the Department of Labor and industry; and defining its functions, powers and duties hereunder.

Mr. CURWOOD from the Committee on Game and Conservation, reported as amended, House bill No. 574, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), adding and increasing certain penalties, and conforming a section to show a previous repeal.

Mr. BOWMAN from the Committee on Judiciary, reported as amended, House bill No. 583, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "An act concerning game and other wild birds and wlid animals and amending revising consolidating and changing the law relating thereto" providing that proof of issuance of warrant survey or patent shall not be required incident to acquisition of land by the Pennsylvania Game Commission.

Mr. WARGO from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," further providing for the paying of premiums; imposing powers and duties on the Secretary of Agriculture; further determining what associations are to receive money from the Commonwealth; and deleting certain war time and obsolete provisions.

Mr. COOLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 333, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 334, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) further regulating the transfer of dog and kennel licenses; making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases, and providing for the payment of damages in certain cases.

Mr. RUBIN from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 509, entitled:

An Act amending the act of June 8, 1911 (P. L. 712), entitled "An act relating to milk; providing for the protection of the public health, * * *," further providing for the sale of fluid derivatives of milk.

Mr. WILLARD from the Committee on Game and Conservation, reported as committed, House bill No. 575, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating and increasing the fee for permits for field trials.

Mr. COOLEY from the Committee on Game and Conservation, reported as committed, House bill No. 576, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking, killing or wounding of any game, and providing penalties.

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, House bill No. 578, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

Mr. YETTER from the Committee on Game and Conservation, reported as committed, House bill No. 581, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

Mr. RUTHERFORD from the Committee on Cities—Third Class, reported as committed, House bill No. 631, entitled:

An Act amending "The Vehicle Code," authorizing third class cities to install traffic signals on all highways within such cities without prior approval of the Secretary of Highways.

Mr. NEEDHAM from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," extending the provisions of the act to authorize the sealing of abandoned coal mines, and filling voids in abandoned coal mines, and making money heretofore appropriated available for those purposes.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 690, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts to join with registers of wills for the purpose of State asso ciations and authorizing payments by the county pertaining to their annual meetings.

Mr. HOLLIDAY from the Committee on Counties, reported as committed, House bill No. 727, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), providing for expenses in going to and returning from meetings.

Mr. HORST from the Committee on Townships, reported as committed, House bill No. 730, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

Mr. TRUSIO from the Committee on Townships, reported as committed, House bill No. 731, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

Mr. ESHLEMAN from the Committee on Counties, reported as committed, House bill No. 734, entitled:

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to supervisors of townships of the second class.

Mr. STONE from the Committee on Judiciary, reported as committed, House bill No, 737, entitled:

An Act amending the "Transfer Inheritance Tax Law," approved June 20, 1919 (P. L. 521), increasing deductions to be made by administrators, executors or other trustees from certain legacies or shares in the distribution of estates subject to tax.

Mr. J. A. O'DONNELL from the Committee on Counties, reported as committed, House bill No. 741, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), requiring the offices of any county of the third class to remain closed on Saturday.

Mr. ESHBACK from the Committee on Townships, reported as committed, House bill No. 745, entitled:

An Act amending "The Second Class Township Code,"

approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers, junk yards and scrap yards.

Mr. GREMMINGER from the Committee on Cities—Third Class, reported as committed, House bill No. 746, entitled:

An Act amending "The Third Class City Code," approved June 23. 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers, junk yards and scrap yards.

Mr. SCARCELLI from the Committee on Counties, reported as committed, House bill No. 752, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; * * *," placing a limitation on increases in assesments or valuations from one triennial assessment to the next.

Mrs. KOOKER from the Committee on Professional Licensure, reported as committed, House bill No. 809, entitled:

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216) further providing for advertising by dentists.

Mr. GIBB from the Committee on Law and Order, reported as committed, House bill No. 868, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the production and performance of ice shows and ice hockey between certain hours on Sunday in cities of the first and second class.

Mr. SAKULSKY from the Committee on Cities—Third Class, reported as committed, House bill No. 976, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the minimum requirements for retirement of firemen.

Mr. KRAMER from the Committee on Judiciary Special, reported as committed, Senate bill No. 39, entitled:

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania repealing section three thereof which disqualifies persons from public office for dueling.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," further providing for the paying of premiums; imposing powers and duties on the Secretary of Agriculture; further determining what associations are to receive money from the Commonwealth; and deleting certain war time and obsolete provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 333, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) further regulating the transfer of dog and kenel licenses; making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases, and providing for the payment of damages in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 334, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases, and providing for the payment of damages in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 509, entitled:

An Act amending the act of June 8, 1911 (P. L. 712), entitled "An act relating to milk; providing for the protection of the public health, * * *," further providing for the sale of fluid derivatives of milk.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 575, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating and increasing the fee for permits for field trials.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 576, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking, killing or wounding of any game, and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 578, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 581, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 631, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) authorizing third class cities to install traffic signals on all highways within such cities without prior approval of the Secretary of Highways.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled, "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," extending the provisions of the act to authorize the sealing of abandoned coal mines, and filling voids in abandoned coal mines, and making money heretofore appropriated available for those purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 690, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 727, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), providing for expenses in going to and returning from meetings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 730, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 731, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 734, entitled:

An Act amending "The General County Assessment Law" approved May 22 1933 (P. L. 853), requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to supervisors of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 737, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), increasing deductions to be made by administrators, executors or other trustees from certain legacies or shares in the distribution of estates subject to tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 741, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), requiring the offices of any county of the third class to remain closed on Saturday.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 745, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers, junk yards and scrap yards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 746, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers, junk yards and scrap yards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 752, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; * * *," placing a limitation on increases in assessments or valuations from one triennial assessment to the next.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 809, entitled:

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216) further providing for advertising by dentists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 868, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the production and performance of ice shows and ice hockey between certain hours on Sunday in cities of the first and second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 976, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), changing the minimum requirements for retirement of firemen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 39, entitled:

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania repealing section three thereof which disqualifies persons from public office for dueling.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WELSH asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

BILLS RE-REFERRED

Mr. COMER from the Committee on Highways, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 396, entitled:

An Act amending "The Vehilce Code," approved April 29, 1959 (P. L. 58), requiring mirrors on motor vehicles and providing penalties.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Motor Vehicles.

Mr. COMER from the Committee on Highways, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 397, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), making a term of imprisonment mandatory for operating a vehicle after the operator's privilege has been revoked.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Motor Vehicles.

Mr. COMER from the Committee on Highways, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 398, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the revocation of operating privilege for operating a motor vehicle while under suspension.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Motor Vehicles.

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 926, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the transportation of explosives and providing penalties.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Motor Vehicles.

PERMISSION TO ADDRESS HOUSE

Mr. IRVIS asked and obtained unanimous consent to address the House.

Mr. Speaker, we are this year, 1961, celebrating the Centennial of the American War Between the States. The guns have long since grown silent, and the long lines of boys in blue and in Confederate gray have descended into history; but, unfortunately for the welfare of this Country and for the safety of democracy all over the world, the combat stemming from this collision of two great historical forces still exists in the minds of men.

A National Civil War Centennial Commission, to which Pennsylvania belongs, has been appointed to supervise the celebration of the 100th anniversary of that War. It had been planned that this Commission meet in session at Charleston, South Carolina. This meeting originated at the invitation of the South Carolina branch of the Commission. A member of the National Commission, Mrs. Madeline A. Williams, also a member of the Commission's New Jersey unit, is a Negro. She was informed by a hotel in Charleston, South Carolina, that if she showed up with the other members of the Commission for the Charleston meeting on April 11 and 12, she could not stay at that hotel, which is to be headquarters for the National Commission, nor could she eat at the hotel dining room with the other commissioners.

So it appears, Mr. Speaker, that 100 years after the onset of the Civil War some of the conditions which led to that historic struggle which cost the lives of thousands of white and Negro soldiers still obtain.

I wish here, Mr. Speaker, to go on public record condemning the action of the Charleston, South Carolina, hotel and requesting that the members of the Pennsylvania unit of the National Commission refuse to participate in any activity of the Commission which involves discrimination against any one of its members. Pennsylvanians gave their lives in the struggle to unify this Country. Pennsylvania was the battleground for part of this great war, and Pennsylvanians must not now participate in any activity which negates the very purposes for which men died from 1861 to 1865.

RESOLUTION

CONDOLENCE

Messrs. HELM, WYND and TOMPKINS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, March 21, 1961.

Whereas, Honorable Ray W. Greenwood former member of the House of Representatives of the Commonwealth of Pennsylvania, died Friday, March 17, 1961, at his home at 61-63 East Tioga Street, Tunkhannock, Pennsylvania. He is survived by his wife. He was born at Lynn, Susquehanna County. He atended Springville High School, Williston Seminary, Keuka College, and Renouards College of Embalming. His business career included the establishment of a furniture store and undertaking establishment. Socially he belonged to all Masonic Branches, K. of P., B. P. O. E., Grange and Tunkhannock Rotary Club, he also was a Trustee of the Methodist Church. He was elected to the House of Representatives in 1940 and continued in this body until 1956. His record is outstanding; therefore be it

Resolved. That the House of Representatives send its condolences to the surviving widow and commend Ray W. Greenwood for his outstanding life of public service and philantrophy and community interest; and be it further

Resolved, That a copy of this resolution be sent to Mrs. Greenwood, at the home address 61-63 East Tioga Street, Tunkhannock, Pennsylvania.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FINEMAN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

MEMBERS OF DAUPHIN COUNTY FARMERS' ASSOCIATION WELCOMED

The SPEAKER pro tempore. The Chair welcomes the legislative committee of the Dauphin County Farmers' Association, who are the guests of the members from Dauphin, Messrs. Hocker, Bowman, Ogilvie, and Keiser. Will the delegation please rise?

The Chair is pleased to have you members here as our guests.

DEMOCRAT AND REPUBLICAN CAUCUSES

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, at this point we are going to ask for respective caucuses to clear final pasasge and third-reading calendar bills, including the bills that were amended and are in print ready for today's session. At a particular time I am going to request a recess of this House for a period of one hour. I am going to ask that all our Democratic members bring with them to the caucus their House calendars. Please come to the caucus as soon as the recess is declared, because we will be voting upon controversial measures immediately upon our return to the hall of the House.

I yield to the minority floor leader, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, on the call of the recess, the Republicans will also have a caucus for the same period of time and I request that the members bring their calendars with them. We will meet immediately upon the call of the recess.

Mr. McCANN. Mr. Speaker, I request that this House do now recess for a period of one hour for respective caucuses.

RECESS

The SPEAKER pro tempore. Without objection, the Chair declares a recess of one hour.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

BILLS INTRODUCED AND REFERRED

By Messrs. FILO, BOWMAN, WILT and POLASKI.

HOUSE BILL No. 1028.

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquids fuels tax proceeds to cities, boroughs, incorporated towns and townships, for their road, street and bridge purposes; * * *" changing the formula used to determine the amount of payments to be made to the political subdivisions.

Referred to the Committee on Municipal Corporations.

By Messrs. WARGO, NEEDHAM, KEISER and CROSSIN. HOUSE BILL No. 1029.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provisions for special permits to certain disabled persons.

Referred to the Committee on Game and Conservation.

By Messrs. KORNICK, SAKULSKY, WELSH, SCARCELLI, WYND and DENNISON.

HOUSE BILL No. 1030.

An Act authorizing additional pension and retirement payments to members of pension and retirement funds after termination of services.

Referred to the Committee on Appropriations.

By Messrs. BRETH, HOCKER, HELM and GRAMLICH. HOUSE BILL No. 1031.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), requiring meetings of the Pennsylvania Game Commission to be open to the public.

Referred to the Committee on Game and Conservation.

By Messrs. BRETH, HOCKER, HELM and GRAMLICH. HOUSE BILL No. 1032.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), requiring meetings of the Pennsylvania Fish Commission to be open to the public.

Referred to the Committee on State Government.

By Messrs. PIPER, SCARCELLI, STANK, ESHLEMAN, K. B. LEE and ADAMS. HOUSE BILL No. 1033.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing maximum speeds on four-lane highways and in speed zones established by the Secretary of Highways.

Referred to the Committee on Highways.

By Messrs. GOODRICH, ISAACS, T. F. SULLIVAN and RENWICK. HOUSE BILL No. 1034.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating enforcement in boroughs and townships.

Referred to the Committee on Motor Vehicles.

By Messrs. GOODRICH, GROSS, T. F. SULLIVAN and RENWICK. HOUSE BILL No. 1035.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), exempting operators, political subdivisions and volunteer fire companies from certain liabilities due to fire trucks in excess of permitted and posted weights being driven over bridges, causeways and viaducts.

Referred to the Committee on Motor Vehicles.

By Messrs. SCARCELLI, GRAY, MULLIN and ESHBACK. HOUSE BILL No. 1036.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the issuance and transfer of malt and brewed beverage licenses.

Referred to the Committee on Liquor Control.

By Messrs. HEFFNER and BOWMAN. HOUSE BILL No. 1037.

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744), providing that this act shall be deemed to repeal certain ordinances, charters and laws.

Referred to the Committee on Judiciary.

By Messrs. A. J. MURPHY, IRVIS, FLYNN and POLEN. HOUSE BILL No. 1038.

An Act authorizing the Department of Property and Supplies to sell and convey all of its right, title and interest that it may have in a tract of land in the borough of Canonsburg, Washington County, Pennsylvania.

Referred to the Committee on State Government.

By Mr. A. D. WILLIAMS, Mrs. HENZEL, Messrs. MURPHY and IRVIS. HOUSE BILL No. 1039.

An Act imposing liability upon parents for personal injury, or theft, destruction or loss of property, caused by the wilful tortious acts of children under eighteen years of age; setting forth limitations; and providing procedure for recovery.

Referred to the Committee on Judiciary.

By Messrs. SAKULSKY, WALSH, SCHAAF and POLEN. HOUSE BILL No. 1040.

An Act creating the Scholarship Board for Higher Education authorizing the granting of scholarships to deserving students and making an appropriation.

Referred to the Committee on Education.

By Messrs. BRETH and POLEN. HOUSE BILL No. 1041.

An Act amending the act of April 13, 1887 (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," regulating the advancing of eastern standard time by counties, cities, boroughs, towns and townships.

Referred to the Committee on Municipal Corporations.

By Mrs HENZEL and Mr. FARABAUGH. HOUSE BILL No. 1042.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), expanding the authority of boroughs to make annual appropriations for nursing services.

Referred to the Committee on Boroughs.

By Messrs. PETROSKY and McCANN. HOUSE BILL No. 1043.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

Referred to the Committee on State Government.

By Messrs. EILBERG, PRENDERGAST, GALLAGHER, Mrs. REIBMAN, Messrs. ISAACS, FRY, Mrs. KERNAGHAN, Messrs. YETTER, DOUGHERTY, VERONA, J. A. O'DONNELL, A. D. WILLIAMS, GREMMINGER, A. M. LEE, FETTEROLF, WILLAREDT, DENGLER, R. P. JOHNSON, Mrs. KOOKER, Mrs. HENZEL, Messrs. ODORISIO and FINEMAN. HOUSE BILL No. 1044.

An Act to create a regional agency by inter-governmental compact for the planning, conservation, utilization, development, management and control of the water and related natural resources of the Delaware River Basin, for the improvement of navigation, reduction of flood damage, regulation of water quality, control of pollution, development of water supply, hydroelectric energy, fish and wildlife habitat and public recreational facilities, and other purposes, and defining the functions, powers and duties of such agency.

Referred to the Committee on State Government.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 79.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of radio-microwave equipment in timing speed further regulating convictions prescribing powers and duties of the Secretary of Revenue and prescribing penalties.

Referred to the Committee on Motor Vehicles.

RESOLUTION INTRODUCED AND REFERRED

By Mrs. MARKLEY, Messrs. HOCKER, J. A. SULLIVAN, TAYLOR, WELSH and PARLANTE. (Concurrent) RESOLUTION No. 42.

In the House of Representatives, March 21, 1961.

There are millions of persons in Pennsylvania whose livelihood depends upon the operation of a motor vehicle. These people find it necessary to drive to and from work in order to earn a living, yet many of them are being denied this opportunity because of capricious decisions of the Bureau of Highway Safety.

The executive order of the Governor which gave the bureau the right to suspend operators' privileges was based upon the need for greater safety on our highways. We are all in accord with this need, but there are instances where the bureau has abused their discretion and have not followed the intent of the order. Certainly the Governor did not intend to have drivers lose their

licenses upon the whim of any one man yet this is what is happening in many cases. Possibly the whole program and the administration thereof is getting out of hand, therefore be it

Resolved, (the Senate concurring), That the President pro tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House, who together shall constitute a committe to inquire into the administration of the Bureau of Highway Safety to determine if their policies are being carried out in the proper manner, and be it further

Resolved, That the committee shall elect a chairman and such additional officers as it may deem necessary, that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee, and be it further

Resolved, That the committee shall report its findings together with a recommendation for appropriate legislation as soon as possible.

Referred to the Committee on Rules.

RESOLUTION

COMMEMORATION

Messrs. SCARCELLI, MULLIN, RUBIN, BRANCA, J. P. O'DONNELL and HEAVEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 21, 1961.

March 28, 1961 is the one hundred fiftieth birthday of the venerable John N. Neumann, C.SS.R., Bishop of the Catholic diocese of Philadelphia from 1852 to 1860. Bishop Neumann was born in Bohemia and in his youth and young manhood he dedicated himself to the life of a foreign missionary in far-away America. He studied to be a priest and before his ordination, he crossed the ocean to the land of his destiny. He was ordained a priest here in 1836 and was assigned to the district centering around Niagara Falls.

Much of the territory to which Father Neumann was assigned was a wild and untamed area. He traveled in this region, which included part of New York and most of Pennsylvania. He built churches, attended the people, took care of their wants and needs, celebrated the mass and administered the sacraments of the church. He loved small children and always carried with him a supply of candy for them.

In the year 1840 he became a Redemptorist and later became the head of the order in America. His labor in this order covered the states of Pennsylvania, Maryland and Virginia. In 1852, by order of Pope Pius IX, he was named Bishop of Philadelphia. At this time he was forty-one years of age.

The balance of his life was devoted to his diocese. He traveled afoot, on horseback, canal boat, railroad, stagecoach and any other means available. He built seventy churches. He was the founder of the Catholic school system in America. He also founded the first church in America for Italian-speaking people.

It is the sense of the House of Representatives that the State of Pennsylvania owes much to Bishop Neumann for his dedicated labors, his friendship for all mankind, and for the heritage that he has left us because of the work which he did; therefore be it

Resolved, That the House of Representatives pause for a moment in respect and gratitude on this the one hundred fiftieth birthday of Bishop John N. Neumann, for the many things which we enjoy today as a result of the dedicated labors of this great man; and be it further

Resolved, That a copy of this resolution be sent to Reverend Francis J. Litz, C.SS.R., St. Peters Church, Fifth and Girard Streets, Philadelphia, Pennsylvania.

RESOLUTION

CONGRATULATIONS

Messrs. SHERMAN, GELFAND, PERRY and EILBERG offered a resolution and asked and obtained unanimous consent for its immeidate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 21, 1961.

Whereas, Olney High School, Philadelphia, Pennsylvania, is now celebrating its thirtieth year of community service, and

Whereas, Olney High School has made for itself a unique place in Philadelphia by graduating over 25,000 young men and women who have taken their places in the arts, professions, sciences and trades as worthy citizens of their community, state and nation, and

Whereas, These graduates have further brought distinction to their school by loyal, patriotic service in the uniforms of their country and have established homes devoted to the sanctity of a wholesome family life, and

Whereas, The faculty and administrative staff of Olney High School have maintained the highest professional standards and shown their personal devotion in helping these young people to take their productive places in society; therefore be it

Resolved, That the House of Representatives extend its recognition and congratulations to the Olney High School and the city it serves so well in preserving its distinguished position as a community school and fulfilling the highest goals of public education that the Commonwealth of Pennsylvania has always sought to encourage in its long and honorable history; and be it further

Resolved, That a copy of this resolution be sent to Olney High School, Front Street and Duncannon Ave., Philadelphia, Pennsylvania.

RESOLUTION

CONGRATULATIONS

Mrs. MARKLEY and Mr. J. A. O'DONNELL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 21, 1961.

It is with pride that we take this opportunity to congradulate the Hurricanes of Bethlehem for winning the District 11 crown. This is an outstanding job that has been done by coach John Howard and the boys who make up this remarkable basketball team. Playing an extremely difficult schedule, the boys showed the qualities that have made them champions.

The House of Representatives of the Commonwealth of Pennsylvania takes this method to congratulate and commend the Hurricanes of Bethlehem and their coach John Howard for a job well done and for the honor which it gives not only to the City of Bethlehem but to the Lehigh

Valley and the Commonwealth of Pennsylvania; therefore be it

Resolved, That the House of Representatives hereby commend the Hurricanes of Bethlehem High School for winning the District 11 crown; and be it further

Resolved, That a copy of this resolution be sent to the Principal of Bethlehem High School, Bethlehem, Pennsylvania, and to John Howard, coach of the basketball team.

RESOLUTION

CONGRATULATIONS

Messrs. McINROY and K. B. LEE offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 21, 1961.

Its basketball team has brought honor and distinction to Mansfield State College. Under the superb direction and guidance of the head basketball coach, W. J. "Bill" Gibson, of Donora, Pennsylvania and the superb leadership and drive of its illustrious captain, "Dave" Russell, the team completed the 1960-61 season a true champion, having defeated all its league opponents and decisively beating Indiana State College for the Pennsylvania State College Conference title.

The success of the team was due in large measure to the unselfishness, fine sportsmanship and teamwork of its members. Theirs is a well deserved and hard worked for honor; therefore be it

Resolved, That the House of Representatives congratulate the Mansfield State College Basketball Team on its wonderful achievement in winning the Pennsylvania State College Conference Championship and be it further

Resolved, That a copy of this resolution be transmitted to W. J. Gibson and to Lewis W. Rathgeber, President of Mansfield State College.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FILO asked and obtained permission for the Committee on Boroughs to meet during the session of the House.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mrs. KOOKER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by her.

Mr. FINEMAN asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORT FROM COMMITTEE

Mrs. KOOKER from the Committee on Boroughs, reported as committed, House bill No. 747, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 747, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Eilberg for Mr. PRENDERGAST because of illness.
Mr. Eilberg for Mr. MUSTO because of illness.
Mr. Eilberg for Mr. McNALLY because of illness.
Mr. Tompkins for Mr. J. A. ANDERSON for today.
Mr. Tompkins for Mr. WYND for today.
Mr. Tompkins for Mr. WILLAREDT for today.
Mr. Tompkins for Mr. UJOBAI for today.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 53, entitled:

A Joint Resolution proposing an amendment to article eight section one of the Constitution of the Commonwealth of Pennsylvania changing residence requirements.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mrs. MARKLEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. OGILVIE. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mrs. MARKLEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out "the" and inserting "an."

Amend Sec. 1 (Sec. 1), page 2, line 10, by inserting after "election" "for presidential and vice-presidential electors and six (6) months immediately preceding all other elections."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mrs. MARKLEY. Mr. Speaker, the purpose of these amendments is not to disenfranchise anyone from voting for a president, but, rather, as the bill reads now, it is a matter of 90 days that people would be permitted to vote for president or vice president.

Mr. EILBERG. Mr. Speaker, I rise in opposition to the amendments offered for the reason that, while we may be in sympathy with what the member wishes to do, I feel she has not adequately looked into the mechanics that would be involved if this amendment were to become part of the Constitution and become part of the law of this Commonwealth.

If we were to look in that direction, we would find that the records of the registration commission, for example, in the city of Philadelphia would absolutely become

cumbersome. Some cards would be marked that the electors would be permitted to vote in one election, other cards would be marked that the electors would be permitted to vote in another election. These records would be in the hands of a great many people in the registration commission; the election boards would have to be notified throughout the city of Philadelphia. The lady is asking us in our community to do something which, as a practical matter, would cause enormous expense and would be extremely difficult to enforce.

We therefore ask that everyone vote against the amendmnts because it would be impossible to carry out the intention of the lady.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mrs. MARKLEY and Mr. OGILVIE and were as follows:

YEAS—83

Adams,	George,	Kistler,	Royer,
Ashton,	Gibb,	Knecht,	Rutherford,
Auker,	Gibbons,	Kooker,	Seltzer,
Backenstoe,	Goldstein, J. H.,	Korns,	Slack,
Blair,	Goldstein, M. H.,	Lee, A. M.,	Snare,
Bossert,	Goodrich,	Lee, K. B.,	Stimmel,
Bower,	Gramlich,	Magee,	Stiteler,
Bowman,	Gross,	Manbeck,	Strausser,
Buchanan,	Haudenshield,	Markley,	Thompson,
Bush,	Helm,	Marsh,	Ujobai,
Dengler,	Henzel,	May,	Varner,
Dennison,	Hocker,	McCandless,	Wescott,
Donaldson,	Holman,	McInroy,	Whittaker,
Down,	Horst,	Miller,	Willard,
Elvey,	Isaacs,	Mills,	Willaredt,
Eshback,	Johnson, A. W.,	O'Dell,	Williams, E. S.,
Ewing,	Johnson, R. P.,	O'Donnell, J. A.,	Wilt,
Fetterolf,	Keiser,	Odorisio,	Wood,
Foor,	Kernaghan,	Ogilvie,	Worley,
Fox,	Kessler,	Piper,	Zimmerman,
Fulmer,	King,	Pursley,	

NAYS—108

Anderson, S. A.,	Foerster,	Long, Wm. Jas.,	Renwick,
Arlene,	Frascella,	Long, Wm. Jos.,	Riley,
Bachman,	Fry,	Lutty,	Rovansek,
Boles,	Gailey,	Maxwell,	Rubin,
Bonner,	Gallagher,	McCann,	Rudisill,
Branca,	Gelfand,	McCormack,	Sakulsky,
Breth,	Gray,	McDevitt,	Scarcelli,
Capano,	Gremminger,	McDonald,	Schaaf,
Capitolo,	Guesman,	McKeever,	Schuster,
Cauley,	Hamilton,	McLaughlin,	Shelton,
Cianfrani,	Hankins,	Meholchick,	Sherman,
Cioffi,	Hartley,	Mihm,	Shupnik,
Clarke,	Heavey,	Monroe,	Stank,
Comer,	Heffner,	Morley,	Stone,
Cooley,	Holliday,	Mullen,	Sullivan, J. A.,
Crossin,	Irvis,	Munley,	Sullivan, T. F.,
Curwood,	Jenkins,	Murphy,	Taylor,
Davis,	Jim,	Needham,	Tomascik,
Dougherty,	Jones,	O'Donnell, J. P.,	Trusio,
Doughten,	Kamyk,	Parlante,	Verona,
Edwards,	Kelly,	Pashley,	Wargo,
Eilberg,	Klein,	Perry,	Weidner,
Eshleman,	Kornick,	Petrosky,	Welsh,
Farabaugh,	Kramer,	Polaski,	Williams, A. D.,
Filo,	Lawson,	Polen,	Yetter,
Fineman,	Leonard,	Reibman,	Zember,
Flynn,	Limper,	Reidenbach,	Andrews, Speaker

NOT VOTING—16

Anderson, J. H.,	McNally,	Prendergast,	Tompkins,
Guthrie,	Merry,	Price,	Wall,
Lamb,	Murray,	Simmons,	Walsh,
Lippincott,	Musto,	Steckel,	Wynd,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Adams,	Fry,	Lawson,	Rovansek,
Anderson, S. A.,	Fulmer,	Leonard,	Rubin,
Arlene,	Gailey,	Limper,	Rudisill,
Bachman,	Gallagher,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Boles,	Gibb,	Lutty,	Scarcelli,
Bonner,	Gibbons,	Manbeck,	Schaaf,
Bossert,	Goldstein, J. H.,	Marsh,	Schuster,
Bowman,	Goldstein, M. H.,	Maxwell,	Seltzer,
Branca,	Goodrich,	McCann,	Shelton,
Breth,	Gramlich,	McCormack,	Sherman,
Buchanan,	Gray,	McDevitt,	Shupnik,
Bush,	Gremminger,	McDonald,	Snare,
Capano,	Guesman,	McKeever,	Stank,
Capitolo,	Hamilton,	McLaughlin,	Stimmel,
Cauley,	Hankins,	Meholchick,	Stone,
Cianfrani,	Hartley,	Mihm,	Strausser,
Cioffi,	Haudenshield,	Mills,	Sullivan, J. A.,
Clarke,	Heavey,	Monroe,	Sullivan, T. F.,
Comer,	Heffner,	Morley,	Taylor,
Cooley,	Helm,	Mullen,	Thompson,
Crossin,	Henzel,	Munley,	Tomascik,
Curwood,	Holman,	Murphy,	Trusio,
Davis,	Horst,	Needham,	Varner,
Dengler,	Irvis,	O'Dell,	Verona,
Dennison,	Isaacs,	O'Donnell, J. A.,	Walsh,
Donaldson,	Jenkins,	O'Donnell, J. P.,	Wargo,
Dougherty,	Jim,	Odorisio,	Weidner,
Doughten,	Johnson, A. W.,	Parlante,	Welsh,
Edwards,	Johnson, R. P.,	Pashley,	Wescott,
Eilberg,	Jones,	Perry,	Whittaker,
Eshback,	Kamyk,	Petrosky,	Willaredt,
Ewing,	Kelly,	Piper,	Williams, A. D.,
Farabaugh,	Kernaghan,	Polaski,	Williams, E. S.,
Fetterolf,	Kessler,	Polen,	Wilt,
Filo,	King,	Pursley,	Worley,
Fineman,	Kistler,	Reibman,	Yetter,
Flynn,	Klein,	Reidenbach,	Zember,
Foerster,	Knecht,	Renwick,	Andrews, Speaker
Fox,	Kornick,	Riley,	
Frascella,	Kramer,		

NAYS—30

Ashton,	Gross,	Magee,	Royer,
Auker,	Hocker,	Markley,	Slack,
Blair,	Holliday,	May,	Stiteler,
Bower,	Keiser,	McCandless,	Ujobai,
Down,	Kooker,	McInroy,	Willard,
Elvey,	Korns,	Miller,	Wood,
Eshleman,	Lee, A. M.,	Ogilvie,	Zimmerman,
Foor,	Lee, K. B.,		

NOT VOTING—16

Anderson, J. H.,	Lippincott,	Musto,	Steckel,
George,	McNally,	Prendergast,	Tompkins,
Guthrie,	Merry,	Price,	Wall,
Lamb,	Murray,	Simmons,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mrs. MARKLEY filed the following reasons for voting on House bill No. 53.

I would like to file my reasons for voting against House bill No. 53, printer's No. 1017, March 21, 1961:

Every citizen should have the right to vote and cer-

tainly a change of residence should not affect the vote of electors for President and Vice President.

However, the bill in its present form violates the principal of Home Rule. In areas where there is an influx of population due to industrial expansion, a 90-day residence is not a sufficient period for individuals to become aware of the needs of a community. An example would be bond issues on schools, roads or similar improvements which would necessitate increased taxation.

I feel strongly that a very worthy project which would be advantageous to the welfare of the citizens of a community might be defeated because of a lack of understanding and appreciation of new citizens in our State.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 343, entitled:

An Act establishing and regulating the fees to be received and charged by the prothonotary of the courts of common pleas of this Commonwealth in counties of the second class.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Walsh.

Mr. WALSH. Mr. Speaker, under the law, article 14, section 5, the Pennsylvania Constitution contemplates that the prothonotary's office, like other fee offices, shall be operated without cost to the county's general tax revenue fund. This underlying principle we can all readily subscribe to. It is that those who use the services provided by the prothonotary's office should pay the costs thereof. This principle is accepted at least to the extent that the salaries of the prothonotary's office personnel should be met by revenue derived from the services provided. The county, in practice, has continued to bear the burden of the overhead expenses other than the personnel salaries.

The prothonotary's office of Allegheny County, under David B. Roberts, has been proclaimed as a model of efficiency and has been the object of scrutiny by court officials from various parts of the country interested in copying its various techniques of operation. The prothonotary of Philadelphia spent a week in Pittsburgh and had very high praise for this office, also, the prothonotary from Louisville, Kentucky. Every year the seniors from Pitt are brought down and taught the workings of this office, that is, the Pitt Law School seniors.

Until recently the fees obtained from services rendered enabled the Allegheny County prothonotary to meet the salary appropriations of the office, and, in some instances, to return an excess sum to the county treasurer to cover, at least in part, the other attendant expenses, such as, light, heat, janitor service, and so forth.

Just recently there was installed in the prothonotary's office in Allegheny County, together with that of the office of the registrar of wills, which is on the same floor, a new lighting system. It cost $62,500. The tab for this was picked up by the general taxpayers of Allegheny County.

However, in recent years the experience has been that the growing volume of business in the second busiest office of its kind in the State, conducted at low service fees, some of which have not been changed for decades, has forced the use of general county tax funds to meet the payroll costs. In 1959, the latest available figure that we have published by the controller's office of Allegheny County, the controller's report showed that the prothonotary's office had revenues of $629,596.07 and expenditures for salaries of $718,821.88, or a loss to the county from the operation of this office of $89,225.81. This is just for the salaries, nothing else. Along this line, the other fee offices in Allegheny County showed a gain. The sheriff's office showed a gain of $62,385.03; recorder of deeds, $147,183.74; register of wills, $77,448.27; clerk of courts, $86,718.30; district attorney's office, $49,998.71; and the coroner, $35,905.85. The deficiency in the prothonotary's office was kept at this low level by reductions in the work force and the strictest economy. At the present time the prothonotary's office is understaffed by 13 men. The results of 1960 are falling in line with the results of 1959 as to revenues. Last month the office lost approximately $7,100. As I said before, if you try to keep the cost down so there will not be a big deficit, there are still 13 positions unfilled.

The essential work of this office must be performed irrespective of the necessary charges to general tax funds, and the only fair solution in keeping with the philosophy that those who patronize the office should shoulder the expense of operation is to increase the charges for the services rendered.

We have attempted to do so in this bill. The bill represents an even-handed attempt to reflect in the charges the costs of rendering the services. Several items have been reduced to conform to the established fees for similar services. The big revenue items volumewise are the entry of tax liens, suggestions and averments of unpaid taxes. This work is very time-consuming and occupies a substantial segment of the prothonotary's work force. The $1 fee for these items, which has been in effect for many, many years, has been patently insufficient to cover the costs of these services. It is therefore proposed in the bill that the costs be raised to a $2 level, which will bring it in line with the fees charged for these same services in counties of the fourth to eighth class.

The bill, likewise, provides for an increase in the fee for the entry of judgments from $2.75 to $5. It was felt that the existing fee was disproportionate to the costs incurred in rendering the service.

We hope this bill will produce enough revenue so the prothonotary's office will be self-sustaining and enable it to continue to perform its assigned duties in an efficient and economical manner. Remember, any money taken in over and above the salaries and expenses goes into the treasury of Allegheny County, thereby cutting down the cost to the taxpayers. I humbly ask that every person on both sides of this aisle sees fit to vote for this bill. Thank you.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I desire, particularly, that the gentleman from Allegheny, Mr. Walsh, listen to my remarks very carefully and, if in any respect my figures or observations are unsound, let him correct me. If I am not unsound or wrong, then every member on both sides of the House must vote in the negative.

What kind of a bill do we have here today? We have a bill which does not amend the present existing law; we have a bill which is entirely new. It is impossible to

read it. It is impossible to make an accurate determination of how much revenue will come in under this bill. The manner in which this bill was drafted was either planned confusion or unconscious confusion.

I say, if the prothonotary of Allegheny County has a sound argument in favor of the passage of the bill, he should present the facts to us and say why the prothonotary said he needs more money. Under his own signature, by a letter dated February 19, 1961, addressed to Lee A. Donaldson, a member of the House, here is what the prothonotary says he needs. I read the letter over his own signature. Listen to me carefully.

> The paramount question, however, regarding the above bill is pointed out in the fact that during the last six months of 1960 the fees taken in by the prothonotary's office did not equal the outgo to cover the expenses of the salaries of the employes. It can easily be seen, therefore, that unless there is an increase in the revenue, and because of the constitutional limitations, there will be an impairment in the operation of the office. This would have a direct and immediate effect, not only upon the office, but upon the court. It is estimated that if the General Assembly were to enact House bill 343 as it presently is, there would be an increase in the overall revenue of the office of approximately $40,000 to $50,000 per year.

If that were the fact, I would join with Mr. Walsh in supporting the bill.

Insofar as I can determine, the minimum revenue to be obtained from this bill is not less than $200,000 a year and possibly $500,000 a year.

Now, do you want to vote for the bill with your eyes closed? If so, do it. Let me tell you what this bill contains.

Number one, it contains an increase in suggestions and averments of $1 a piece. How many were filed in 1960? Over 100,000; 103,000, and that is $103,000. It contains tax lien increases of $1 at 34,000; that is $34,000. Correct me if I am wrong. And, DTD's—16,000 of them; that is $16,000. Reports to county commissioners, an increase of $8,000 for costs of filing confessed judgments. Who has to pay the cost on confessed judgments? The poor. What does that amount to? That amounts to almost $43,000. Now, add those items up and you obtain $200,000. I can go through them item after item here; increased cost of transcript, an increase of from 25 to 50 cents.

These may sound insignificant by themselves, but taken as a whole they multiply.

I want to call your serious attention to the historical background on some of these matters. Back in 1956 the prothonotary was engaged in litigation with the attorney general of the Commonwealth of Pennsylvania because he demanded a $3 docket fee. So in the case of the Commonwealth ex rel Herbert Cohen, then attorney general, versus Roberts, Judge Soffel handed down a decision stating that the prothonotary was not entitled to a $3 docket fee.

I would like to have the gentleman from Allengheny, Mr. Walsh, explain if he can—or Mr. Kamyk, who was a cosponsor of the bill—whether I am wrong or right in my analysis.

On page 8 of this bill it states under "Equity Docket Fees":

> "All other docket entries before filing of pleas or entering of judgment of each docket page or fraction thereof used . . . $3.00."

And then there is a catch-all clause to which the gentleman referred, that wherever similar services are rendered the prothonotary is entitled to another $3. I say, when you examine this bill you see tens of thousands of incidents annually where the prothonotary will be able to demand what he was refused in the case of the Commonwealth ex rel Herbert Cohen. This will be another $100,000, if he follows the principles he desires to in that particular case.

So, I say to you, if you will examine the bill, the prothonotary himself said he needed $50,000. Let us give him $50,000. Why all of this sudden desire for extra money? Year after year the prothonotary of Allegheny County says, I am returning money to the citizens of Allegheny County. He boasted that he returned $1 million. Why the sudden need for this money? For ten long years or more he has bragged about the fact that he returned money.

Since the gentleman from Allegheny, Mr. Walsh, has stated that the office is undermanned, I wish you would examine this particular sad situation. According to the annual report of the prothonotary for the year 1960, approximately 1,000 fictitious names were registered in Allegheny County at a cost of $5.25. The prothonotary obtains $5,250 from that source, of which 90 percent came in off the street voluntarily. I challenge the gentleman from Allegheny to deny this statement, that there are at least five or six men drawing an average salary of $5.00 a piece, or $25,000, to bring in approximately $1,000. Am I right or wrong?

Now, are we going to vote for legislation which, in my opinion, as it now stands, is not to help the taxpayers of Allegheny County but to increase a payroll? We cannot afford to do this. I want to point out to you that if this bill only contemplated the enactment of legislation to balance the budget to give the working men in this particular office what they are entitled to increase, I would cosponsor the bill. I suggest the gentleman from Allegheny, Mr. Walsh, should ask that the bill be recommitted. They should have a bill whereby everything is bracketed, an honest bill, an intelligent bill, a bill whereby you know what you are doing. You are buying a pig-in-a-poke here. You are just doing something because you have been asked to do so. If you intend to vote for legislation of that character, let your conscience be your guide.

I have spoken at great length, although I did not particularly desire to be involved in a dispute of this character, because it is my unfortunate task from time to time to oppose bills involving some of the row offices of Allegheny County. I only desire to do so because I think it is my legislative obligation so to do.

Incidentally, of the moneys which are provided for suggestions and averments, for tax liens, these do not come from the average individual, these come from the taxpayers of Allegheny County. Of the money spent by the prothonotary in 1959, over $100,000 came from the county budget.

You have the facts here. If the prothonotary needs $50,000, let us give him $50,000. Let us not give him

$200,000 of a certainty, and a possibility of twice as much as that.

I have addressed certain questions to the gentleman from Allegheny. If he says I am wrong in my particular statements and assertions, let him challenge them and point out where I am wrong.

In summary, I can say this: I am suggesting that the men on both sides of the aisle forget their political affiliations and vote for this measure as if they are making a decision as to whether or not they were going to mortgage their own house for $15,000 when he needs $10,000. He is going to throw $5,000 away that is not needed.

If you vote yes, you are voting to throw away money. If you vote no, you are voting for sound, safe government, and, above all, you are voting against inflation in government today.

Thank you very much.

Mr. WALSH. Mr. Speaker, we will take first things first. In reference to the letter, Mr. Goldstein was entirely right about the letter, but there is a misunderstanding in the letter. The intent was that there would be $50,000 as apportioned over and above the cost of operating this office.

As I said, the prothonotary of Allegheny County in this letter is not very plain, and I will admit the intent was that over and above the cost of the fees in this office in reference to the revenue would leave a cushion of $50,000.

As to what the court says as to the item on page 8, I know nothing at all about that. The only thing is that we copied the language that was in the old bill on page 8.

I will admit that this bill will bring in the neighborhood of $50,000. I will admit, as has been suggested in the debate, that some of the peple do use this office, but there are quite a few other people in Allegheny County who do not use this office who are picking up the tab every year to the extent of close to $200,000 to maintain this office.

If Mr. Goldstein feels this bill is going to bring in $400,000 or $300,000, if after this year this bill becomes a reality—remember that all monies over and above the cost of operating this office goes back to all the taxpayers of Allegheny County—I will be only too willing to co-sponsor a bill with him to cut these fees that are taking in an exorbitant amount of money.

True as he says, Mr. Roberts has said he turned back a million dollars. Not only is this true of Mr. Roberts, but his predecessor, the present clerk of courts, the present coroner, the recorder of deeds and the register of wills.

It is only paper talk. Inasmuch as they never take into consideration, as I said before, the city—county building, there is space there that has got to be maintained; there is light and heat, janitor service, elevator service, as I point out. There is a license fee that has to be raised for turning over to the commissioners for the personal property. But that is only paper work. It makes no difference how much we charge the commissioners in Allegheny County because anything they do above the actual office costs goes back to them.

As I said, I trust that everybody will vote for this bill, and I will be the first one, if after this has been given a test of a year and it shows an exorbitant amount, Mr. Goldstein, I will be only too happy to co-sponsor a bill with you.

Mr. KAMYK. Mr. Speaker and members of the House, I am a co-sponsor of this bill. It is most unfortunate that I am not an attorney and therefore the fees do not involve me too much, and for that reason I cannot be as technical as my colleague on the other side, Mr. Goldstein, who is an attorney. My co-sponsor also is not an attorney. I do not know why, maybe the members of the House sort of surmise why, but I do not know why the two sponsors on the bill are both laymen and neither of them is an attorney.

Ladies and gentlemen of the House, I did the best I could to study this particular measure and I know there were acts passed and amended; there were four of them from 1915 on. If I am correct, it was 1915, 1945, 1951; anyway, the last was in 1956.

Now, Mr. Goldstein brought up one point, that the bill is completely rewritten. The information I received that this was rewritten because it was sort of a fee code in the prothonotary's office. It will make it a whole lot easier for attorneys. We are going to have them all listed in one code instead of having to look up the different acts that were passed by the Legislature.

Now what the bill will bring in revenues depends on who you want to believe, whether you want to believe the people from the prothonotary's office or whether you want to believe Mr. Goldstein. However, I know from experience that in the past this House of Representatives received over-estimated and under-estimated figures. Now Mr. Walsh says the bill will possibly bring in about $150,000 and he got that information from the prothonotary's office, from the men who administrate that office.

So it all depends on whose word you want to take. Now I am a sponsor and I am taking the word of the prothonotary's office because he has proof that, there were additional amounts of money in the past years that were left over in that particular fee fund and this remainder was rightly turned over to the county. The prothonotary is running a good office, and all the attorneys I talked to said the service is good in the prothonotary's office.

Now maybe there are some to whom I did not talk, but there are those who agree that the fees are agreeable to most attorneys.

Ladies and gentlemen, I do not know if I am going to be interrogated, but if I am interrogated on these different fees, they may not get good answers from me because I am not an attorney and therefore not too familiar with these individual fees. But I do know that the prothonotary's office in recent years has been operating at a loss.

I am informed that in 1959 the prothonotary's office operated at a loss of about $80,000. This loss was supplemented by the general tax treasury from Allegheny County. It is my belief that fee offices should be self-supporting and, that is, by the fees from the people who get the service.

I do not know at what loss the prothonotary's office operated during 1960. It is most difficult to estimate what the loss may be in the future. Perhaps the business of the office will be good due to required services. If we find that the prothonotary's office operates greatly in the black, we can correct this situation in the next session.

Mr. McCANN. Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Cauley.

Mr. CAULEY. Mr. Speaker, the principle that is involved here is the right of the legislature under the Constitution to receive information. With a payroll of this ex-

tent we are entitled to a preview because it is the only way we can be pursuaded. These are all statements self-sufficient within themselves perhaps, but they do not fulfill my obligation to my people in my county and perhaps yours as well, when I have to evaluate a bill in this fashion. If we had a staff of investigators as legislators that could look at the bill, but that is not so. We must depend on the other departments of the government, the judicial and the executive. This is a bill under the judicial. We are entitled to information about it. We are entitled, with a payroll of this extent, to know exactly what is involved in that bill. I cannot tell what is in that bill. Thank you.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I am deeply appreciative of the remarks of the gentleman from Allegheny, Mr. Cauley. It only illustrates, as it were, that what we need on legislation of this character is light. If the prothonotary or any other person is demanding an increase in fees, then a statement, made by a proper individual outlining the needs, demands, and setting forth in detail the payroll, should be given to us. Insofar as the gentleman from Allegheny, Mr. Kamyk, is concerned and the gentleman from Allegheny, Mr. Walsh, is concerned, I did not interrogate them because they are not lawyers. But I will say this, if I have erred in anything, there are lawyers on the other side of the aisle who can correct me.

I say sincerely the proper thing to do with this bill, and I suggest it to Mr. Walsh, is to recommit the bill, give us an outline of the facts as desired and suggested by the gentleman from Allegheny, Mr. Cauley, and then if the facts are on his side, I will change my mind. But on the facts as I have it here on this particular type of legislation which no one can solve, I am convinced that the prothonotary on this particular fee bill will cost the taxpayers more money, will cost litigants more money, and will make more money than is necessary to operate his office.

Mr. WALSH. Mr. Speaker, perhaps there would have been an easier way to do this by bracketing out the certain items. I took it up with the solicitor, with the prothonotary. He told me he wanted a complete bill, he did not want one that was changed and amended over a period of years. The reason we did not have any attorneys on this bill is that we did not want to embarrass them. They work with other attorneys, and any attorney does not want to put extra costs or burdens on his colleagues. As far as costing the people of Allegheny County any money, the general taxpayer, it could not possibly cost them any money because anything over and above would go back to them. All attorneys use the prothonotary's office. I am accepting 100,000 suggestions from the people to their averment. I am accepting 18,500 DTD's; I am accepting 34,000 tax liens. I am not an attorney, but I did go to the different people in this office, the men who are working every day with this kind of work, and I got these figures from them. The closest I can get to what this bill will bring in is around $600,000. Now if it is going to cost the people of Allegheny County, and they are appropriating, $814,000 more for this year in the budget to run this office, it is going to be a tab of $150,000 or $160,000 to be picked up by the taxpayers of Allegheny County. I trust I have made my position clear. I want you to know I am entirely sincere in everything I say about this bill. I believe these figures are correct because the people who gave them to me had no reason to lie to me. I looked over the figures and I do not honestly believe this bill will bring any more than it is going to cost to run this office.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Anderson, S. A.,	Gailey,	Maxwell,	Reidenbach,
Arlene,	Gallagher,	McCann,	Renwick,
Bachman,	Gelfand,	McCormack,	Riley,
Boles,	Gray,	McDevitt,	Rovansek,
Bonner,	Gremminger,	McDonald,	Rubin,
Branca,	Guesman,	McInroy,	Rudisill,
Breth,	Hamilton,	McKeever,	Sakulsky,
Capano,	Hankins,	McLaughlin,	Scarcelli,
Capitolo,	Hartley,	Meholchick,	Schaaf,
Cianfrani,	Heavey,	Mihm,	Schuster,
Cioffi,	Holliday,	Mills,	Shelton,
Clarke,	Irvis,	Monroe,	Sherman,
Comer,	Jenkins,	Morley,	Shupnik,
Cooley,	Jim,	Mullen,	Stank,
Crossin,	Jones,	Munley,	Stone,
Curwood,	Kamyk,	Murphy,	Sullivan, J. A.,
Dennison,	Kelly,	Needham,	Sullivan, T. F.,
Dougherty,	Kessler,	O'Dell,	Taylor,
Doughten,	Klein,	O'Donnell, J. A.,	Tomascik,
Down,	Kornick,	O'Donnell, J. P.,	Truslo,
Eilberg,	Korns,	Parlante,	Verona,
Farabaugh,	Kramer,	Pashley,	Walsh,
Filo,	Lawson,	Perry,	Wargo,
Fineman,	Leonard,	Petrosky,	Welsh,
Flynn,	Limper,	Polaski,	Yetter,
Foerster,	Long, Wm. Jas.,	Polen,	Andrews,
Frascella,	Long, Wm. Jos.,	Reibman,	Speaker
Fry,	Lutty,		

NAYS—83

Adams,	Fox,	Kernaghan,	Slack,
Ashton,	Fulmer,	King,	Snare,
Auker,	George,	Kistler,	Stimmel,
Backenstoe,	Gibb,	Knecht,	Stiteler,
Blair,	Gibbons,	Kooker,	Strausser,
Bossert,	Goldstein, J. H.,	Lee, A. M.,	Thompson,
Bower,	Goldstein, M. H.,	Lee, K. B.,	Tompkins,
Bowman,	Goodrich,	Magee,	Ujobai,
Buchanan,	Gramlich,	Manbeck,	Varner,
Bush,	Haudenshield,	Markley,	Weidner,
Cauley,	Heffner,	Marsh,	Wescott,
Davis,	Helm,	May,	Whittaker,
Dengler,	Henzel,	McCandless,	Willard,
Donaldson,	Hocker,	Miller,	Willaredt,
Edwards,	Holman,	Odorisio,	Williams, A. D.,
Elvey,	Horst,	Ogilvie,	Williams, E. S.,
Eshback,	Isaacs,	Piper,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Royer,	Worley,
Fetterolf,	Keiser,	Rutherford,	Zember,
Foor,		Seltzer,	Zimmerman,

NOT VOTING—15

Anderson, J. H.,	Lippincott,	Musto,	Steckel,
Gross,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Wynd,
Lamb,	Murray,	Simmons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. CAULEY filed the following reasons for his vote on House bill No. 343.

My vote against House bill 343, session of 1961, printer's bill 1020, is predicated upon the refusal of the prothonotary of Allegheny County to furnish proper estimates of

anticipated revenues on chargeable items for the year 1961, projected upon the prior experience of his office in connection with this proposed bill.

The statements of a projected balance by the co-sponsor after payment of anticipated deficits without fully supporting statistics together with the explanation that any excess over operating expenses will be turned over to Allegheny County, does not justify a refusal to furnish the information requested. No written statement has been presented for study or evaluation.

Such a request for information justifying the proposed bill in no way interferes with or seeks to advise how that office should be operated.

I think it can be accepted as a fact that we are now engaged in attempting to extricate ourselves from the depths of a widespread recession. The county commissioners of Allegheny County have acknowledged it and will hold fast to existing economics. The cosponsor of this bill, John Walsh, publicly acknowledged it a week past, in announcing his candidacy as the mayoralty candidate in the city of McKeesport.

Not one word has been spoken about economics either being practiced or in prospect. Yet more than 20 items are new, and the proposed raises in existing fees do not appear to be justified. It must be realized this is not a tax office but one that furthers the processes of justice.

If additional moneys be required, let those be shown, and I will accept responsibility for raising fees by my vote.

Yet, the committee of members from Allegheny County as formed and which did meet with the prothonotary's designated employee-representatives on February 22, 1961, has not received any statement.

Thus, in the absence of supporting statistics justifying increases of these proportions, and to fulfill my obligations to my constituents and citizens at large, my vote is to be noted, as against House bill 343, printer's bill 1020.

The SPEAKER. Will the gentleman from Armstrong, Mr. Helm, come to the desk and preside?

MR. HELM IN THE CHAIR

BILLS ON FINAL PASSAGE

BILLS PASSED OVER

There being no objection

House bill No. 355, printer's No. 1131,

House bill No. 356, printer's No. 1130 and

House bill No. 387, printer's No. 1132

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 423, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating field meets and trials.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams,	Frascella,	Kramer,	Riley,
Anderson, S. A.,	Fulmer,	Lawson,	Rovansek,
Arlene,	Galley,	Lee, A. M.,	Royer,
Ashton,	Gallagher,	Lee, K. B.,	Rubin,
Auker,	Gelfand,	Leonard,	Rudisill,
Bachman,	Gibb,	Limper,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Boles,	Goldstein, M. H.,	Lutty,	Schuster,
Bonner,	Goodrich,	Magee,	Seltzer,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Markley,	Sherman,
Bowman,	Gremminger,	Marsh,	Shupnik,
Branca,	Guesman,	May,	Slack,
Buchanan,	Hamilton,	McCandless,	Snare,
Bush,	Hankins,	McCann,	Stank,
Capano,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Heffner,	McKeever,	Strausser,
Clarke,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Mihm,	Taylor,
Crossin,	Holliday,	Miller,	Thompson,
Curwood,	Holman,	Monroe,	Tomascik,
Davis,	Horst,	Morley,	Tompkins,
Dengler,	Irvis,	Mullen,	Trusio,
Dennison,	Isaacs,	Munley,	Varner,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Needham,	Walsh,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	O'Donnell, J. P.,	Welsh,
Eilberg,	Kamyk,	Odorisio,	Wescott,
Elvey,	Keiser,	Ogilvie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Wood,
Fineman,	Klein,	Polen,	Worley,
Flynn,	Knecht,	Pursley,	Yetter,
Foerster,	Kooker,	Reibman,	Zember,
Foor,	Kornick,	Reidenbach,	Zimmerman,
Fox,	Korns,	Renwick,	

NAYS—2

Breth,	Mills,

NOT VOTING—26

Anderson, J. H.,	Lamb,	Musto,	Steckel,
Capitolo,	Lippincott,	Perry,	Ujobai,
Farabaugh,	Maxwell,	Prendergast,	Wall,
Fry,	McCormack,	Price,	Willaredt,
George,	McNally,	Sakulsky,	Wynd,
Gross,	Merry,	Simmons,	Andrews, Speaker
Guthrie,	Murray,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. SAKULSKY. Mr. Speaker, I wish to be recorded as voting "aye."

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland, Mr. Sakulsky, who states that had he voted on the bill he would have voted "aye." His remarks will be spread upon the record.

The Chair recognizes the gentleman from Philadelphia, Mr. Perry.

Mr. PERRY. Mr. Speaker, I voted "aye" on that last bill, but it was not recorded on the board. Will you make sure it is recorded on the tally?

The SPEAKER pro tempore. The gentleman cannot be recorded after the roll has been locked, but the gentleman's remarks will be spread upon the record.

The Chair recognizes the gentleman from Philadelphia, Mr. Capitolo.

Mr. CAPITOLO. Mr. Speaker, I tried to get your attention, but I guess you were busy. I tried to vote "aye" but was not recorded.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

The Chair recognizes the gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, I wish to be recorded as voting "aye."

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

BILL PASSED OVER

There being no objection

House bill No. 455, printer's No. 1134

was passed over at the request of Mr. McCANN.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House bill No. 6, printer's No. 885

was passed over temporarily at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 297, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), further regulating the appointment of personnel in institutions within the Department of Public Welfare.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. FINEMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Messrs. STANK and ROVANSEK and were as follows:

YEAS—161

Adams,	Fox,	Kistler,	Polen,
Anderson, S. A.,	Frascella,	Knecht,	Pursley,
Arlene,	Fry,	Kooker,	Reibman,
Ashton,	Fulmer,	Kornick,	Renwick,
Auker,	Gailey,	Korns,	Riley,
Bachman,	Gallagher,	Lawson,	Royer,
Backenstoe,	Gelfand,	Lee, A. M.,	Rubin,
Blair,	Gibb,	Lee, K. B.,	Rudisill,
Boles,	Gibbons,	Leonard,	Rutherford,
Bossert,	Goldstein, J. H.,	Limper,	Sakulsky,
Bower,	Goldstein, M. H.,	Long, Wm. Jos.,	Scarcelli,
Bowman,	Goodrich,	Lutty,	Seltzer,
Buchanan,	Gramlich,	Magee,	Shelton,
Bush,	Gray,	Manbeck,	Sherman,
Capitolo,	Gremminger,	Markley,	Shupnik,
Cauley,	Guesman,	Marsh,	Slack,
Cianfrani,	Hankins,	Maxwell,	Snare,
Cioffi,	Hartley,	May,	Stimmel,
Clarke,	Haudenshield,	McCandless,	Stiteler,
Comer,	Heavey,	McCann,	Stone,
Cooley,	Heffner,	McCormack,	Strausser,
Curwood,	Helm,	McDevitt,	Sullivan, T. F.,
Davis,	Henzel,	McInroy,	Thompson,
Dengler,	Hocker,	McKeever,	Tomascik,
Dennison,	Holliday,	McLaughlin,	Tompkins,
Donaldson,	Holman,	Meholchick,	Trusio,
Dougherty,	Horst,	Mihm,	Varner,
Doughten,	Irvis,	Miller,	Verona,
Down,	Isaacs,	Mills,	Weidner,
Edwards,	Jenkins,	Monroe,	Welsh,
Eilberg,	Jim,	Morley,	Wescott,
Elvey,	Johnson, A. W.,	O'Dell,	Whittaker,
Eshback,	Johnson, R. P.,	Odorisio,	Willard,
Eshleman,	Jones,	Ogilvie,	Williams, A. D.,
Ewing,	Kamyk,	Parlante,	Williams, E. S.,
Farabaugh,	Keiser,	Pashley,	Wilt,
Fetterolf,	Kelly,	Perry,	Wood,
Filo,	Kernaghan,	Petrosky,	Worley,
Fineman,	Kessler,	Piper,	Zember,
Foerster,	King,	Polaski,	Zimmerman,
Foor,			

NAYS—23

Bonner,	Hamilton,	Murphy,	Schaaf,
Branca,	Klein,	Needham,	Stank,
Breth,	Kramer,	O'Donnell, J. A.,	Sullivan, J. A.,
Capano,	McDonald,	O'Donnell, J. P.,	Wargo,
Crossin,	Mullen,	Reidenbach,	Yetter,
Flynn,	Munley,	Rovansek,	

NOT VOTING—23

Anderson, J. H.,	Long, Wm. Jas.,	Price,	Wall,
George,	McNally,	Schuster,	Walsh,
Gross,	Merry,	Simmons,	Willaredt,
Guthrie,	Murray,	Steckel,	Wynd,
Lamb,	Musto,	Taylor,	Andrews,
Lippincott,	Prendergast,	Ujobai,	Speaker

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on agricultural commodities imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN. Mr. Speaker, are there two sets of amendments being offered, or only one?

The SPEAKER pro tempore. The gentleman has informed the Chair that he is offering two sets of amendments, the first set which is not controversial.

Mr. McCANN. The first set of amendments, dealing with the word "apples" are noncontroversial, so there will be no question.

The SPEAKER pro tempore. The Chair would inquire of the gentleman if he has submitted the right set of amendments?

Mr. ASHTON. Mr. Speaker, I have not.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair is informed that we now have the proper set of amendments before the House and they are noncontroversial amendments dealing with only the word "apples."

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ASHTON asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by striking out "agricultural commodities" and inserting: "apples."

Amend Sec. 1, page 2, line 2 by striking out "Agricultural Commodities" and inserting: "Apple."

Amend Sec. 2, page 3, lines 2, 3 and 4 by striking out all of lines 2 and 3 and "(2)" in line 4 and inserting: "(1)."

Amend Sec. 2, page 3, line 5 by inserting after "producing": "apples."
Amend Sec. 2, page 3, line 5 by inserting after "causing": "apples."
Amend Sec. 2, page 3, lines 5 and 6 by striking out "any agricultural commodities."
Amend Sec. 2, page 3, line 7 by striking out "(3)" and inserting: "(2)."
Amend Sec. 2, page 3, line 9 by striking out "(4)" and inserting: "(3)."
Amend Sec. 2, page 3, line 11 by striking out "(5)" and inserting: "(4)."
Amend Sec. 2, page 3, line 12 by inserting after "the": "apple."
Amend Sec. 2, page 3, line 12 by striking out "concerned."
Amend Sec. 2, page 3, line 14 by striking out "(6)" and inserting: "(5)."
Amend Sec. 3, page 5, line 12 by striking out "agricultural commodities" and inserting: "apples."
Amend Sec. 3, page 5, line 20 by striking out "agricultural commodities" and inserting: "apples."
Amend Sec. 4, page 6, line 9 by inserting after "by": "apple."
Amend Sec. 4, page 7, line 18 by inserting after "the": "apple."
Amend Sec. 4, page 8, line 4 by striking out "each" and inserting: "the."
Amend Sec. 5, page 8, line 14 by striking out "agricultural commodities" and inserting: "apples."
Amend Sec. 5, page 8, lines 16 and 17 by striking out "Any agricultural commodities" and inserting: "apples."
Amend Sec. 6, page 9, line 17 by striking out "effected" and inserting: "affected."
Amend Sec. 7, page 10, lines 15 and 16 by striking out "AGRICULTURAL COMMODITIES" and inserting: "apples."
Amend Sec. 9, page 12, line 11 by striking out "agricultural commodities" and inserting: "apples."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the **bill** on third reading as amended?

Mr. ASHTON asked unanimous consent to offer additional amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 6, page 9, line 18; page 10, line 1 by striking out "of those replying not less than" and inserting: "more than fifty per centum by number reply to the referendum and if of those replying."
Amend Sec. 6, page 10, line 1 by inserting after "per centum": "or more."
Amend Sec. 6, page 10, line 1 by striking out "not less" and inserting: "more."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. ASHTON. Mr. Speaker, these amendments, in my mind, improve this bill in that they provide for a fair vote on the referendum. As the bill is written now it says that two-thirds of those voting can make the marketing agreement effective. This, I believe, is not fair, because a cohesive minority could bring about a marketing order situation.

My amendments provide that 50 percent of the producers have to vote, and then two-thirds of those voting have to vote in favor before the marketing order will become effective. That, in effect, means that one-third of the producers will be able to force a marketing order on the remaining two-thirds. That, I believe, is as low a percentage as this House should contemplate. It would, to my mind, be very disastrous if, say, maybe 5 percent or 3 percent could force a marketing order on the remaining 95 percent of the producers or 97 percent of the producers.

In the 1959 session House bill 1336 was introduced, which was a very similar bill, and it passed the House. The provisions in that marketing order bill reads that more than 50 percent by number reply to the referendum and, if of those replying 66-2/3 percent or more by number assent, the proposed order should become effective.

These amendments that I am offering now provide for the very same thing that was provided for in the bill of the 1959 session and I believe they are just and reasonable. If anyone thinks that a marketing order should become effective and be adopted with less than one-third of the producers voting in favor of it, I wish they would get up and say so. Personally, I do not think that a figure of one-third is too high to be required to adopt a marketing order.

I ask that both sides of the House vote in favor of these amendments and I request a roll call.

Mr. SELTZER. Mr. Speaker, I wish to speak on the amendments.

The SPEAKER pro tempore. The gentleman is in order.

Mr. SELTZER. Mr. Speaker, in today's Evening News there is a very pertinent article that pertains to this very bill and to the amendments under discussion. If I may, I would like to quote it. It says, and I quote:

The legislation provides that two-thirds of the producers, representing more than 50 percent of the total volume of apples grown, would have to approve before any organization could be set up to do the promotion work.

Mr. Speaker, this is not a true statement of fact. It is not my intention to stand here and deride the public press for printing this information, because they got it directly from the secretary of the Pennsylvania Department of Agriculture. Again, I would like to quote from their publication dated March 16 of this year, just last week, where they say:

A marketing order would not be permitted until two-thirds of the affected growers voted favorably in a referendum.

Mr. Speaker, these statements are deceiving to the farmers, the people, and the public in Pennsylvania. This is not what the bill says. It is not what the amendments are intended to do because the bill says an order may be permitted if of those replying not less than two-thirds by number and not less than 50 percent by volume assent to the proposed order. There is a big difference between two-thirds of the growers and two-thirds of those voting. In the first case, 800 apple growers would determine whether or not there should be an order. In the second case, if only 10 apple growers voted, seven of them could put the order into effect and this would apply to all growers. Mr. Speaker, this is a first-degree deception given to the farmers and the people of Pennsylvania.

If I have learned anything since I have been a member of this House of Representatives, it has been that when a department hides the whole truth from the people, the members of the General Assembly, and the public press, there is usually something rotten in Denmark.

For this reason, Mr. Speaker, I ask the members on both sides to support the amendments that are offered by my colleague from Chester, Mr. Ashton.

PARLIAMENTARY INQUIRY

Mr. McCORMACK. Mr. Speaker, for my own edification I would like to raise a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCORMACK. Where we have adopted amendments to a bill on third reading and then there is another amendment offered, is it in order to consider this second amendment when the amended bill is not in print?

The SPEAKER pro tempore. It is the opinion of the Chair that as many sets of amendments as are desired by the members can be offered to a bill on third reading and the bill will be prepared for final passage with those amendments that are adopted.

Mr. FARABAUGH. Mr. Speaker, I can appreciate the thought that my friend, Mr. Ashton, has brought up here, of the possibility of a few deciding what the many shall do. However, if you look on page 11, line 2, it says that if 10 percentum of the producers who participate in the referendum effecting a marketing order request in writing that a referendum be held on the question of terminating the order, the secretary must announce and conduct such a referendum. I think that is a safeguard to take out the danger that was demonstrated here as a possibility.

Therefore, I think we should not add these amendments and I would ask you to vote against the amendments.

Mr. ASHTON. Mr. Speaker, that 10 percentum clause is in there. However, I do not think that is very effective because it says, "If 10 percentum of the producers who participated in the referendum. If there are only 10 people who participated in the referendum, only one would have to petition to have the marketing order terminated and that, again, is unfair on the other side of the fence. I think there are not enough people required to vote either for the marketing order or to initiate the request to have the marketing order repealed.

LEAVE OF ABSENCE WITHDRAWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Anderson.

Mr. ANDERSON. Mr. Speaker, I had requested a leave of absence for today and I was able to return. I would like to be recorded as being present.

The SPEAKER pro tempore. The Chair thanks the gentleman. The gentleman can be recorded on this bill.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ASHTON and TOMPKINS and were as follows:

YEAS—92

Adams,	Fox,	Kessler,	Pursley,
Anderson, J. H.,	Fulmer,	King,	Royer,
Ashton,	George,	Kistler,	Rutherford,
Auker,	Gibb,	Knecht,	Seltzer,
Backenstoe,	Gibbons,	Kooker,	Slack,
Blair,	Goldstein, J. H.,	Korns,	Snare,
Bossert,	Goldstein, M. H.,	Lee, A. M.,	Stimmel,
Bower,	Goodrich,	Lee, K. B.,	Stiteler,
Bowman,	Gramlich,	Long, Wm. Jas.,	Strausser,
Buchanan,	Gross,	Long, Wm. Jos.,	Thompson,
Bush,	Haudenshield,	Magee,	Tompkins,
Davis,	Heffner,	Manbeck,	Varner,
Dengler,	Helm,	Markley,	Weidner,
Dennison,	Henzel,	Marsh,	Wescott,
Donaldson,	Hocker,	May,	Whittaker,
Down,	Holliday,	McCandless,	Willard,
Edwards,	Holman,	McDonald,	Williams, A. D.,
Elvey,	Horst,	McInroy,	Williams, E. S.,
Eshback,	Isaacs,	Miller,	Wilt,
Eshleman,	Johnson, A. W.,	O'Dell,	Wood,
Ewing,	Johnson, R. P.,	Odorisio,	Worley,
Fetterolf,	Keiser,	Ogilvie,	Zember,
Foor,	Kernaghan,	Piper,	Zimmerman,

NAYS—100

Anderson, S. A.,	Frascella,	Maxwell,	Reidenbach,
Arlene,	Fry,	McCann,	Renwick,
Bachman,	Galley,	McCormack,	Riley,
Boies,	Gallagher,	McDevitt,	Rovansek,
Bonner,	Gelfand,	McKeever,	Rubin,
Branca,	Gray,	McLaughlin,	Rudisill,
Breth,	Gremminger,	Meholchick,	Sakulsky,
Capano,	Guesman,	Mihm,	Scarcelli,
Capitolo,	Hamilton,	Mills,	Schaaf,
Cauley,	Hankins,	Monroe,	Schuster,
Cianfrani,	Hartley,	Morley,	Shelton,
Cioffi,	Heavey,	Mullen,	Sherman,
Clarke,	Irvis,	Munley,	Shupnik,
Comer,	Jenkins,	Murphy,	Stank,
Cooley,	Jim,	Murray,	Stone,
Crossin,	Jones,	Needham,	Sullivan, J. A.,
Curwood,	Kamyk,	O'Donnell, J. A.,	Sullivan, T. F.,
Dougherty,	Kelly,	O'Donnell, J. P.,	Taylor,
Doughten,	Klein,	Parlante,	Tomascik,
Eilberg,	Kornick,	Pashley,	Trusio,
Farabaugh,	Kramer,	Perry,	Verona,
Filo,	Lawson,	Petrosky,	Walsh,
Fineman,	Leonard,	Polaski,	Wargo,
Flynn,	Limper,	Polen,	Welsh,
Foerster,	Lutty,	Reibman,	Yetter,

NOT VOTING—15

Guthrie,	Merry,	Simmons,	Willaredt,
Lamb,	Musto,	Steckel,	Wynd,
Lippincott,	Prendergast,	Ujobai,	Andrews,
McNally,	Price,	Wall,	Speaker

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. SAKULSKY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SAKULSKY. Mr. Speaker, during all of the roll calls this afternoon I was here, present, and voting in the House. On one roll call, House bill 423, printer's No. 1133, the voting machine did not record my vote. Therefore, I move that the vote on this bill be recalled, be declared a mistake and an error, and that a new vote be taken on the bill.

The SPEAKER pro tempore. The motion is not in order. The remarks of the gentleman will be spread upon the record.

Mr. SAKULSKY. Mr. Speaker, the Constitution requires me to be in my seat and vote. According to the Constitution, myself and other members have been deprived of our votes by the machine.

The SPEAKER pro tempore. If the gentleman desires to present a motion to reconsider the vote by which the bill passed finally, he may do so in writing. But it must be in writing.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. McCORMACK. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. McCORMACK. Mr. Speaker, is it not necessary under the rules that in order to file a motion to reconsider the vote you have to vote with the prevailing side, or is that no longer the rule?

The SPEAKER pro tempore. The gentleman is correct.

Mr. McCORMACK. How can the gentleman file a motion if he is not recorded?

The SPEAKER pro tempore. The gentleman is not qualified to make the motion. A motion to reconsider must be in writing, and that motion will be examined before it will be accepted.

Mr. SAKULSKY. Mr. Speaker, I would request that the bill be held here until I have time to make a written motion.

The SPEAKER pro tempore. The bill will be in the possession of the House. The gentleman will have plenty of time to make his motion in writing.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BRETH. I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BRETH. Mr. Speaker, I believe we have this House on record that after a vote was taken by the machine, it was declared in error, it was rescinded, and a new vote taken. Therefore, I believe the gentleman is entirely within his prerogative.

The SPEAKER pro tempore. The Chair believes the gentleman is in error. There has never been a procedure such as that.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. BRETH. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BRETH. Mr. Speaker, if we do find that such a procedure as suggested by the gentleman from Westmoreland, Mr. Sakulsky, can be followed, can that bill be brought back without a reconsideration motion and be voted upon as a mistaken ballot?

The SPEAKER pro tempore. The only way that could be done, of course, would be by unanimous consent of this House.

Mr. BRETH. That is all I wanted to know, Mr. Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. M. H. GOLDSTEIN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. M. H. GOLDSTEIN. Mr. Speaker, did the gentleman from Westmoreland, Mr. Sakulsky, ask that the vote be reconsidered, and did the Chair overrule him?

The SPEAKER pro tempore. The Chair stated that the gentleman could not make a verbal motion for reconsideration. Under our rules it is necessary that that motion be made in writing.

Mr. M. H. GOLDSTEIN. Did I not understand the Chair to state that he overruled him? Has he made a definite decision as yet? Because if he has, then I appeal from the ruling of the Chair and ask for a roll call vote.

Mr. McCANN. Mr. Speaker, so that there will be no misunderstanding, the House rules clearly say, and I have a copy before me, and I should have known better, that any motion for reconsideration must be presented in writing. You will find it in your House rules. You have a copy at your desks.

That can be done without any difficulty. But there is a question when you make a motion for reconsideration in writing wherein the question arises if you voted with the prevailing side. The gentleman from Westmoreland is not recorded as voting on this roll call and, therefore, would not be with the prevailing side, but someone else could make the motion without any difficulty, as long as he or she had voted with the prevailing side.

Mr. M. H. GOLDSTEIN. Mr. Speaker, the majority leader has stated something that relates to the rules of this House. There is a principle in law that the law is superior to a rule of court, and I say that the Constitution of Pennsylvania is superior to the rules of this House. If the fact situation indicates that any member was disenfranchised in voting, he has a right to vote, and I appeal and ask for a ruling by the parliamentarian.

The SPEAKER pro tempore. The Chair would like to inform the gentleman that it is not the intention of this House to deprive any member of the privilege of voting. However, under the rules of the House, and I will read from Rule 69.1, paragraph (e):

> After the voting machine is locked, no member may change his vote, and the votes of tardy members will not be recorded.

Under the Constitution, this House has the right to make its rules. It has made those rules and the Chair is ruling under those rules.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I do not think that covers the fact situation. I understood Mr. Sakulsky to state that he was ready, able and willing to vote. He was not given that opportunity. That is the question.

The SPEAKER pro tempore. I do not believe that is the complaint of the gentleman. The gentleman did not reach his desk in time before the roll was locked.

MOTION TO SUSPEND RULES

Mr. McCORMACK. Mr. Speaker, would the gentleman yield for the purpose of making a specific suggestion that would cover this quite clearly?

Under rule 85 of the House I understand that we have

a right at any time, so long as it is not in violation of the Constitution, to move to suspend the rules of the House for a specific purpose. That being so, I would like to make a motion, which must be adopted by a majority of the House, that we suspend the rules of the House for the specific purpose of allowing the gentleman from Westmoreland to be recorded on that vote.

The SPEAKER pro tempore. In answer to the gentleman from Philadelphia, Mr. McCormack, if the House decides to suspend the rules to permit the gentleman to vote, of course, that can be done. That takes 106 votes.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. FINEMAN. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. Mr. Speaker, what procedure shall this House adopt if, after a vote has been recorded and the machine is locked, it is obvious that the machine has made an error in that it has not recorded, let us say, the votes of a half dozen members who were in their seats and voted?

The SPEAKER pro tempore. The gentleman is raising a question, of course, which is not the case in this particular instance.

Mr. FINEMAN. I understand Mr. Sakulsky was in his seat and endeavored to vote and could not before the machine was locked.

The SPEAKER pro tempore. The Chair has been informed that the gentleman was in the hall of the House but had not reached his seat before the roll call was locked.

Mr. FINEMAN. That is a different factual situation, but Mr. Sakulsky—

The SPEAKER pro tempore. Would the gentleman like to interrogate the gentleman from Westmoreland, Mr. Sakulsky?

Mr. FINEMAN. With the permission of the Chair, I would like to interrogate the gentleman.

The SPEAKER pro tempore. Will the gentleman permit himself to be interrogated?

Mr. SAKULSKY. I shall, Mr. Speaker.

Mr. FINEMAN. Mr. Speaker, was the factual situation that I just described in my parliamentary inquiry applicable to the gentleman's situation?

Mr. SAKULSKY. No, it was not. I was in the hall of the House but at the other end of the hall when the vote was to be recorded. However, the time allocated for the vote was so short that by the time I reached my seat the key was locked.

It was my understanding that we were to be given sufficient time to vote.

Mr. FINEMAN. I withdraw my parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The Chair has had a motion presented to suspend the rules of the House for the specific purpose of permitting the gentleman from Westmoreland, Mr. Sakulsky, to vote.

The Chair recognizes the majority leader, the gentleman from Greene, Mr. McCann.

Mr. McCANN. Mr. Speaker, I want to bring to the attention of the House that, perhaps, it may have been a little sooner than other votes, but there was no debate and there was time. Should we adopt this precedent of once the key has been locked properly and a member has not voted, and then each time we suspend the rules so he can vote, I say to you, and I say this sincerely, that I hope we do not make the mistake too often, if we have made it now, of locking the key. We have a tremendous amount of work and I must be guided by the people who advise me that we are ready to vote, as far as the majority party is concerned. They tell me that our people are here and I try to see them, and I do not attempt to lock anyone out, whether they be Republican or Democrat members. But in a case where they have been locked out by virtue of it being agreed that we are ready, then I say we should not suspend the rules for the purpose of letting either you or me get on the roll call after that point.

The SPEAKER pro tempore. The Chair would like to say that he feels it is a very bad precedent to establish, to suspend the rule in every case where a member might be tardy in making his vote, and feels that the proper procedure, if it is that important, would be that a motion to reconsider should be presented.

The Chair always asks the question, "Have all the members voted?" And I feel that we have given sufficient time before the roll is locked for the members to reach their desks.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I just wanted to say that this is a similar instance to the one I suffered yesterday, although I was in my seat reading a bill and forgot to push my button until it was locked. I made an impassioned plea to keep my record at home safe and was denied that privilege. I was not sleeping, but I just neglected to push it. If we are going to do this every time—we all miss sometimes—we will get tied up here by taking votes over and over again.

Mr. SAKULSKY. Mr. Speaker, it was my understanding that when the automatic roll call was put in that we would be given sufficient time to vote. And in this case I think that there was not sufficient time given because it was just a matter of 60 feet for me to get to my seat, but I was locked out.

The SPEAKER pro tempore. The Chair will read to the gentleman from Westmoreland rule 69.1:

> "When, in the judgment of the Speaker, reasonable time has been allowed all members present in the House to vote, he shall ask the question: 'Have all members present voted?' After a pause, the Speaker shall lock the machine and instruct the Clerk to record the vote, and the Speaker shall announce the result of the vote."

The Chair feels that rule has been compiled with and apologizes to the gentleman that he did not get on the record. The Chair asked the question of the respective floor leaders if they were ready, and they so informed the Chair that they were.

Does the gentleman from Westmoreland, Mr. Sakulsky, still desire to be recognized?

Mr. SAKULSKY. Mr. Speaker, what do you consider a reasonable time?

The reason I asked that question is because some roll calls take a minute; other roll calls, two or three minutes.

The SPEAKER pro tempore. The Chair feels that he did give a reasonable time on this particular roll call. A reasonable time would be sufficient time for any member who might be in the hall of the House to reach his desk.

INTERROGATION

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Westmoreland, Mr. Sakulsky.

The SPEAKER pro tempore. Will the gentleman from Westmoreland, Mr. Sakulsky, permit himself to be interrogated?

Mr. SAKULSKY. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, does the gentleman say that he was in the hall of the House when the vote was called on this particular bill?

Mr. SAKULSKY. Yes, I was, Mr. Speaker.

Mr. TOMPKINS. Did the gentleman hear the Speaker ask the majority leader if he was ready?

Mr. SAKULSKY. No, sir, I did not or I would have been in my seat voting.

Mr. TOMPKINS. That is all, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins. The Chair would remind the gentleman that we have a motion on the floor.

Mr. TOMPKINS. Mr. Speaker, I want to say that I agree with the observation of the majority leader on this question, that we have to preserve the integrity of this House. Now if we start a practice here of revoting every time a member does not reach his button in time to push it, we are going to revert to what the Speaker called a primitive method of voting. We will have to repeat and repeat and repeat and every man will be running all over the House, and you will never have them in their seats to vote on legislation ready to be voted upon.

Now, Mr. Speaker, heretofore when we had the long roll calls, they voted from all corners of this House, front, back, rear, or otherwise. Now a member today, certainly, if he paid any attention to the order of business, can hear the Speaker ask the majority leader whether or not he is ready. There is a time element between that and the minority leader's question, and he could holler from the rear of the House and be heard the same as he was on the long roll calls, to hold the roll open until he had a chance to vote.

We, therefore, oppose this motion.

MOTION TO SUSPEND RULE WITHDRAWN

Mr. McCORMACK. Mr. Speaker, I believe that I should withdraw the motion after the debate here. I would like to move its withdrawal.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman from Bedford, Mr. Foor, desire to be recognized?

Mr. FOOR. Yes, Mr. Speaker.

I might shed some light on this roll call. I was concerned enough about my missing a roll call that I called Mr. Dennison last night and explained to him; I believe he is the man who puts out this roll call vote. I told him what had happened to me and that I stood up immediately and asked for my vote to be recorded and he told me then that they use the roll call sheets for a quick check, but they do check the Journal to see if anyone has come in, and he assured me that my record would stay clear.

So I suggest that anyone who does miss the roll call vote would immediately stand up and record his vote and thereby assure himself of keeping his roll call vote 100 per cent.

PARLIAMENTARY INQUIRY

Mr. ISAACS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ISAACS. Several weeks ago in this House my colleague from Delaware, Mrs. Kernaghan, voted on a bill. She was in her seat, pushed her switch down, and it stayed down. On this side the light recorded. I happened to notice, just before the vote was locked, that on this side the light was out. Mrs. Kernaghan tried to get the Speaker's attention at the last minute, but it was too late, and I suggested to her that she go down and check the rolls.

She was not recorded on the roll although she had voted, her switch was down, the light recorded on the board to my right and not on the one to my left. The lady, up to that time, had a perfect voting record. Aside from that incident, she still has a perfect voting record. I certainly do not think a member's record should be impaired, however, by an electric roll call system which is not functioning properly, or, for that matter, by radar.

The SPEAKER pro tempore. The Chair was informed the gentleman was going to ask a question.

Mr. McCANN. Mr. Speaker, I request permission to return to page 15 and call up House bill 67, bills on third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 67, entitled:

An Act to protect the public safety by regulating the mining of anthracite coal, prescribing duties for certain municipal officers and imposing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. W. JOHNSON. Mr. Speaker, this bill covers a very important problem in Pennsylvania and before I make any remarks on the bill I want it definitely understood that as far as I am concerned I know many, most all, the members on this side of the House, and I am sure on the other side, agree with the principle of preventing subsidence because it is a terrifying thing that is occurring in Pennsylvania. Many times it suddenly occurs 80 years after the mining has taken place.

So the object of this bill is good. But I believe this bill goes too far and you are again inviting the Supreme Court of Pennsylvania to strike it down, as I understand it did a similar bill on the same subject and practically the same type of bill.

This bill, as you know, says it is unlawful in Pennsylvania to cause cave-ins, collapse or subsidence of any public buildings, and so forth, by anthracite mining.

Then the bill goes on to say that every operator shall file plans with the department and also in a municipality so the mayors can see what is going on, and the mayors can then object to the plans. Then the bill goes on to say that if you cause subsidence you are guilty of a misdemeanor and you are subject to damages. Now, that is the gist of the bill.

In other words, if a mine operator uses the very, very, very best mechanical devices and gets the very, very best engineering advice and does a good job, an excellent job, in his opinion and the opinion of mining experts, and then a subsidence occurs, he is guilty under this bill.

Fifteen years later the subsidence could occur and if the corporation is around, you can sue them or you can have the officers arrested. Now, in other words, if the object of this bill is subsidence, the bill should prevent it in its inception. Here is what I personally feel this bill should do, and I am not in the anthracite mining, but I am interested in the problem because up there is where the unemployment is and we do not want to put a bill around the neck of the operator that is going to cause more unemployment up there and destroy the business of anthracite mining.

I think this bill should define that you should not cause cave-ins through subsidence. It should say that the operator shall file plans and maps, and so forth. Then it should provide for the department of mines to go over the plans and, if the plans are sound, if they create a situation where, in the opinion of the department of mines, no subsidence will occur, if they follow the plans meticulously, then the plans should be approved. And if after that, the mine operator lives up to those plans and does not deviate from them and follows the schedule that he has agreed to, then if subsidence occurs, he should not be held liable either criminally or in damages. In other words, there should not be liability without fault, which this bill places upon the mine operator. Therefore, I think this bill should be passed over. You should amend the bill providing for the filing of these plans, providing for prior approval of the plans by the department of mines. Then if the operator violates the plans, it is all right for the teeth in this bill to ensue, but for you to say you must file plans, then go ahead and mine, but you do it at your peril of becoming an insurer of the safety of the surface home owners, who legally might not have the right to surface support because they have given it away when they sold their coal lands back at the turn of the previous century.

You are presenting a bill here that will be stricken down and you will not be accomplishing the purpose that you want to and you will be inviting an unconstitutionality ruling by the court. I believe that you will increase unemployment in your anthracite area. I say the principle of the bill is good, but it goes too far and puts an unconscionable burden on the mine operator, as I see it. Perhaps you will say as an argument for it that a bill as drastic as this should be put around the necks of the mine operators. I do not know. I intend to vote against it unless you make the bill a fair and reasonable one. I repeat, we are not against the principle of doing away with subsidence, it is a good idea, but I think you want to give the operator a break as well as the surface owner.

Mr. MURPHY. Mr. Speaker, in answer to the minority leader's remarks, I might say on behalf of the sponsor of the bill that the gentleman was correct when he stated it would make it illegal for an owner, an operator, and so forth, to operate a mine in such a manner as to cause subsidence. That is to say that subsidence in itself would be a violation of this act.

As the gentleman very well knows, he being a very astute lawyer, that if subsidence occurs under the present law, our Supreme Court many, many years ago decided that a person owning the surface, even if he owned the surface support, was barred from suing the owner within six years following the date of mining. Naturally, it is very, very difficult for subsidence to occur within six years from the day the coal is taken. This is the reason for making subsidence in itself a violation or a misdemeanor under this act.

The act that we are now voting on lays down very, very few mandated requirements, regulations, or restrictions upon the mining of coal by anyone. They must file a plot or plan showing the workings and showing the pillars, if any, that they have left. They can hold the surface support in any manner they choose, so long as it does not subside.

I am sure the gentleman realizes that in our hard and soft coal areas we have been plagued by this terrible subsidence program, a problem which arose 50 or 60 years ago, and which we are going to try to prevent by legislation of this type from happening 50 or 60 years from now on current workings.

If we are to strike out the sections that the gentleman from McKean would have us strike, then we actually, in this act, mandate nothing. All we mandate is that they shall file a plot showing the workings and showing the pillars, if any, they leave. There is no requirement in this act that they shall leave so many pillars per square foot of mined area. There are no requirements that they must use roof bolts or timbers or concrete shorings or any other type of pillar. They may use whatever method they so choose. Then they must rely on their method. They are the removers of the coal, and they then become responsible to the owners of the surface, that the surface must remain in the condition it is in before the coal is removed. We feel that in order to deter the type of mining that has been conducted in the Commonwealth of Pennsylvania for a hundred years, we will put the burden on the mine operator. After all, it is he who is under the surface of the owner's property. We put the burden upon him by this bill. He will, therefore, exercise every caution that he can to preserve the surface. We do not think it is an undue burden. After all, they have been going in and taking everything and leaving nothing, leaving no pillars, leaving nothing. Consequently, the surface subsides.

Mr. A. W. JOHNSON. Mr. Speaker, briefly in reply, if under this bill, the mine operator carefully, meticulously and with the most modern mining methods and using the best engineering and with the advice of experts leaves the pillars and does everything that it is humanly possible to do and then subsidence occurs, he is still guilty.

In other words, the innuendo of this bill is that you are guilty and you must prove yourself innocent, which is contrary to our standards of jurisprudence in this Nation of ours. I say it is all right to file plans and provide for these pillars and these safeguards and have

the approval of them by the department of mines. Here is a set of plans that is just. Leave it up to those plans and you will likely be guilty of a misdemeanor. I do not object to holding them guilty of a misdemeanor if there is a standard set that they must live up to. If they violate that standard, they can be found guilty of this misdemeanor and held for damages. But this bill puts the fault on them, and I think it is terrible and I think we are going to destroy the anthracite industry. We are going to bring the wrath of the mine operators down on us, and you are going to have more people sitting in those public squares, not mining coal, if you pass this bill.

Mr. MURPHY. Very briefly, Mr. Speaker, I would like to say this, the mine operator does everything he can to prevent it; he does all of the mining. The property owner, the home owner, does nothing. He knows nothing of the workings underneath except what might be on the record in the county court house. He does nothing, his home falls as a result of subsidence, and who should suffer? The home owner? This bill says, no. The man who actually takes the coal is responsible for the entire operation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—129

Adams,	Galley,	Lutty,	Reidenbach,
Anderson, J. H.,	Gallagher,	Magee,	Renwick,
Anderson, S. A.,	Gelfand,	Manbeck,	Riley,
Arlene,	Goldstein, M. H.,	Maxwell,	Rovansek,
Auker,	Gray,	McCandless,	Royer,
Boles,	Gremminger,	McCann,	Rubin,
Bachman,	Guesman,	McCormack,	Rudisill,
Bonner,	Hamilton,	McDevitt,	Rutherford,
Branca,	Hankins,	McDonald,	Sakulsky,
Breth,	Hartley,	McKeever,	Scarcelli,
Capano,	Haudenshield,	McLaughlin,	Schaaf,
Capitolo,	Heavey,	Meholchick,	Schuster,
Cauley,	Heffner,	Mihm,	Seltzer,
Cianfrani,	Hocker,	Mills,	Shelton,
Cioffi,	Irvis,	Monroe,	Sherman,
Clarke,	Jenkins,	Morley,	Shupnik,
Comer,	Jim,	Mullen,	Snare,
Cooley,	Jones,	Munley,	Stank,
Crossin,	Kamyk,	Murphy,	Stiteler,
Curwood,	Keiser,	Murray,	Stone,
Dougherty,	Kelly,	Needham,	Sullivan, J. A.,
Doughten,	King,	O'Donnell, J. A.,	Sullivan, T. F.,
Edwards,	Klein,	O'Donnell, J. P.,	Taylor,
Ellberg,	Knecht,	Odorisio,	Thompson,
Eshback,	Kornick,	Parlante,	Tomascik,
Eshleman,	Kramer,	Pashley,	Verona,
Farabaugh,	Lawson,	Perry,	Walsh,
Filo,	Lee, K. B.,	Petrosky,	Wargo,
Flynn,	Leonard,	Piper,	Welsh,
Foerster,	Limper,	Polaski,	Williams, A. D.,
Fox,	Long, Wm. Jas.,	Polen,	Worley,
Frascella,	Long, Wm. Jos.,	Reibman,	Yetter,
Fry,			

NAYS—60

Ashton,	Fetterolf,	Isaacs,	Ogilvie,
Backenstoe,	Fineman,	Johnson, A. W.,	Pursley,
Blair,	Foor,	Johnson, R. P.,	Slack,
Bossert,	Fulmer,	Kernaghan,	Stimmel,
Bower,	George,	Kessler,	Strausser,
Bowman,	Gibb,	Kistler,	Tompkins,
Buchanan,	Gibbons,	Kooker,	Varner,
Bush,	Goldstein, J. H.,	Korns,	Weidner,
Davis,	Goodrich,	Lee, A. M.,	Wescott,
Dengler,	Gramlich,	Markley,	Whittaker,
Dennison,	Gross,	Marsh,	Willard,
Donaldson,	Helm,	May,	Williams, E. S.,
Down,	Holliday,	McInroy,	Wilt,
Elvey,	Holman,	Miller,	Wood,
Ewing,	Horst,	O'Dell,	Zember,

NOT VOTING—18

Guthrie,	Merry,	Steckel,	Willaredt,
Henzel,	Musto,	Trusio,	Wynd,
Lamb,	Prendergast,	Ujobai,	Zimmerman,
Lippincott,	Price,	Wall,	Andrews,
McNally,	Simmons,		Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, it is 6 o'clock and I had agreed, although I did not know we would only get this much done today, that we would quit at 6 p. m. today. I, therefore, will request that all other bills on the calendar be passed over in order.

I would like to say that the House, when it convenes tomorrow at 10 o'clock, will definitely vote on approximately 45 bills.

The SPEAKER pro tempore. Without objection, the remaining bills on today's calendar will be passed over.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PETROSKY asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mrs. KOOKER asked and obtained unanimous consent to add additional sponsors to an amendment to be introduced by her.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette, Mr. Trusio.

Mr. TRUSIO. Mr. Speaker, I was not recorded on the last roll call. If I had been here to vote, I would have voted "aye."

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. TRUSIO asked and obtained unanimous consent to add additional sponsors to two bills to be introduced by him.

REPORT FROM COMMITTEE

Mr. FRY from the Committee on Townships, reported as committed, House bill No. 600, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors, township superintendents and road-masters.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 600, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors, township superintendents and road-masters.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 305.

An Act amending the act of September 23, 1959 (P. L. 933), entitled, "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof *** further regulating fences and deleting certain requirements relating to the keeping of records.

HOUSE BILL No. 312.

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154), providing for the use of the word margarine.

HOUSE BILL No. 194.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), exempting certain appointees in police and fire forces from civil service examination.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate bills for concurrence Nos. 62, 159, 185, 189, 192, 278, 279, 280, 281, 282, 283, 284, 285, 286 and 287.

Amended House bills returned for concurrence Nos. 54 and 61.

ADJOURNMENT

Mr. RUBIN. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 22, 1961, at 10 a. m. e. s. t.

The motion was agreed to, and (at 6:09 p. m., e. s. t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., WEDNESDAY, MARCH 22, 1961. No. 31.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 22, 1961

The House met at 10:00 a.m. e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, our Father, in the stress and strain of life, we thank Thee that Thou art never far from any one of us, and doth always hear the prayers of every human heart. We recognize our need of Thee and the ready accessibility which Thou dost provide. O God, challenge us never to become so entangled in the ways of the world and the affairs of life that we lose sight of Thee and Thy saving power. But inspire us to call upon Thee with the confidence and assurance that Thou wilt not cast us off, but wilt grant to us and all Thine own the peace which passeth all understanding. Grant to each bowed head, we humbly pray, Thy presence and the fullness of a life for Thee: to the honor and glory of Thy name, through Jesus Christ, our Lord. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, March 21, 1961 will be postponed until printed.

The Chair hears none.

RESOLUTION

Mrs. KOOKER offered a resolution which was filed with the clerk under the rules.

The SPEAKER. The Chair is asking the gentleman from Dauphin, Mr. Bowman, to preside today.

Mr. BOWMAN IN THE CHAIR.

BILLS SIGNED BY SPEAKER

Bills number and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 194.

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), exempting certain appointees in police and fire forces from civil service examination.

HOUSE BILL No. 305.

An Act amending the act of September 23, 1959 (P. L. 933), entitled "An act providing for the regulation of the propagation of domestic mink in captivity, and providing penalties," further defining mink and the raising thereof *** further regulating fences and deleting certain requirements relating to the keeping of records.

HOUSE BILL No. 312.

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154), providing for the use of the word margarine.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 126, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 141, entitled:

An Act amending the act of September 29, 1951 (P. L. 1645), entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings * * *" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties of the court of common pleas.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 307, entitled:

An Act amending the "Meat and Meat Food Products Law" approved May 28, 1915 (P. L. 587), changing certain penalties and providing for license suspensions.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 430, entitled:

An Act declaring the policy of the Commonwealth with

regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania Human Relations Commission in the Department of Labor and Industry and defining its functions powers and duties hereunder.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 574, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), adding and increasing certain penalties and conforming a section to show a previous repeal.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 583, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing that proof of issuance of warrant survey or patent shall not be required incident to acquisition of land by the Pennsylvania Game Commission.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LUTTY asked and obtained permission for the Committee on Cities-Counties—Second Class and Second Class A to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 308, entitled:

An Act amending the act of July 25, 1917 (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" further providing for the paying of premiums imposing powers and duties on the Secretary of Agriculture further determining what associations are to receive money from the Commonwealth and deleting certain war time and obsolete provisions.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 333, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 334, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522), further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases and providing for the payment of damages in certain cases.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 509, entitled:

An Act amending the act of June 8, 1911 (P. L. 712), entitled "An act relating to milk providing for the protection of the public health * * *" further providing for the sale of fluid derivatives of milk.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 560, entitled:

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 575, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), further regulating and increasing the fee for permits for field trials.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 576, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), making it unlawful to assist in the taking killing or wounding of any game and providing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 578, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing provision relating to revocation of licenses.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 581, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 600, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), clarifying certain duties of the supervisors township superintendents and roadmasters.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection House bill No. 624, printer's No. 677, was passed over temporarily at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 690, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing clerks of orphans' courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 727, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), providing for expenses in going to and returning from meetings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 730, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the amount which supervisors may expend on abandoned cemeteries.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 731, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 734, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853), requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to supervisors of townships of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 737, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521), increasing deductions to be made by administrators executors or other trustees from certain legacies or shares in the distribution of estates subject to tax.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 741, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), requiring the offices of any county of the third class to remain closed on Saturday.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 745, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers junk yards and scrap yards.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 746, entitled:

An Act amending "The Third Class City Code" ap-

proved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers junk yards and scrap yards.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 747, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection storage and disposal of certain goods and materials to be licensed.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 752, entitled:

An Act amending the act of June 21, 1939 (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class * * *" placing a limitation on increases in assessments or valuations from one triennial assessment to the next.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 809, entitled:

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216), further providing for advertising by dentists.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 868, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the production and performance of ice shows and ice hockey between certain hours on Sunday in cities of the first and second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 947, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207), extending the period for revival of suggestions and averments of nonpayment and default and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class to twenty years.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 976, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932), changing the minimum requirements for retirement of firemen.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 39, entitled:

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania repealing section three thereof which disqualifies persons from public office for dueling.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. McCANN. Mr. Speaker, we are ready to amend some bills which we can get into position. I would like to go to bills on final passage and call up House bills 355, 356 and 387 for purposes of amendment.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372), permitting additional members of the Authority to designate other persons to act on their behalf.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 9, by inserting after "stead" Any person who has been designated to act instead of another, as provided above, shall present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings, not in excess of three meetings in any one year, for which such designee shall act, which letter shall be duly signed by the person having the power to make such designation.

Amend Sec. 1 (Sec. 3), page 3, lines 17 to 19; page 4, lines 1 to 5, by striking out "ANY PERSON WHO HAS BEEN DESIGNATED" in line 17 and all of lines 18 and 19, page 3; all of lines 1 to 4 and "POWER TO MAKE SUCH DESIGNATION" in line 5, page 4.

Amend Sec. 1 (Sec. 3), page 4, line 6, by inserting after "RESPECTIVE" deputies or

Amend Sec. 1 (Sec. 3), page 4, line 7, by inserting after "members" or deputies

Amend Sec. 1 (Sec. 3), page 4, line 10, by inserting after "members" or deputies

The SPEAKER pro tempore. Will the House give

unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 356, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217), permitting certain members of the Authority to designate other persons to act on their behalf.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 6 by inserting after "stead" Any person who has been designated to act instead of another as provided above, shall present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings, not in excess of three meetings in any one year, for which such designee shall act, which letter shall be duly signed by the person having the power to make such designation.

Amend Sec. 1 (Sec. 3), page 3, lines 15 to 20; page 4, lines 1 and 2 by striking out all of lines 15 to 20, page 3; all of line 1 and "MAKE SUCH DESIGNATION" in line 2, page 4.

Amend Sec. 1 (Sec. 3), page 4, line 3 by inserting after "THEIR" deputies or

Amend Sec. 1 (Sec. 3), page 4, line 4 by inserting after "OR" deputies or

Amend Sec. 1 (Sec. 3), page 4, line 6 by inserting after "OR" deputies or

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604), permitting certain members of the Authority to designate certain other persons to act on their behalf.

RECONSIDERATION OF VOTE

Mr. HELM. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HELM asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 3), page 3, line 14, by inserting after "stead": Any person who has been designated to act instead of another, as provided above, shall present to the secretary of the Authority a letter one week prior to the meeting so stating his designation and the meeting or meetings, not in excess of three meetings in any one year, for which such designee shall act, which letter shall be duly signed by the person having the power to make such designation.

Amend Sec. 1 (Sec. 3), page 4, lines 4 to 11, by striking out all of lines 4 to 10 and "THE POWER TO MAKE SUCH DESIGNATION" in line 11.

Amend Sec. 1 (Sec. 3), page 4, line 12, by inserting after "DEPUTIES": or designees.

Amend Sec. 1 (Sec. 3), page 4, line 13, by inserting after "OR": deputies or

Amend Sec. 1 (Sec. 3), page 4, line 15, by inserting after "members": or deputies

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILL ON SECOND READING

BILL PASSED OVER

Mr. McCANN. Mr. Speaker, on page 6, House bill No. 624, was passed over temporarily, I request now that it be passed over and not called since the amendments are not ready.

BIRTHDAYS

Mr. McCANN. Mr. Speaker, before we start voting on bills, we have a birthday in the House today and we missed the birthday of one of our members on the previous day.

Today is the birthday of the gentleman from Erie, Mr. Polaski, and a couple days ago was the birthday of the gentleman from Northumberland, Mr. Stank.

So where are you, Dr. Dengler?

The SPEAKER pro tempore. The Chair recognizes Dr. Dengler for the purpose of the traditional birthday celebration of the two members.

The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I am very happy to announce that yesterday was also the birthday of the gentleman from Snyder, Mr. May.

The SPEAKER pro tempore. The Chair will take cog-

nizance of the fact that we are now celebrating three birthdays instead of two. I do not know in what position this puts Dr. Dengler, but we will say, "Dear fellows," I assume, Doctor. The Doctor will assume his responsibilities.

(Members joined in singing "Happy Birthday," led by Mr. Dengler.)

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northumberland, Mr. Stank.

Mr. STANK. Mr. Speaker, I want to thank the members of the House because that is about the only thing I can get around here, that happy birthday wish. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Erie, Mr. Polaski.

Mr. POLASKI. Mr. Speaker, I wish to thank the members of the House for their kind felicitations. This is my 22nd year of State service. I am 54 years old and proud of it.

The SPEAKER pro tempore. The Chair thanks the gentleman for his candidness.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Snyder, Mr. May.

Mr. MAY. Mr. Speaker, thank you very much for this courtesy. I appreciate it. Spring began yesterday.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 309, printer's No. 338, on page 11 of today's calendar, bills on final passage postponed.

BILL RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Elections, House bill No. 837, entitled:

An Act permitting any person entitled to vote to absent himself from any service or employment in which he is then engaged or employed for a period of two hours in certain cases without deduction in salary or wages.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Elections.

REPORTS FROM COMMITTEE

Mr. McLAUGHLIN from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 843, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating the retirement age of county employes.

Mr. KAMYK from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; ***" providing for payments to dependent parents.

Mr. GIBB from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 970, entitled:

An Act amending the "Policemen's relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

Mr. NEEDHAM from the Committee on Cities—Counties Second and Second Class A, reported as committed, House bill No. 984, entitled:

A Supplement to the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, *** "providing a period during which certain persons may join the pension fund created under the act.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 843, entitled:

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), further regulating the retirement age of county employes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 856, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class; ***" providing for payments to dependent parents.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 970, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law," approved May 22, 1935 (P. L. 233), providing for certain payments to dependent parents when there is no widow or no surviving children.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 984, entitled:

A Supplement to the act of May 28, 1915 (P. L. 596), entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, *** "providing a period during which certain persons may join the pension fund created under the act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. WALSH asked and obtained unanimous consent to address the House.

Mr. Speaker, in this morning's Pittsburgh Post-Gazette on the front page there is an article under the by-line of Edward Jensen in reference to the secession movement in that area because of increased taxes, in which I am quoted as saying:

"At least one State legislator, Assemblyman John T. Walsh, of McKeesport, has indicated a willingness to

introduce the enabling bill, if Westmoreland agrees to cooperate."

This is an untruth. I have never indicated a willingness to consider such a move at any time. I have never discussed this issue with anyone, for the simple reason I have never been invited to any of these meetings. No one has the right to speak for me. Seceding from Allegheny County is a very, very important decision for the people of these areas to decide. I would want to know, first, what, if any, better treatment we could expect from Westmoreland or any of the adjoining counties.

I would surely want the people of McKeesport, who send me down here, to indicate their desire one way or the other, as to whether they want to make this important move. I would do what I did in the case of the classified income tax, I would conduct a postal card poll to see what my constituents would want and I would be guided by their decision.

I want it distinctly understood that this irresponsible quoting in newspapers by these writers is very unfair to the legislators. They are always willing to rap us at every opportunity and I think it is a disservice to any member of this House to be quoted in a newspaper before he is consulted as to his views.

I thank you.

LEAVES OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. McCann for Mr. PRENDERGAST because of illness.

Mr. McCann for Mr. MUSTO because of illness.

Mr. McCann for Mr. McNALLY because of illness.

LEAVE OF ABSENCE WITHDRAWN

Mr. TOMPKINS. Mr. Speaker, on Monday I asked for leave for the week for the gentleman from Allegheny, Mr. Simmons. He is now back in attendance today, so he will respond to roll calls and further leave is cancelled for the week for him.

The SPEAKER pro tempore. The Chair thanks the gentleman. Absence heretofore requested will be corrected.

REQUEST TO CALL BILLS OUT OF ORDER

Mr. McCANN. Mr. Speaker, we will now ask permission to vote on bills, probably 20 bills, at this point before caucus. I request permission to turn to page 13.

INTERROGATION

Mr. M. H. GOLDSTEIN. Mr. Speaker, I object to the bills being taken out of order unless I have an assurance that House bill 573 will be called up today. If not, I want to have the opportunity to interrogate as to why it will not be called up. It is on page 19.

The SPEAKER pro tempore. Does the gentleman desire to interrogate the majority leader?

Mr. M. H. GOLDSTEIN. I do.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, House bill No. 573 has been on the House calendar for almost two or three weeks. Can I be advised as to why it is not being called up?

Mr. McCANN. House bill 573 is scheduled to go over in order all week because, in this particular bill dealing with the Selective Sales and Use Tax, there is a possibility of working out amendments that might be attached to this bill dealing with various subjects under the Selective Sales and Use Tax Act.

Mr. M. H. GOLDSTEIN. Is it not a fact that the bill has been passed over because of the fear of an amendment being proposed to benefit manufacturers due to the ancient interpretation of manufacturing?

Mr. McCANN. No, Mr. Speaker, I am not a bit worried about such amendment, because we have had a series of conferences last week, the previous week, dealing with food processors, food freezers, cold-roll, hot-roll steel mills, all these items, and may I assure you it takes a considerable amount of legal interpretation to work out all these subjects and not just accept an amendment drawn by some member.

Mr. M. H. GOLDSTEIN. Mr. Speaker, I have your assurance that the bill will be called up on Tuesday, April 4; is that correct?

Mr. McCANN. You do not have my assurance that the bill will be called up Tuesday, April 4. It might be the following day during that week. I cannot say because we have a conference scheduled during Holy Week with two groups—I believe they are the people who package meat, frozen meats, and food processors—and I hope that after that conference we might be in position, but to say that the bill will be moved on either Tuesday or Wednesday following Easter would not be correct. I may not have it done until the week after that.

Mr. M. H. GOLDSTEIN. Thank you, Mr. Speaker.

PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, I am intrigued as to why this bill has been passed over. I have listened to the remarks of the majority leader and I am still not convinced. I have had amendments ready and I have turned them over to the gentleman on the other side, which would modernize the definition of manufacturing. These are a re-statement of bills proposed by Senator Kessler in the Senate. They are a re-statement of bills proposed by three Democrats from Beaver County who are concerned about manufacturing, and I am doubtful as to whether or not the administration wants to modernize the definition of manufacturing.

Mr. McCANN. Mr. Speaker, I should have informed the gentleman that also the gentleman, Senator Kessler, was a part of the meeting. I believe he introduced a bill, he and Senator McMenamin—I am not sure—Senate bill 340, I believe, dealing with this subject, and certainly at this point it is not stated that the bill as it is written is acceptable, but it deals with the same subject, but there is little more to that subject than is just covered in that bill. Therefore, I say to you honestly that there has been a considerable amount of meetings on this subject and more to come this coming week.

Mr. Speaker, I now ask that we go to House bill No. 452 on page 13, bills on third reading.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 452, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to exchange State park land.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fox,	Korns,	Reidenbach,
Anderson, J. H.,	Frascella,	Kramer,	Renwick,
Anderson, S. A.,	Fry,	Lamb,	Riley,
Arlene,	Fulmer,	Lawson,	Rovansek,
Ashton,	Gailey,	Lee, A. M.,	Rubin,
Auker,	Gallagher,	Lee, K. B.,	Rudisill,
Blair,	Gelfand,	Leonard,	Rutherford,
Boies,	George,	Limper,	Sakulsky,
Bachman,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Schaaf,
Bonner,	Goldstein, J. H.,	Lutty,	Seltzer,
Bossert,	Goldstein, M. H.,	Magee,	Shelton,
Bower,	Goodrich,	Manbeck,	Sherman,
Bowman,	Gramlich,	Markley,	Shupnik,
Branca,	Gray,	Marsh,	Simmons,
Breth,	Gremminger,	Maxwell,	Slack,
Buchanan,	Gross,	May,	Snare,
Bush,	Guesman,	McCandless,	Stank,
Capano,	Hamilton,	McCann,	Stimmel,
Capitolo,	Hankins,	McCormack,	Stiteler,
Cauley,	Hartley,	McDevitt,	Stone,
Cianfrani,	Haudenshield,	McDonald,	Strausser,
Cioffi,	Heavey,	McInroy,	Sullivan, J. A.,
Clarke,	Heffner,	McKeever,	Sullivan, T. F.,
Comer,	Helm,	McLaughlin,	Taylor,
Cooley,	Henzel,	Meholchick,	Thompson,
Crossin,	Hocker,	Miller,	Tomascik,
Curwood,	Holliday,	Monroe,	Tompkins,
Davis,	Holman,	Morley,	Trusio,
Dengler,	Horst,	Mullen,	Varner,
Dennison,	Irvis,	Munley,	Verona,
Donaldson,	Isaacs,	Murphy,	Walsh,
Dougherty,	Jenkins,	Murray,	Wargo,
Doughten,	Jim,	Needham,	Weidner,
Down,	Johnson, A. W.,	O'Dell,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Wescott,
Eilberg,	Jones,	O'Donnell, J. P.,	Whittaker,
Elvey,	Kamyk,	Odorisio,	Willard,
Eshback,	Keiser,	Ogilvie,	Williams, A. D.,
Eshleman,	Kelly,	Parlante,	Williams, E. S.,
Ewing,	Kernaghan,	Pashley,	Wilt,
Farabaugh,	Kessler,	Perry,	Wood,
Fetterolf,	King,	Petrosky,	Worley,
Filo,	Kistler,	Piper,	Yetter,
Fineman,	Klein,	Polaski,	Zember,
Flynn,	Knecht,	Polen,	Zimmerman,
Foerster,	Kooker,	Pursley,	Andrews,
Foor,	Kornick,	Reibman,	Speaker

NAYS—0

NOT VOTING—16

Guthrie,	Mihm,	Price,	Ujobai,
Lippincott,	Mills,	Royer,	Wall,
McNally,	Musto,	Schuster,	Willaredt,
Merry,	Prendergast,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 453, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. AUKER. Mr. Speaker, I am going to vote against these two bills; possibly I may be the only one. These bills affect our public parks, our public lands, and so forth. We are here, for the first time, giving one man full authority to go ahead and lease these for mining and mineral purposes, and so forth, without any check on what may or may not be done.

So far as the present secretary of the Department of Forests and Waters is concerned, I stated before on the floor of this House and I will state it again, I think we have one of the best in the country, a man in whom I have implicit confidence. I cannot say that about all secretaries of the Department of Forests and Waters in the past. What I am concerned about is this, not the present man or not the present tenure in office, but, since the secretaries change from administration to administration, I am concerned about what might be done with such power as this if a man gets in as head of that department who could misuse it and possibly might misuse it. I believe I would not be too far wrong in saying that possibly in the past we have had secretaries of this very vital department possibly who have misused it. That is why I am concerned about a bill of this kind, giving unlimited powers to a secretary of a department on a vital subject such as our public lands and public parks, and so forth.

I could vote for the bill if there were some kind of limitation on it in some way, but I do not like the way the bill is written because of the implied misuse of it that might be made, not under this present secretary, but in the future years to come. After all, we are not just dealing with the present years, we are dealing with many, many years ahead of us in the development of these lands. That is why I am going to vote against this type of legislation. I do not think it sound to give this kind of full authority to a secretary that can go on in the years ahead, not knowing the type of secretary or just how careful the secretaries in the future might be of this great grant of power that we are giving under this bill. Thank you, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate somebody on this bill—Mr. Fineman or anyone who is familiar with it.

The SPEAKER pro tempore. Will the majority leader or one of the sponsors of the bill permit himself to be interrogated?

The Chair recognizes the gentleman from Philadelphia, Mr. Fineman. Will the gentleman consent to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill refers to valu-

able minerals. I am asking for an interpretation of "valuable minerals" as referred to in this bill.

Mr. FINEMAN. Mr. Speaker, I would imagine that "valuable minerals" would include coal, gas, oil, possibly precious gems, and matters of like material.

Mr. TOMPKINS. Would the gentleman interpret sand, gravel, and flagstone as being valuable minerals?

Mr. FINEMAN. I would assume that if they have such significance as would constrain a prospective lessee to pay a consideration to the Commonwealth for the purpose of mining such items, they would be considered of value.

Mr. TOMPKINS. Mr. Speaker, I would like to know definitely how they interpret "valuable minerals." Assuming or considering, so far as I am concerned, is not an answer to satisfy me regarding "valuable minerals."

Mr. FINEMAN. I am informed, at the side-bar conference here, that the department takes the viewpoint that even sand and gravel are included among the category of valuable minerals.

I would bring to the gentleman's attention, and by way of doing so I would like to make further reply to the gentleman from Blair, Mr. Auker, that the power that is sought in this bill is a power that is already vested in the Department of Forests and Waters in connection with State forests. This bill seeks to add State parks. So we already have precedent for what this bill seeks to accomplish, that is, in State forest lands the secretary of the Department of Forests and Waters can enter into competitive leasing for valuable minerals, and if there has been no evidence of abuse of that right in the many years that right has existed, I feel confident we can rest on the assumption there will be no abuse of this power insofar as State parks are concerned.

Mr. TOMPKINS. I thank the gentleman, Mr. Speaker.

Mr. Speaker, I am fully aware of the power of the Department of Forests and Waters on State-owned lands with reference to valuable minerals. However, valuable minerals heretofore have been used only in the legal definition and interpretation of them. That legal definition merely takes in gas, oil, and coal. It does not take in sand, gravel, peat moss, and a number of other items which, I understand, the department has interpreted as constituting valuable minerals. If they want to remove those items other than what the legal interpretation defines a valuable mineral to be, then this bill should spell that out. Unless it does spell it out, I am going to be constrained to vote against this bill.

Mr. ASHTON. Mr. Speaker, as far as valuable minerals in State parks are concerned, the Valley Forge State Park, which is a very great historical shrine, is underlaid with very valuable limestone deposits. I am just wondering whether that might not be, at some time, dug up and turned into a limestone quarry if this bill should pass. I think it would be a very disastrous thing to have that happen. Therefore, I am going to oppose this bill.

Mr. FINEMAN. Mr. Speaker, just one brief observation that I want to make about this bill. I have before me a memorandum from Dr. Goddard, the secretary of the department in question. In this memorandum he states as follows: "The purpose of this amendment is to allow the leasing for minerals beneath State parks. It will be done under the standard competitive bidding procedures. . . . The primary purpose of the amendment is to provide a measure of protection to prevent the drainage of natural gas or crude oil from beneath park lands through wells drilled near park land boundaries because of the characteristic mobility of oil and gas and its quick response to conditions encouraging its migration, hence, loss. The leasing as provided in this amendment will aid the Commonwealth in realizing further maximum income."

I think this is a factor that should be considered by the members of this House, and one that certainly should constrain them to vote affirmatively for this bill.

Mr. TOMPKINS. Mr. Speaker, when we gave the Department of Forests and Waters, originally gave them, the power to lease State-owned lands for the removal of valuable minerals, it was confined in its interpretation to oil and gas. The court has interpreted valuable minerals to be those two items plus coal. However, I am informed that they have recently interpreted valuable minerals as also constituting sand and gravel. That is the thing that I am concerned about. If they are going to enlarge their interpretation as to what constitutes valuable minerals, they might take the sand and gravel in as well as the limestone that the gentleman from Chester speaks about, and I think right here is the time to call a halt and have this thing spelled out so we will be sure what we are voting on. I am not going to give them the right to remove valuable minerals and have them interpret it as any old thing that might be below the surface of the ground.

Mr. AUKER. I am still reiterating, Mr. Speaker, my objections to the bill and I want to point out that in gummed-up legislation such as this on behalf of the Federal Government, there has been one scandal after another throughout the history of our country just through this type of legislation giving such unlimited power to one man as a head of a department to do as he sees fit. Now as I said before, I am not discussing the present secretary. I have every confiidence in him. But I am scared about the future. I am concerned about the people of the Commonwealth, the people to whom this land belongs, and I am concerned about it for the future years to come. I think this bill ought to be held up until we can put in limitations and we should get the thing spelled out before we pass this type of legislation for the benefit of the people in the future, not now.

Mr. HEAVEY. Mr. Speaker, I am no authority on this subject but just reading this caption here authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks, I ask, now, what do we do, buy State parks so we can turn them into mines? Yesterday we had quite a quarrel here about the way these mine companies left their mines and about settlement and so forth. Now, what are we going to do about a situation like that with State parks? State parks were never meant for anything like that when they were bought.

Mr. KRAMER. Mr. Speaker, I cannot let these last remarks go unanswered. When the Department of Forests and Waters was originally given the right to develop the minerals under park land, this same sort of fear was brought out to the public, but what happened? The State has realized more benefits and more money for MCF on gas drilling than any other land owner in this Commonwealth and the Department has realized millions of dollars, all of which has been turned back into beautiful State parks for the development of lakes which make

our State parks some of the most beautiful in this country. I say this is a good bill and we should vote for it.

Mr. TOMPKINS. Mr. Speaker, I do not deny what the gentleman from Allegheny just stated because of the fact that it was up in Clinton County and the lower end of my county that first started to produce the gas that led to granting the department the right to issue leases on oil and gas. I was all for that because I realized the tremendous revenue to the Commonwealth from that program. Also, in the authorization that we gave at that time it had to be on public bidding. It was not something that was lodged exclusively in the hands of the Secretary of Forests and Waters. But that is not my argument. My argument is that in their interpretation of what constitutes valuable minerals, they have gone beyond that point and taken in items that are not valuable minerals. Now if they are going to go beyond the point of what they have heretofore interpreted as being valuable minerals and take anything below the subsurface of the ground, then I say to you that we are entitled to know that, and this bill should spell out exactly what they are after and what they want to do and what they want to take out. I will not vote for any bill on a valuable mineral basis and have them take out something that is not a valuable mineral.

Mr. HOLLIDAY. Mr. Speaker, as I understand it, maybe the majority leader can correct me, at the present time, Secretary Goddard and his department have the right to drill for gas and oil on State forest lands. Is that correct, Mr. Speaker?

The SPEAKER pro tempore. Are you interrogating or requesting an interrogation of the majority leader?

Mr. HOLLIDAY. Yes, if you please.

The SPEAKER pro tempore. Does the majority leader consent to be interrogated?

Mr. McCANN. I do, Mr. Speaker.

Mr. McCANN. The gentleman is correct as he stated.

Mr. HOLLIDAY. Now they do not have it at the present time on State park lands; is that correct?

Mr. McCANN. That is correct, sir; they do not.

Mr. HOLLIDAY. I would go along with granting them permission to drill for gas and oil on State park lands because when that is completed you generally have to put a pipe in the ground. You have no real destruction of the ground like you would have in mining what may be called valuable minerals. Now, I know there have been several cases where we have State parks with coal underlying the ground and the State has been offered good royalties for the privilege of mining them. Now in a State park any kind of mining of any minerals, I will say, with the exception of gas and oil, would tend to destroy the value of that as a State park. You cannot take sand, gravel, coal, or anything else unless you erect other structures. If you take coal out you have to establish tipples, roads, railroads, and so forth, and the same thing happens with any other type of mineral with the exception of gas and oil. I think if this bill were amended to simply include State parks and give the right to drill for gas and oil by the State, that it could pass, but I think as it is written now, opening it up to all minerals, it is a mistake to do that in State parks.

Mr. McCANN. Mr. Speaker, evidently the main arguments center around the words "valuable minerals" and not defining specifically those minerals. But, yet, basically, I do not mind saying that I favor the secretary of the Department of Forests and Waters having this right, and this bill No. 453 deals with State parks. I bring to your attention that such a law exists, as Mr. Holliday stated, in the ownership of other Commonwealth lands, and I say to you that if the Secretary of Forest and Waters in any way attempts to take out any of these items, about which you are worried, gravel, sand, slate, coal, or some other things that would be called valuable minerals, I would be in complete agreement that such items could not be removed from State parks without in some way destroying or doing something to a State park as it exists there now. In Pennsylvania I believe we have State parks from the largest to the smallest, either being built or that have been purchased and built, and I am sure there are many located in Pennsylvania where underlying that land would be some of these important minerals. Perhaps in some areas coal, in some, sand, in some, gravel, and in some, other items, but evidently there seems to be a complete disagreement or, rather, shall I say, fear to give to the Secretary that right, under the words "valuable minerals." When you take that position I also assume you are careful in your deliberations to state that for some reason you want to define each item, you want to spell out each item by word, stating sand, gravel, limestone, and the various other valuable minerals, because I believe the Secretary of Forest and Waters is the one who is responsible that those State parks are handled properly. It is his responsibility and the department has been doing a good job under legislation dealing with royalties from gas and oil that Mr. Tompkins, I guess, was one of the early sponsors in producing income for this Commonwealth and under which this program has been moving along. I favor this bill, but, if we are in a position where we cannot enact this legislation, then certainly we will have to go to an amendment which will clearly define on an agreed basis "valuable minerals." I cannot say nor do I know what a proper definition is in defining what each one would be. I am sure the department or others will know. I would like to ask your support for the legislation, but if you feel that you cannot vote for it because you are giving provocative powers too great to the secretary of Forests and Waters, then of course that is your decision. I have faith that whoever may be secretary, even if Dr. Goddard were to leave and someone else were to replace him, I am confident that whoever shall hold that position will have a tremendous obligation to all the people of Pennsylvania, and I think we should, in every instance, strengthen his hand for the program which, in our opinion, will benefit the greater portion of the people of Pennsylvania.

Mr. TOMPKINS. Mr. Speaker, if the gentleman will amend this bill to confine it to coal and gas, I will support the bill; otherwise I will be against it.

Mr. McCANN. Mr. Speaker, I cannot at this point amend it to that. I will ask that you vote on the bill today, and I do ask that the Members consider it carefully and vote as they believe in this situation. If you cannot support the bill today, and I believe most of you have a good opinion of what valuable minerals may be, then I assume we will have to cover all the items that have been mentioned here and perhaps some others, but I would appreciate it if you felt the same as many of us do, that the secretary's hand should be strengthened in this field. I ask you to support this legislation.

Mr. KRAMER. Mr. Speaker, I am vitally interested in this bill because I love our State parks. I do a lot of travelling in them and I would like to see this bill passed because I think it is to the great benefit of our parks. I would like to answer the gentlemen from the other side of the aisle who are worried about mines under some of these State parks and try to prove to him that his fears are unfounded and ask him to go to the new Prince Gallitzen State park in Cambria County which is almost completely undermined with coal mines, yet the department has taken that area, putting in a lake, putting in roads and camp sites. I must say it is one of the most beautiful places that I have ever seen and I think that your fears about undermining and that sort of thing are unfounded. They have taken this very area and have built the parks, not destroyed them.

Mr. A. W. JOHNSON. Mr. Speaker, I was not going to say anything about this bill, but as the debate progressed it ran in my mind that, as I recall the case law in Pennsylvania, natural gas is not a mineral. Natural gas is a volatile substance and all the litigation in the last ten years has been around the question, when you accept and reserve the minerals in a lease, whether you accept and reserve natural gas.

As I recall it, although I am a little hazy on recent cases, I believe that natural gas is not a mineral. Therefore, if you pass this bill and say you want to develop valuable minerals and it is natural gas that you are after, it is very questionable in my mind, without having rechecked the cases, whether you would be accomplishing the purpose. Our State parks are being made larger all the time—10, 100, and 1,200 acres. Natural gas being, again, a very transitory and volatile commodity, when somebody strikes a gas well next to a State park, it is imperative that the State is allowed to develop that gas. Otherwise, our next-door neighbor will drain that gas out from our State parks and we will lose millions of dollars. We should have a bill, and it should be defined; it should say natural gas. I believe, to repeat, that natural gas is not a mineral under the case law of Pennsylvania.

Likewise, the next bill says that if the Commonwealth owns a special interest in minerals they should be allowed to negotiate a lease. We are not on that bill, but there you are using the word "mineral" again, and why does it include natural gas? I do not believe it does, without my rechecking the latest cases on it. I think you are in a terrific dilemma here as to a proper interpretation of that word.

Mr. FINEMAN. Mr. Speaker, I have running around in the back of my mind some recollection of the case that the gentleman makes reference to, and I am somewhat inclined to agree with what he recalls the law to be. I think possibly oil and gas, under our court interpretations of valuable minerals, are not items that are included.

BILL POSTPONED

Mr. FINEMAN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I will ask that House bill No. 454 go over in order because it is on a similar subject. During the recess period we can straighten out the oil and gas and valuable minerals question.

BILL PASSED OVER

There being no objection, House bill No. 454, printer's No. 493, was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 460, entitled:

An Act repealing section 5.1 of the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304), relating to the dissolution of and withdrawal from certain departments of health.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FILO. Mr. Speaker, I would like to interrogate the sponsor of this bill. I would like one of the sponsors to give us a brief resume of this bill and what it does.

The SPEAKER pro tempore. The Chair recognizes that gentleman from Westmoreland, Mr. Maxwell.

Mr. MAXWELL. Mr. Speaker, this is a bill that has been very much misunderstood and misinterpreted. There has been a lot of misinformation disseminated throughout the membership of this House concerning this bill. I am ready and willing to answer any questions that anyone may have. However, if you will bear with me I may clear up some of those questions that are in the membership's mind, by reading a letter written to the Butler Eagle by the secretary of health:

"Dear Mr. Wise:

Due to the dissolution of the Butler County Health Department by referendum on November 8, 1960, certain reductions in the Butler County Health program have been necessary. The transition period was extended to December 31, 1960, so that county employes could complete some activities that were under way. This also permitted time for the State Department of Health to arrange to absorb a limited number of public health workers, some of whom will remain in Butler County. For example, four of the nine public health nurses will continue to work there as the staff for the entire county.

"I should like to clarify some of the legal questions that have arisen with respect to the responsibility of the governmental jurisdiction in the county. Before the county department was established in 1954, most of the county, exclusive of Butler and Butler Township, was given public health coverage by the State. After the county department came into being, the jurisdictions not previously under the State gradually became a part of the county department.

"Since its dissolution the city of Butler has decided not to re-establish a health department of its own, but to look to the State for public health services. Butler Township is the only municipality that has indicated its intent to establish its own health department. Public health functions of all boroughs and second class townships automatically became the responsibility of the State. Therefore, at this date, the entire county of Butler is under the jurisdiction of the State Department of Health for the conduct of public health services. Obviously, we are not, and will not be, in a position to provide certain services previously available from the county unit. These services are being provided by less than half as many health workers as were employed during the operation of the county department of health.

"Butler County will, of necessity, be without the services of a county medical director and will have to rely on the services of our regional medical director from Meadville, who must serve eleven other counties as well. For example, this one medical director, covering twelve counties, cannot adequately coordinate State immunizations and clinics as well as good public health practice dictates. Butler County will be dependent on his availability for disease outbreaks such as hepatitis, poliomyelitis or food poisoning.

"Perhaps the biggest loss of service to Butler citizens will be in the field of nursing. The nursing problems inherent in the increasing prevalence of chronic disease in our population and associated with the high cost of hospitalization and nursing care can be alleviated by the use of public health home nursing care. Butler County was doing this. This service was increasing to such a degree that by 1959, 50 percent of the total of 5,923 nursing visits were for home nursing care, and most of these were for patients with chronic diseases. This is a service the State cannot provide and, accordingly, it is now completely lost to the county."

The State cannot now provide this.

"Likewise, the several hundred yearly nursing visits assisting private physicians with their maternal and child health cases is a service the State cannot continue. State public health nursing services will be essentially limited to communicable disease control and to certain clinic activities such as tuberculosis and child health conferences. Direction for nursing services will be from the Meadville regional office.

"Insofar as sanitation activities are concerned, the State assumes responsibility for inspection of public water supplies. It cannot provide more than limited consultation on individual water suplies, over 50 percent of which were found to be contaminated when checked by the county unit. The State has full responsibility for inspection of public sewage disposal systems and must be called in to inspect and give State approval for private construction of septic tanks when FHA or VA financing is involved. We do not have the staff, however, to inspect such facilities at conventionally financed homes.

"Nuisance complaints will be handled as expeditiously as availability of personnel permits.

"A major loss to Butler County will be the reduction in the coordination and integration of programs of the official and voluntary health agencies so essential to make the most of available resources and to make optimum utilization of the available health dollar. And speaking of the health dollar, the county unit . . . ."

And this is very important, gentlemen.

". . . the county unit was costing Butler citizens out of county taxes about one and one-fourth cents per person per week." That is a bargain if only the home nursing care were considered and no other health services were involved.

"We are fully cognizant of many services formerly available to Butler citizens that the State cannot provide. However, financial and personnel limitations have eliminated such excellent programs as the home nursing service. In addition, administrative control, which by necessity must be maintained at either the Harrisburg or Meadville level, cannot be as sensitive to local demands or needs as can the local unit.

"The location of the headquarters for the State's activities has not definitely been decided. However, we are negotiating with the Veterans Administration Hospital for space.

"We strongly feel that, by all standards nationally available, Butler County has suffered a great loss by eliminating its county health department. The citizens experssed their will by voting it out and the State Department of Health will perform the same limited services it supplies elsewhere in the State, even though it cannot provide Butler County with the services previously available.

"Very truly yours,
C. L. Wilbar, Jr., M.D.
Secretary of Health"

Mr. FILO. I thank the gentleman. I am glad I asked the gentleman for a resume and not a detailed statement.

Mr. Speaker, I want the members to know that I am not against the county health plan. If this bill should pass, we will still have a county health plan. I am for a county health plan. This will not jeopardize the county health plan we have presently. The only thing I ask is that this bill remains as is.

Many of the communities in my area have complained of the lack of service they are getting from the county health plan. When they had their own systems, they could do things within a day or two, or maybe three days. Presently they have to wait for weeks to get satisfaction from the county health department. I say I am for the county health plan. They should do something to do a better job and I think that by elimination of this bill it would help them do things better. I agree with this legislation. The one percent is not the figure that should be in there. It could be a greater percentage of people voting to eliminate the county health plan. But, by the same token, we feel that we are not getting the best possible service and I think this bill should remain as is.

Mr. FARABAUGH. Mr. Speaker, I have no objection to any county health department continuing to function and enforce regulations that they think necessary, possibly in excess of what the State department issues. I can only get one thing out of the letter which has been written here and which has been read into the record, and that is that one county is in bad shape as a result of the present law. It must be too bad for all the rest of the State who do not have county health departments, if our State department failed as badly as that would indicate. This bill that we are acting on here today, in my opinion, is one of the sneakiest ones I have seen in the years I have been around here. We passed in 1959 a bill that became law that gave the people within any community where they have a county health department the opportunity to say whether or not they want that continued. In my opinion, that is a just method of operating. This bill simply would repeal that law. Therefore, the people within the community would have no jurisdiction, no authority, to say whether or not they want to continue that health department, whether it be good or bad.

All of us here in the House have supported certain legislation that was not too palatable because of the fact that it allowed a referendum and permitted the people in a community to decide whether or not they wanted certain things. That is what we did in 1959. We made a law that allows a referendum, and this bill would simply repeal that referendum.

I say to you, members of the House, this is unjust and I hope you will all oppose this bill in its present form.

Mr. MAXWELL. Mr. Speaker, in reply to the gentleman from Cambria County, Mr. Farabaugh, who calls this a sneaky bill, I think the gentleman is a mite con-

fused. The sneaky bill was the amendment in 1959 that created this when it was tacked onto an appropriation for a Philadelphia hospital which was badly in need of an appropriation. The Senate tacked this sneaky 1959 amendment on here, and, in order for this House to get the necessary hospital care for those people in Philadelphia, we had to go along with this 1959 amendment. So if there is anything sneaky, the sneaky part was when they sneaked it in on the end of a good bill.

As I said before, there has been a lot of misinformation on this bill. When they tell you that once the county health unit is established you cannot take it out, that is absolute misinformation. The county commissioners can dissolve a county health unit at any time they want to dissolve it, practically. All the commissioners have to do is to let it die on the vine. No county health unit can survive without money. The county commissioners and the county salary board control the purse strings that create the county health unit. The county commissioners must put up 50 percent of the money and the State puts up the other 50 percent, up to 75 cents.

Now, nowhere where they have established a county health unit has the millage been raised. Nowhere in the State has the millage been raised on account of the establishment of a county health unit. A board is set up by the county commissioners, appointed by them and they are actually the ones who control it. When you are told that you cannot eliminate a county health unit without a referendum, that is pure misinformation because no organization can exist without money, and the county commissioners and the county salary board control the purse strings. Thank you.

Are there any other questions on this bill? I would like to answer them.

Mr. FARABAUGH, Mr. Speaker, I would like to ask the gentleman from Westmoreland just one question.

The SPEAKER pro tempore. Will the gentleman consent to be interrogated?

Mr. MAXWELL. I shall, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, I want to ask the gentleman just what is his objection to the people in the community deciding for themselves whether or not they want a health department?

Mr. MAXWELL. Mr. Speaker, that is a very good question and I have been expecting it for a long time.

I think in my last statement I already explained that a referendum is absolutely unnecessary. It is unnecessary. You do not need a referendum. You do not have referendums to rip out fire departments, do you? You do not have referendums to rip out police departments, do you? Why would you have a referendum to rip out anything as important as protection of the public health?

Mr. LAMB. Mr. Speaker, I think that the metropolitan areas of this Commonwealth now recognize the invaluable aid and assistance guaranteed and granted to them by the existence of the county health departments, in those areas where a health department has been established and has properly functioned. For example, I refer to the Allegheny Health Department. This department has been a boon, it has been, in my opinion, a lifesaver to the metropolitan area. I can understand that in some rural sections of this Commonwealth the county health department may not meet with favor and as a result county health departments are not established universally throughout the Commonwealth. However, I feel that in time to come the value of the health department will be universally recognized throughout the State.

I just wish to point out, however, the problem that does exist if we do not revoke and repeal the present status of the law, which we are trying to do by this amendment. The county health departments now in existence are unable to plan programs that would extend over a period of a number of years. I have in my own district a very serious health problem. To combat it is going to take a large amount of money. It is going to take a number of years of planning, of sewer construction. If the health department has hanging over its head this sword, not knowing from one year to another as to whether or not their actual existence is going to be terminated, they cannot enter into the problems such as the one we face in my own district. It is for this reason, I think, that this amendment has to pass.

I am glad that Dr. Maxwell saw fit to bring to the attention of this House the reason that it was put in in the first place, and I feel that for the benefit of the metropolitan areas that have health departments already in existence, this amendment not only is a thorn in their side but is actually threatening their very existence. For that reason I would ask the members of this House to vote in favor of this bill.

Mrs. KOOKER. Mr. Speaker, I did not intend to speak upon this bill, but I think I would be rather remiss if I did not, inasmuch as Bucks County has a fine, functioning health department. We are very proud of our health department and, as you know, we are one of the fastest growing counties in the Commonwealth. We have many problems because we have many developments. I feel that this county health department has added greatly to the development in Bucks County. We have a department that through the establishment of our county health department adds to the local autonomy in Pennsylvania.

In the absence of a county health department, public health functions are administered by boards of health established by cities first class, townships and boroughs. These boards of health employ a variable number of part-time personnel who are unskilled in public health. This board gives us people who are skilled in public health; they give us professional people who know what they are doing. The cost of this health department to Bucks County is one of the cheapest and one of the greatest bargains we have ever had. It costs each man and woman in Bucks County approximately $1.45 per year, which is only the cost of a few packs of cigarettes, to protect the health of every man, woman, and child in Bucks County and to protect it with the very best ability of professional skill.

I feel we should have an "aye" vote on this bill, not only to protect ourselves, but to protect everyone who has one of these health departments, and for those whom I hope in time to come will be lucky enough to have one of these departments in their county.

Mr. FARABAUGH. Mr. Speaker, I would like to ask either one of the last two speakers a couple of questions.

The SPEAKER pro tempore. Will either of the last two speakers permit themselves to be interrogated?

Mr. Lamb, of Allegheny County, will you permit yourself to be interrogated?

Mr. LAMB. I shall, Mr. Speaker.

Mr. FARABAUGH. Mr. Speaker, in what way is the present law interfering with your health department?

Mr. LAMB. May I cite what I consider to be a very good example, Mr. Speaker?

There exists in the city of Pittsburgh and some of the surrounding boroughs and townships a watercourse which is generally known as Sawmill Run. Sawmill Run is recognized as an open sewer. It is also recognized as a very serious flooding problem. Yesterday, for example, I was together with Dr. Goddard from the Department of Forests and Waters and his staff, Dr. Domkie from the Allegheny County Health Department and city and county officials, planning what we could do to improve the health situation and to remove the present health menace that exists. The county health department is willing to undertake the chairmanship of a coordinating committee to plan adequate sewage for this creek. This is going to cost millions of dollars. The Federal Government, through its corps of engineers, is going to design a practical waterway. The county health department is going to design and take part in the sewer construction, but this is going to take several years. Now, if the Health Department is going to get involved in this today and finds out next year or the year after that they are no longer going to be in existence—or I should put it this way, how could the county health department plan for a program such as this, realizing the possibility that they may not be in existence next year? I think that is an example, Mr. Speaker, of what I am talking about.

Mr. FARABAUGH. Mr. Speaker, I believe the gentleman from Allegheny has proved two points in his answer to that question. First, he has proven that the health department is not being interfered with; secondly, he has proven that the State department is working with the county health department. Therefore he has defeated his own arguments.

Another question I would like to ask is, since you have a condition where the people within the area are affected by the sewer condition you speak of, naturally they are interested in the same thing you are, so why do you object to their having a voice in it?

Mr. LAMB. I am sorry, Mr. Speaker, I do not quite understand the question.

The SPEAKER pro tempore. Will the gentleman repeat his question?

Mr. FARABAUGH. Since you have told us of your sewer condition that affects the people within that area, they naturally are interested in it and in favor of your improving it, so why are you so much afraid of them wanting to have a voice in determining whether you should continue or not?

Mr. LAMB. As I thought I brought out, inasmuch as the project is going to take several years to solve and inasmuch as so much money is going to be spent in solving it, it will practically be impossible for the health department to get in and coordinate the activities and to take a major responsibility in it if they feel, or are under the threat, that possibly next year they will not even be in existence.

Mr. FARABAUGH. I thank the gentleman. It appears to me they are afraid of something here that is very unlikely to happen if they are doing a proper job; and if they are not doing a proper job, according to the present law as I understand it, the State health department will step in and do the job, so what is there to worry about?

Mr. ADAMS. Mr. Speaker . . . .

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks, Mr. Adams.

Mr. MAXWELL. Mr. Speaker, may I interrupt for just a minute?

The SPEAKER pro tempore. The gentleman does not have the floor. The floor is now held by the gentleman from Berks, Mr. Adams.

Mr. MAXWELL. Will the gentleman yield?

Mr. ADAMS. No.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. ADAMS. Mr. Speaker, the more this debate goes on the more confusing it gets and my interpretation and understanding of this is, and if it is wrong, I would like to be corrected: Under existing law the electorate of a county have a right to set up a county health unit. Under existing law, if they find it undesirable and inefficient, they have the right by referendum to vote it out. I understand this bill as proposed, No. 460, would take away that right from the electorate, and by implication would say that while the people are certainly qualified to determine what they shall set up, how their money shall be spent, and so forth, once it has been instituted they no longer have the right, the ability or the intelligence to determine that they can terminate a unit under this legislation. I think to take a stand like that is replacing rule of the majority by the minority and saying they are not fit or qualified to decide when they want to terminate a program which they themselves instituted by their own free will. It is wrong and so I think we should get on with it and vote on it and all decide that the people have the right to say. Let us vote the bill down and let us quit the horsing around.

Mr. MAXWELL. Mr. Speaker, when I asked the gentleman to yield and he so discourteously refused, I only was doing it for one of his own members. Mr. Goldstein wanted a ruling from the Chair and he asked me to ask if he could be recorded as voting "aye" because he had to go over to the Governor's office to roll, I guess, for a selection of judge. That was the only reason I wanted the gentleman to yield.

The SPEAKER pro tempore. The Chair regrets that he could not require the gentleman from Berks to yield.

Mr. MAXWELL. Would the Chair, if we go to a vote before Mr. Goldstein returns, record him as voting "aye"? That was his request.

The SPEAKER pro tempore. The rules of the House would not permit Mr. Goldstein to be recorded as voting "aye" under these circumstances.

Mr. MAXWELL. Thank you, Mr. Speaker.

In closing, in answer to the gentleman, I still do not agree with him on why the electorate should rip out a county health unit. As I said before, if he is going to give this right, why not give the right to rip out police departments and fire departments. I think that is all right. I would go along with that. That is all, thank you.

Mr. ADAMS. Mr. Speaker, I regret that I did not know that the request was made to me to yield in order to permit a colleague to vote. Had I known it was for such a short purpose, I would have gladly yielded, but I thought it was for further discourse on this subject by the gentleman from Westmoreland, Mr. Maxwell, and

while I have heard him speak on the subject about half a dozen times, I thought inasmuch as I had not spoken on it before I was entitled to at least one time.

The SPEAKER pro tempore. The Chair fortunately recognizes the presence of Mr. Goldstein in the hall of the House.

The Chair temporarily recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. I was so confused with the wonderful cooperation and results that I got from my address yesterday that I forgot the roll was tomorrow. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Fox.

Mr. FOX. Mr. Speaker, I would like to comment briefly on two things the gentleman from Westmoreland, Mr. Maxwell, mentioned.

First of all, he likened this referendum on county health units to a referendum on fire and police departments. That is not a parallel situation. In the case of the county health departments, there are alternative methods of providing local health supervision. Historically, we have had the State and the local municipalities provide health supervision. The county unit is an alternative plan that the people may or may not vote to go into. That is not the case with fire and police departments. Furthermore, once they are in it is a more or less autonomous operation, whereas the police and fire departments are directly controlled by the city or borough council. The other thing that I wanted to mention was the fact that he said a referendum is unnecessary to do away with one of these health departments, that the commissioners can do this by cutting off the funds. In that case they would not be dissolving the department, they would be merely killing it by strangulation. There would be a period of time during which the thing was being killed that there would be no adequate health services provided either by the State or the county. That is not an alternative method of disbanding a county health unit. That is merely strangulating it so you have nothing in that period of transition.

I would like to further state that if those counties which have health units like them, such as Bucks and Allegheny, certainly they should be permitted to keep them. We are not discussing in this bill the merits of the health departments that are in existence. We are discussing the right of the people to choose, to vote on, whether they shall keep their health departments or dissolve them. I think it is the very essence of our method of self-government, that people have the right preserved to have a referendum on a matter of such great importance.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—93

Anderson, S. A.,	Gelfand,	Limper,	Perry,
Arlene,	Gibbons,	Long, Wm. Jas.,	Polaski,
Bachman,	Goldstein, M. H.,	Long, Wm. Jos.,	Reibman,
Blair,	Gray,	Lutty,	Reidenbach,
Boles,	Gremminger,	Maxwell,	Riley,
Bonner,	Guesman,	McCormack,	Rubin,
Branca,	Hankins,	McDevitt,	Rutherford,
Capitolo,	Hartley,	McDonald,	Sakulsky,
Cauley,	Haudenshield,	McKeever,	Scarcelli,
Cioffi,	Heavey,	McLaughlin,	Schaaf,
Clarke,	Irvis,	Meholchick,	Schuster,
Comer,	Jenkins,	Mills,	Shelton,
Cooley,	Jim,	Monroe,	Sherman,
Crossin,	Jones,	Morley,	Shupnik,
Curwood,	Kamyk,	Mullen,	Simmons,
Doughten,	Kelly,	Munley,	Snare,
Ewing,	Knecht,	Murphy,	Sullivan, J. A.,
Filo,	Kooker,	Murray,	Sullivan, T. F.,
Fineman,	Kornick,	Needham,	Taylor,
Foerster,	Kramer,	O'Donnell, J. A.,	Thompson,
Frascella,	Lamb,	O'Donnell, J. P.,	Tomascik,
Fry,	Lawson,	Parlante,	Wargo,
Gailey,	Leonard,	Pashley,	Welsh,
Gallagher,			

NAYS—100

Adams,	Fetterolf,	King,	Seltzer,
Anderson, J. H.,	Flynn,	Kistler,	Slack,
Ashton,	Foor,	Klein,	Stank,
Auker,	Fox,	Korns,	Stimmel,
Backenstoe,	Fulmer,	Lee, A. M.,	Stiteler,
Bossert,	George,	Lee, K. B.,	Stone,
Bower,	Gibb,	Magee,	Strausser,
Bowman,	Goldstein, J. H.,	Manbeck,	Tompkins,
Breth,	Goodrich,	Markley,	Trusio,
Buchanan,	Gramlich,	Marsh,	Varner,
Bush,	Gross,	May,	Verona,
Capano,	Hamilton,	McCandless,	Walsh,
Cianfrani,	Heffner,	McCann,	Weidner,
Davis,	Helm,	McInroy,	Wescott,
Dengler,	Henzel,	Miller,	Whittaker,
Dennison,	Hocker,	O'Dell,	Willard,
Donaldson,	Holliday,	Odorisio,	Williams, A. D.,
Dougherty,	Holman,	Ogilvie,	Williams, E. S.,
Down,	Horst,	Petrosky,	Wilt,
Edwards,	Isaacs,	Piper,	Wood,
Ellberg,	Johnson, A. W.,	Polen,	Worley,
Elvey,	Johnson, R. P.,	Pursley,	Yetter,
Eshback,	Keiser,	Renwick,	Zember,
Eshleman,	Kernaghan,	Rovansek,	Zimmerman,
Farabaugh,	Kessler,	Rudisill,	Andrews, Speaker

NOT VOTING—14

Guthrie,	Mihm,	Royer,	Wall,
Lippincott,	Musto,	Steckel,	Willaredt,
McNally,	Prendergast,	Ujobai,	Wynd,
Merry,	Price,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. A. D. WILLIAMS filed the following reasons for his vote on House bill No. 460, printer's number 499.

I favor the county health plan. I believe the vast majority of the citizens of Bucks County favor the county health plan.

This bill is not really concerned with county health plan. It is a question of non-rule. The people today have the right to establish a county health plan and also the right to end a county health plan. This is absolute Home Rule and I favor it.

No one in Bucks County seriously believes that the voters will abolish our health plan.

None of the personnel of our county health plan have resigned because they know our county health plan might be abolished.

If one percent of the electorate are permitted to place the question of establishing a county health department on the ballot, it follows that the same number should be able to place the question of disestablishment on the ballot.

I believe the fear of such action is false but the right should exist.

It still requires a majority of the voters to either establish or disestablish a county health department. I have faith in the people on this question.

STATEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, while they are getting the totals ready on the vote, I would like to take this opportunity to tell the membership that we will move steadily until about a quarter to one at which time we will break for lunch, so please do not go down now to eat. It will give us a better opportunity to get in the cafeteria for a short lunch period.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Blair, Mr. Auker, rise?

Mr. AUKER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, after the Chair announces that the clerk will record the vote, how long can that machine stay open? Should not the vote be closed at the time the Speaker announces that the clerk will record the vote and nobody be allowed to vote after that?

The SPEAKER pro tempore. The vote will stay open until the majority leader and the minority leader indicate their desire to have it closed. That is the practice that has prevailed.

Mr. AUKER. Mr. Speaker, I agree with that. Then the Speaker announces that the clerk will record the vote and the machine still stays open for as high as a minute or a minute and a half.

The SPEAKER pro tempore. In reply to the gentleman, I am advised that it takes anywhere from 15 to 30 seconds for the machine's automatic system to close itself out after the Speaker has announced that the clerk will take the vote.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 419, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing that supervisors assessors auditors and tax collectors must be electors of the township in order to be eligible.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I should like to interrogate the gentleman from Washington, Mr. Flynn.

The SPEAKER pro tempore. Will the gentleman from Washington, Mr. Flynn, permit himself to be interrogated?

Mr. FLYNN. Mr. Speaker, I shall.

Mr. TOMPKINS. What township officers are there presently in existence?

Mr. FLYNN. Is the gentleman speaking of elected township officers?

Mr. TOMPKINS. Yes, I am talking on this bill. This bill says no person shall be eligible to any township office unless he is a registered elector. Now that office is amended out and certain specific offices are spelled out. What specific offices are being eliminated here that are not included in the ones that are spelled out?

Mr. FLYNN. Mr. Speaker, my interpretation of it is, it is a clarifying amendment. It spells out who shall hold elective office, and it spells out the township supervisor—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. McCORMACK. May I ask the gentleman to yield for the purpose of asking the Chair what bill we are considering and why it is not lit up?

The SPEAKER pro tempore. The Chair has announced and will announce again that we are now considering on page 12 of the third-reading calendar, House bill 419, printer's No. 456.

Mr. McCORMACK. Should that not be signified on the board?

The SPEAKER pro tempore. The Chair has requested that it be put on the board and it is now on the board.

The Chair thanks the gentleman very much.

The gentleman from Washington, Mr. Flynn, will proceed.

Mr. FLYNN. Mr. Speaker, this is a clarifying amendment to article 4, section 401, of the Township Code. What it does in detail is to spell out the elected officers, and it spells out the supervisor, the assessor, the tax collector, and the auditors for the township. The way the code reads now in section 401, if my memory serves me correctly, it specifies that no person shall hold any office in any township unless he is an electorate resident thereof. My interpretation of the present code, Mr. Speaker, would be that nobody could hold any office whether it be elective or appointive unless he was a resident thereof, and there are conditions in the different townships today whereby the township supervisors appoint solicitors, or a secretary, roadmaster, engineer, and what have you, from other than residents of the township. This amendment, Mr. Speaker, in my opinion, clarifies who shall be a resident of the township to hold elective office.

Mr. TOMPKINS. I do not see school directors in here. Are they not elected?

Mr. FLYNN. They do not come under the code, Mr. Speaker.

Mr. TOMPKINS. I thank the gentleman.

Excuse me, Mr. Speaker. Under this bill could the township hire a CPA to do their auditing?

Mr. FLYNN. Yes. Since he is not an elective official, the township supervisor would have the right to employ a CPA if he so desired.

Mr. TOMPKINS. Would he not be doing the work of the auditor?

Mr. FLYNN. Not necessarily.

Mr. TOMPKINS. Well, the assumption—

Mr. FLYNN. Perhaps they would call him in to check on the auditors. Perhaps they may feel a distrust of the auditors and request a CPA to check the auditors.

Mr. TOMPKINS. Suppose they wanted to get a CPA instead of an auditor to do their work?

Mr. FLYNN. The auditors are elected and the code spells out that they must be elected, so they would have no choice in that matter.

Mr. TOMPKINS. I thank the gentleman.

Mr. ISAACS. Mr. Speaker, I would further like to interrogate the gentleman.

The SPEAKER pro tempore. Would the gentleman from Washington, Mr. Flynn, permit himself to be further interrogated?

Mr. FLYNN. I shall, Mr. Speaker.

Mr. ISAACS. Mr. Speaker, I do not have a Township Code before me, but would a constable be able to be elected who is not a resident of the township?

Mr. FLYNN. No, I would say not, Mr. Speaker. I think there are other provisions in the code which take care of constables.

Mr. ISAACS. How about a justice of the peace?

Mr. FLYNN. The same, I believe, Mr. Speaker, applies to a justice of the peace.

Mr. ISAACS. I thank the gentleman.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams.	Foerster,	Kramer,	Reidenbach,
Anderson, J. H.,	Foor,	Lamb,	Renwick,
Anderson, S. A.,	Fox,	Lawson,	Riley,
Arlene,	Frascella,	Lee, A. M.,	Rovansek,
Ashton,	Fry,	Lee, K. B.,	Rubin,
Auker,	Fulmer,	Leonard,	Rudisill,
Blair,	Gailey,	Limper,	Rutherford,
Boles,	Gallagher,	Long, Wm. Jas.,	Sakulsky,
Bonner,	Gelfand,	Long, Wm. Jos.,	Scarcelli,
Bachman,	George,	Lutty,	Schaaf,
Backenstoe,	Gibbons,	Magee,	Schuster,
Bossert,	Goldstein, J. H.,	Manbeck,	Seltzer,
Bower,	Goldstein, M. H.,	Markley,	Shelton,
Bowman,	Goodrich,	Marsh,	Sherman,
Branca,	Gramlich,	Maxwell,	Shupnik,
Breth,	Gray,	May,	Simmons,
Buchanan,	Gremminger,	McCandless,	Slack,
Bush,	Gross,	McCann,	Snare,
Capano,	Guesman,	McCormack,	Stank,
Capitolo,	Hamilton,	McDevitt,	Stimmel,
Cauley,	Hankins,	McDonald,	Stone,
Cianfrani,	Hartley,	McInroy,	Strausser,
Cioffi,	Haudenshield,	McKeever,	Sullivan, J. A.,
Clarke,	Heavey,	McLaughlin,	Sullivan, T. F.,
Comer,	Helm,	Meholchick,	Taylor,
Cooley,	Henzel,	Miller,	Thompson,
Crossin,	Hocker,	Mills,	Tomascik,
Curwood,	Holliday,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvis,	Mullen,	Varner,
Dennison,	Isaacs,	Munley,	Verona,
Donaldson,	Jenkins,	Murphy,	Walsh,
Dougherty,	Jim,	Murray,	Wargo,
Doughten,	Johnson, A. W.,	Needham,	Weidner,
Down,	Johnson, R. P.,	O'Dell,	Welsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wescott,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Whittaker,
Elvey,	Keiser,	Odorisio,	Willard,
Eshback,	Kelly,	Ogilvie,	Williams, E. S.,
Eshleman,	Kernaghan,	Parlante,	Wilt,
Ewing,	Kessler,	Pashley,	Wood,
Farabaugh,	King,	Perry,	Worley,
Fetterolf,	Klein,	Polaski,	Yetter,
Filo,	Kooker,	Polen,	Zember,
Fineman,	Kornick,	Pursley,	Zimmerman,
Flynn,	Korns,	Reibman,	Andrews, Speaker

NAYS—6

Holman,	Petrosky,	Stiteler,	Williams, A. D.,
Kistler,	Piper,		

NOT VOTING—17

Gibb,	McNally,	Prendergast,	Ujobai,
Guthrie,	Merry,	Price,	Wall,
Heffner,	Mihm,	Royer,	Willaredt,
Knecht,	Musto,	Steckel,	Wynd,
Lippincott,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 428, printer's No. 1023

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 422, entitled:

An Act amending the "Child Labor Law" approved May 13, 1915 (P. L. 286), permitting certain minors to be employed as caddies.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCORMACK. Mr. Speaker, I would like to very briefly explain this bill, without delaying the House.

This is an amendment to the Child Labor Law, which would permit minors between the ages of 12 and 15 to caddy at a country club, and they are limited to carrying one bag and to the further restriction that they be allowed to carry for no more than 18 holes in one day.

There have been some misgivings about this bill, that this is a raid on the child labor laws and that there is an attempt being made to create all kinds of loopholes and to open the door on the child labor laws that we now have.

I would like to assure the membership that this is not going to hurt the child labor laws in any respect. It is a bill that many members on both sides of the House have expressed interest in—they are in favor of it. I note on the Pennsylvania AFL-CIO house calendar that they do not have it checked off as a bill to which they are opposed. There is a considerable segment of labor that is not opposed to this bill. I have heard nothing, except from one labor union in Philadelphia.

This is a good bill and it gives the children a chance to earn enough money to buy shoes and other things that they would ordinarily be deprived of. Older boys would not be willing to caddy for the money that is involved—it is only a few dollars—and there is a scarcity of caddies. With this amendment to the Child Labor Law it would be a good thing for young children. I have caddied in that age category myself and it never hurt me, except that I have become a politician since.

There is also considerable interest in this bill by the Professional Golfers' Association that endorsed it.

There have been some misgivings that the children, if they were in the country club environment, would not be in the best company in these caddy houses, but I would like to point out that the caddy masters at the present time supervise the activities and watch over the young caddies there, they train them properly, and most of the caddies that I am acquainted with in this young age category are decent, respectable, law-abiding boys. This is a step in the right direction to do away with some of the problems of juvenile delinquency today. Thank you, Mr. Speaker.

Mr. MORLEY. Mr. Speaker, I have spent some years in the Department of Labor and Industry in this State enforcing the Child Labor Law. This is the very type of argument that I have listened to time and time again with respect to liberalizing the Child Labor Law, the kind that are just trying to defend violations of it.

There are only two categories of jobs in which youngsters are permitted to engage, in which special permission is given, under the law. One is shoeshine boys and the other is newsboys.

For any member of this House to stand up and say in the year 1961 that we, the members of the Pennsylvania Legislature, should start to relax the Child Labor Laws in this State is nonsense. Personally, I feel that the club house of the golf course is no place for a 12-year-old youngster. I know of a hundred different occupations that would be much more desirable for 12-year-olds.

The child Labor law in this State was passed many years ago. It took the energy and the efforts and the dedication of thousands of men and women in this State to take the youngsters out of coal breakers, to take them out of employment that was wrecking their health.

I do not think that we as members of this House in the year 1961 should take the road backwards. I think it is a bad bill and we should vote against it.

Mr. FETTEROLF. Mr. Speaker, I wish to make a few remarks on this bill.

In the first place, in answer to the gentleman from Philadelphia, Mr. Morley, who brings out the point that the so-called shacks or caddy houses are not places for younger boys to gather, I wish to say this as president of the golf association of Philadelphia, encompassing some 75 country clubs in that district—the Philadelphia area generally—I have found in recent years a great improvement in the caddy facilities. I know on occasions there are club houses which are antiquated, but basically the caddies' facilities today have improved tremendously.

I want to quote here a small piece from the USGA Journal, that is, the United States Golf Association Journal, pointing out real improvements for caddies at the Congressional Country Club in Washington. I quote from that:

"Last year the club built a $15,000 caddy house which includes shower and toilet facilities, a television set, card table, and a kitchen where hot food and soft drinks are served. Also, discarded clothes and shoes from Congressional members are distributed to caddies and, also, caddies are given ponchos for their use."

Actually, I think it is a great thing for a young fellow to get out and have the opportunity to earn a few dollars on the weekend, also to get out in the fresh air and in the open and off the streets. Basically, I feel, although I am interested in the game of golf, that this bill is a good measure to prevent the beginning of juvenile delinquency among many children at that early age.

I ask the members of this House to support the legislation.

Mr. SAKULSKY. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Fetterolf.

The SPEAKER pro tempore. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. FETTEROLF. I shall, Mr. Speaker.

Mr. SAKULSKY. Mr. Speaker, what is the weight of the golf bag that the gentleman carries?

Mr. FETTEROLF. Mr. Speaker, the weight of golf bags vary substantially. Golf bags can weigh as much as 50 pounds or they can weigh as little as perhaps five or six. In further answer to the gentleman's question, I would say that I have found it the practice of caddy masters to be very careful in dealing out golf bags to younger boys. Never do they give them the heavy bags. It is the older men who carry those bags, the younger fellows get the light canvas bags for several reasons: number one, they feel it is a strain on the boy; number two, the boys cannot get around 18 holes with a heavy load like that.

Mr. SAKULSKY. What is the average weight of a 12-year-old boy?

Mr. FETTEROLF. I could not tell you, sir.

Mr. SAKULSKY. I thank the gentleman.

Mr. Speaker, the average weight of a golf bag with the clubs, as the gentleman said, is about 50 pounds. Most of the 12-year-old boys weigh no more than 65 pounds. I do not know about the courses at Philadelphia, but the courses in Westmoreland County and in the Pittsburgh area are pretty hilly. For a boy 12 years of age to carry a bag that weighs 50 pounds is an imposition and it could impair his health. For that reason I would ask the members to vote against it.

Mr. SHERMAN. Mr. Speaker, with all due respect to the sponsors, I feel that this bill is a bill for child labor instead of against child labor, I have always been of the opinion, especially on bills dealing with juvenile delinquency, that the correct age to start, in the main, is the age of 12. We have control of our children at that age. This bill in no way provides where a child would be between the hour that he starts out to caddy, or the place where he says he is designated for, and the time when he returns home. Where he is in the evening, whether he reaches home and says he has been caddying and travels for 10 or 15 miles and returns home late at night, no one knows. I feel parental supervision should be had over a child of 12 years of age, more so than over any child, because if you control the children between the ages of 12 and 14 you will have less juvenile delinquency at the age of 16 and over. I say a child should be controlled, should be greatly controlled. At 14 or 16 those people may be in need of jobs to meet their college expenses, and these children are taking jobs away from the older ones. Therefore, I feel that we should be against this bill.

Mr. McKEEVER. Mr. Speaker, may I interrogate the gentleman from Montgomery, Mr. Fetterolf?

The SPEAKER pro tempore. Will the gentleman from Montgomery, Mr. Fetterolf, permit himself to be interrogated?

Mr. FETTEROLF. I shall, Mr. Speaker.

Mr. McKEEVER. Mr. Speaker, I heard the gentleman say that these clubs are very luxurious and a very good place for a young man to hang around. About how much do they get per hour? Has the gentleman any idea?

Mr. FETTEROLF. They are paid on a round basis.

Mr. McKEEVER. Will the gentleman tell me how long it takes for 18 holes?

Mr. FETTEROLF. That depends upon the golfer.

Mr. McKEEVER. Let us be specific. Do not evade the question. Would it take, say, five hours?

Mr. FETTEROLF. I would say that the average length of time for an 18-hole round of golf is about 3½ to 4 hours.

Mr. McKEEVER. What do they receive for that?

Mr. FETTEROLF. They receive $3.50, generally, plus tips, although it varies in clubs. The total fee, generally, amounts to about $4 today.

Mr. McKEEVER. I could send the gentleman 80 or 85 boys 16 to 18 years old from my own union who are ready for work. They receive $2 an hour at the present in my own union.

Tell me, who is responsible in the event that a child is hurt? What compensation do they have, that is, workmen's compensation?

Mr. FETTEROLF. I would like to yield to my cosponsor, Mr. McCormack, of Philadelphia, to answer that.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. McCormack, permit himself to be interrogated on this point?

Mr. McCORMACK. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. McCORMACK. I can be quite specific on this, because through the Philadelphia Bar Association, the Lawyers' Reference Service, I was referred a case two years ago—I am glad they brought up this question—wherein a caddy, while leaving the parking lot of a club of which Mr. Fetterolf is a member, was hit on the head with a golf ball. I filed an application for benefits under workmen's compensation and he received compensation. Caddies, I would like to point out, although they are part-time employees, are covered by the workmen's compensation law of Pennsylvania.

Mr. McKEEVER. I thank both gentlemen.

I feel I certainly could not stoop so low as to vote for a bill that involves engaging children who should be home studying and under parental care. If it were for ages 16 to 18, I would vote for it, but not children.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, not to prolong this, but this bill does not have too much significance. It does not really make any difference to me whether it passes or fails, and I am sure Mr. Fetterolf feels the same way personally.

Here is an opportunity to permit these young children to make money. We do not need caddies down there. It is true that we have electric carts at most of the golf courses. We could use them and do away with caddies altogether. This is an opportunity that would not otherwise be provided for young children in that age category to make a dollar, a few dollars, three dollars an hour. That is good money for these young children. The average round of golf, I understand, takes three hours. They are getting more money than they pay to adults under the minimum wage laws of Pennsylvania. Is there anything wrong with that? They are getting good compensation; they are glad to get it. I do not care if they come up to the club, or not, so far as I as a golfer am concerned, but these children want the opportunity to do it. This is no servitude; this does not have any political overtones. As I pointed out before, the AFL-CIO, who are vigorous defenders of the child labor law and any other law pertaining to the rights and privileges of labor, are not against this. That, I think, is rather significant.

Further, I would ask you to avoid any emotional arguments and vote on the bill. Vote as you see fit, but do not be swayed by emotion. I am a laboring man myself. I drove a truck before I went to law school. I was a member of the union. I am not going to come up here and introduce an anti-child labor bill or a bill that the unions are seriously opposed to. This is a bill that will help the children in that age category. It is as simple as that. We in the golf association provide scholarships for children and we give them a lot of benefits that they would not otherwise have.

Mr. MORLEY. Mr. Speaker, in the report that every member of this House received from the Governor's office within the last few weeks it was stated that there were 500,000 people, one-half million people, unemployed in the State of Pennsylvania. These are not 12-year-old children. They are men and women looking for jobs, a good many of them with families. I say to the gentlemen supporting this bill, that with these jobs paying two and three dollars an hour, certainly out of that half-million we can find thousands of people who will take them willingly. There is no necessity for permitting 12-year-old children to do it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—124

Adams,	Filo,	Kramer,	Rutherford,
Anderson, J. H.,	Fineman,	Lamb,	Scarcelli,
Arlene,	Foerster,	Lee, A. M.,	Schaaf,
Ashton,	Foor,	Lee, K. B.,	Schuster,
Bachman,	Fox,	Long, Wm. Jas.,	Seltzer,
Backenstoe,	Fulmer,	Long, Wm. Jos.,	Shelton,
Blair,	Gailey,	Magee,	Shupnik,
Bossert,	George,	Manbeck,	Simmons,
Bower,	Gibb,	Marsh,	Slack,
Bowman,	Gibbons,	May,	Snare,
Capitolo,	Goldstein, J. H.,	McCandless,	Stimmel,
Cianfrani,	Goldstein, M. H.,	McCann,	Stiteler,
Clarke,	Goodrich,	McCormack,	Strausser,
Comer,	Gramlich,	McDevitt,	Thompson,
Cooley,	Gray,	McDonald,	Tomascik,
Crossin,	Gross,	McLaughlin,	Tompkins,
Curwood,	Guesman,	Meholchick,	Trusio,
Davis,	Hankins,	Miller,	Varner,
Dengler,	Haudenshield,	Mullen,	Wargo,
Dennison,	Helm,	Murray,	Weidner,
Donaldson,	Hocker,	O'Dell,	Wescott,
Dougherty,	Holliday,	Odorisio,	Whittaker,
Down,	Horst,	Ogilvie,	Willard,
Edwards,	Irvis,	Perry,	Williams, E. S.,
Eilberg,	Isaacs,	Piper,	Wilt,
Elvey,	Jenkins,	Polaski,	Wood,
Eshback,	Johnson, A. W.,	Polen,	Worley,
Eshleman,	Jones,	Pursley,	Yetter,
Ewing,	Keiser,	Reidenbach,	Zember,
Farabaugh,	King,	Rubin,	Zimmerman,
Fetterolf,	Korns,	Rudisill,	Andrews, Speaker

NAYS—66

Anderson, S. A.,	Gremminger,	Leonard,	Pashley,
Auker,	Hamilton,	Limper,	Petrosky,
Boles,	Hartley,	Lutty,	Reibman,
Bonner,	Heavey,	Markley,	Renwick,
Branca,	Henzel,	Maxwell,	Rovansek,
Breth,	Holman,	McInroy,	Sakulsky,
Buchanan,	Jim,	McKeever,	Sherman,
Bush,	Johnson, R. P.,	Mills,	Stank,
Capano,	Kamyk,	Monroe,	Stone,
Cauley,	Kelly,	Morley,	Sullivan, J. A.,
Cioffi,	Kernaghan,	Munley,	Sullivan, T. F.,
Doughten,	Kessler,	Murphy,	Taylor,
Flynn,	Kistler,	Needham,	Verona,
Frascella,	Klein,	O'Donnell, J. A.,	Walsh,
Fry,	Kooker,	O'Donnell, J. P.,	Welsh,
Gallagher,	Kornick,	Parlante,	Williams, A. D.,
Gelfand,	Lawson,		

NOT VOTING—17

Guthrie,	Merry,	Price,	Ujobai,
Heffner,	Mihm,	Riley,	Wall,
Knecht,	Musto,	Royer,	Willaredt,
Lippincott,	Prendergast,	Steckel,	Wynd,
McNally,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. ROVANSEK asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

CAUCUSES

Mr. McCANN. Mr. Speaker, the membership is filtering out. There will be a 30-minute break for lunch and then we will have the respective caucuses on eight bills, eight important bills. Please be back here in an hour.

Mr. TOMPKINS. Mr. Speaker, may I urge the Republicans to bring their calendars to caucus with them.

Mr. McCANN. Mr. Speaker, I am going to request that we break for one hour, 30 minutes for lunch and 30 minutes for caucus, returning here at 2 o'clock.

RECESS

The SPEAKER pro tempore. Without objection, the Chair will declare a recess until 2 p. m.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

Mr. BOWMAN IN THE CHAIR

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Cities—Counties First Class to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Messrs. RUBIN and MULLEN.

HOUSE BILL No. 1045.

An Act amending the act of June 12, 1923 (P. L. 692), entitled as amended, "An act fixing the salary of city commissioners of Philadelphia, formerly known as county commissioners in counties of the first class," increasing annual salaries of city commissioners of Philadelphia.

Referred to the Committee on Cities—Counties First Class.

By Messrs. BACHMAN, MEHOLCHICK, GALLAGHER, KORNICK, WEIDNER, GEORGE, FOOR and HOLLIDAY. HOUSE BILL No. 1046.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), changing the permitted length of vehicles operated in combination.

Referred to the Committee on Motor Vehicles.

By Messrs. PARLANTE and SCARCELLI.

HOUSE BILL No. 1047.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), regulating the suspension and revocatoin of operator's licenses based upon frequency of violations.

Referred to the Committee on Motor Vehicles.

By Messrs. TOMASCIK, SCHAAF, BLAIR and O'DELL. HOUSE BILL No. 1048.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the procedure for the revocation and suspension of licenses.

Referred to the Committee on Liquor Control.

By Messrs. SCHAAF, TOMASCIK, BLAIR and O'DELL. HOUSE BILL No. 1049.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), exempting airport restaurants on State owned or operated airports from quota law.

Referred to the Committee on Liquor Control.

By Messrs. ASHTON, UJOBAI, HOLLIDAY and STONE. HOUSE BILL No. 1050.

An Act making an appropriation to the Paoli Memorial Association for improvements and repairs and for re-erection of a wall on the Paoli Parade Ground situate in Malvern Borough, Chester County.

Referred to the Committee on Appropriations.

By Messrs. MILLS and MAXWELL.

HOUSE BILL No. 1051.

An Act amending the "Selective Sales and Use Tax Act" approved March 6, 1956 (P. L. 1228), providing additional exemptions to the tax.

Referred to the Committee on Ways and Means.

By Mr. WARGO, Mrs. MUNLEY, Messrs. MURPHY and NEEDHAM. HOUSE BILL No. 1052.

An Act requiring attendants at certain railroad grade crossings and imposing a duty on the Public Utility Commission.

Referred to the Committee on Railroads and Railways.

By Messrs. YETTER, VERONA, ESHBACK and K. B. LEE. HOUSE BILL No. 1053.

An Act authorizing actions to be brought in counties where the contract is to be performed, and providing for service of process.

Referred to the Committee on Judiciary.

By Messrs. O'DELL, BLAIR, McCANDLESS and VARNER. HOUSE BILL No. 1054.

An Act making an appropriation to be paid to volunteer fire companies for fire protection afforded State Colleges.

Referred to the Committee on Appropriations.

By Messrs. BLAIR, O'DELL, McCANDLESS and VARNER. HOUSE BILL No. 1055.

An Act authorizing the expenditure of moneys in the Motor License Fund by the Department of Highways for the construction and reconstruction of bridges in town-

ships of the second class and making annual appropriations therefor.

Referred to the Committee on Appropriations.

By Messrs. O'DELL and BLAIR.
HOUSE BILL No. 1056.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the levy and collection of an additional tax on real estate for the support of volunteer fire companies.

Referred to the Committee on Boroughs.

By Messrs. O'DELL and BLAIR.
HOUSE BILL No. 1057.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing the levy of an additional tax on real estate for the support of volunteer fire companies.

Referred to the Committee on Townships.

By Messrs. O'DELL and BLAIR.
HOUSE BILL No. 1058.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the levy of an additional tax on real estate for the support of volunteer fire companies.

Referred to the Committee on Townships.

By Messrs. HORST, CIOFFI, HANKINS and HOLLIDAY. HOUSE BILL No. 1059.

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), increasing the amount the institution district may pay for burial costs in each case.

Referred to the Committee on Cities—Counties First Class.

By Messrs. KORN, ASHTON, FARABAUGH and RENWICK. HOUSE BILL No. 1060.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), providing for the transportation of poultry in crates.

Referred to the Committee on Agriculture and Dairy Industries.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1061.

An Act amending the "Civil Service Act," approved August 5, 1941 (P. L. 752), extending the provisions of the act to employes of the Department of Highways; and providing for persons holding offices and positions on the effective date of this act.

Referred to the Committee on State Government.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1062.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring truck tractors to be equipped to prevent throwing of road surface substances from rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. A.D. WILLIAMS and GAILEY. HOUSE BILL No. 1063.

A Joint Resolution proposing an amendment to article five, section eleven of the Constitution of the Commonwealth of Pennsylvania, authorizing the General Assembly to enact laws requiring and regulating educational qualifications for justices of the peace and aldermen.

Referred to the Committee on Judiciary.

By Mr. AUKER. HOUSE BILL No. 1064.

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing any fish warden, special warden, sheriff, constable, or any special officer, or any peace officer to arrest any person violating the clean stream law.

Referred to the Committee on Fisheries.

By Mr. AUKER. HOUSE BILL No. 1065.

An Act amending "The Support Law" approved June 24, 1937 (P. L. 2045), changing liability for support between parents and children in certain cases.

Referred to the Committee on Welfare.

By Mr. AUKER. HOUSE BILL No. 1066.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), changing the provisions relating to claims and defenses with reference to certain health and accident policies.

Referred to the Committee on Insurance.

By Mr. AUKER. HOUSE BILL No. 1067.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), changing the powers and duties of the Department of Welfare, the Commissioner of Mental Health and the boards of trustees of the several State mental institutions and juvenile delinquent institutions.

Referred to the Committee on State Government.

By Mr. AUKER. HOUSE BILL No. 1068.

An Act amending the act of June 17, 1913 (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; * * *" including as taxable certain loans heretofore exempt.

Referred to the Committee on State Government.

By Mr. AUKER. HOUSE BILL No. 1069.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), extending reimbursement on account of pupil transportation to all districts of the second and third class.

Referred to the Committee on Education.

By Mr. AUKER. HOUSE BILL No. 1070.

An Act abolishing the corporate loans tax and repealing acts imposing such tax and related acts and parts of acts.

Referred to the Committee on Ways and Means.

By Messrs. VARNER and DENNISON. HOUSE BILL No. 1071.

An Act prohibiting the promulgation by any department, board or commission of the executive branch of the Commonwealth, of any political subdivision and of certain authorities and other agencies performing essential government functions of regulations having a retroactive effect.

Referred to the Committee on State Government.

By Messrs. DONALDSON, GIBBONS, KRAMER and FINEMAN. HOUSE BILL No. 1072.

An Act amending the "Selective Sales and Use Tax Act," approved March 6, 1956 (P. L. 1228), excluding from the tax materials and supplies used in the construction of roads or streets which are or will be dedicated for public use or travel.

Referred to the Committee on Ways and Means.

By Mrs. REIBMAN and Mr. FULMER. HOUSE BILL No. 1073.

A Supplement to the act of April 1, 1863 (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Referred to the Committee on Appropriations.

By Mr. MURPHY. HOUSE BILL No. 1074.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing prothonotaries, clerks of the courts of quarter sessions and oyer and terminer and coroners to appoint solicitors.

Referred to the Committee on Counties.

By Mr. STONE, Mrs. S. A. ANDERSON, Mr. CAPANO and Mrs. MARKLEY. HOUSE BILL No. 1075.

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; * * *," further defining the liability of relatives and estates by the entireties.

Referred to the Committee on Welfare.

By Messrs. STONE, CAPANO, Mrs. S. A. ANDERSON and Mrs. MARKLEY. HOUSE BILL No. 1076.

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services, and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

Referred to the Committee on State Government.

By Mr. STONE, Mrs. S. A. ANDERSON and Mr. CAPANO. HOUSE BILL No. 1077.

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), authorizing superintendents to exercise discretion with respect to the performance of surgery on certain patients.

Referred to the Committee on Welfare.

By Messrs. K. B. LEE, E. S. WILLIAMS, WYND and RENWICK. HOUSE BILL No. 1078.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring that vehicles and tractors brought into the Commonwealth by a nonresident for the performance of contracts on State highways be registered herein and that fees be paid.

Referred to the Committee on Motor Vehicles.

By Messrs. FARABAUGH, KORNS and ASHTON. HOUSE BILL No. 1079.

An Act making an appropriation to the Joint State Government Commission for the purpose of studying the laws relating to agriculture and its related fields and revising and modernizing the existing laws.

Referred to the Committee on State Government.

By Messrs. GELFAND, FINEMAN, McCORMACK and A. D. WILLIAMS. HOUSE BILL No. 1080.

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), providing for death benefits for certain annuitants who are receiving a disability allowance.

Referred to the Committee on Appropriations.

By Messrs. GELFAND, SHERMAN, FINEMAN and A. D. WILLIAMS. HOUSE BILL No. 1081.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), granting an option as to the method of receiving certain benefits.

Referred to the Committee on Appropriations.

By Messrs. EILBERG, McCANN, PETROSKY, BRETH and BUCHANAN. HOUSE BILL No. 1082.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the time for opening and closing polls.

Referred to the Committee on Elections.

By Messrs. TRUSIO, TOMASCIK, SCHAAF, BLAIR and O'DELL. HOUSE BILL No. 1083.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance by the board of identification cards and changing penalties.

Referred to the Committee on Liquor Control.

By Messrs. TOMASCIK, SCHAAF, BLAIR and O'DELL. HOUSE BILL No. 1084.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

Referred to the Committee on Liquor Control.

By Messrs. STONE, CAPANO and AUKER. HOUSE BILL No. 1085.

An Act providing that the Commonwealth of Pennsylvania may enter into a compact with such states as may join, relating to the procedures for the interstate placement of children, when such placement is for foster care or as a preliminary to a possible adoption or for the placement of delinquents in institutions.

Referred to the Committee on State Government.

By Mr. STONE, Mrs. S. A. ANDERSON, Messrs. CAPANO and AUKER. HOUSE BILL No. 1086.

An Act amending the "Public Assistance Act" approved June 24, 1937 (P. L. 2051), making editorial changes removing certain functions vested in the State Board of Public Assistance; providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

Referred to the Committee on Welfare.

By Messrs. EDWARDS, GIBB, PIPER and HAMILTON. HOUSE BILL No. 1087.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the number of officers and men in the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. RENWICK and DENNISON. HOUSE BILL No. 1088.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), fixing registration fees for school buses under contract to schools.

Referred to the Committee on Motor Vehicles.

By Messrs. A. D. WILLIAMS and McCORMACK. HOUSE BILL No. 1089.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), providing that a list of State employes be periodically furnished to each member of the General Assembly.

Referred to the Committee on Rules.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1090.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the issuance of special registration plates for an additional fee.

Referred to the Committee on Motor Vehicles.

By Messrs. KLEIN, FILO, Mrs. KERNAGHAN and Mrs. KOOKER. HOUSE BILL No. 1091.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), requiring auditors to elect a chairman and a secretary.

Referred to the Committee on Boroughs.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1092.

An Act amending the "Dog Law of 1921," approved May 11, 1921 (P. L. 522), increasing the license fee for certain dogs and increasing the amount of the fee which shall be retained by the county.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. OGILVIE, BOWMAN, POLEN and WALSH. HOUSE BILL No. 1093.

An Act to provide temporary supplemental retirement benefits for certain former contributors to the Pennsylvania State Police Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the State Employes' Retirement Board, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. GUESMAN and HAUDENSHIELD. HOUSE BILL No. 1094.

An Act amending "The Administrative Code," approved April 9, 1929 (P. L. 177), authorizing the acquisition of real property by the Pennsylvania Historical and Museum Commission in the Gettysburg Battlefield area.

Referred to the Committee on State Government.

By Messrs. FLYNN, SCHAAF, Mrs. KOOKER and Mr. McINROY. HOUSE BILL No. 1095.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), changing the permitted length of vehicles operated in combination.

Referred to the Committee on Motor Vehicles.

By Mr. SCARCELLI and Mrs. MARKLEY. HOUSE BILL No. 1096.

An Act making an appropriation to the Department of Military Affairs to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

Referred to the Committee on Military Affairs.

By Messrs. AUKER and GREMMINGER. HOUSE BILL No. 1097.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Department of Revenue to supply certain pamphlets to licensees.

Referred to the Committee on Motor Vehicles.

By Messrs. HAMILTON, SHELTON, STIMMEL and ODORISIO. HOUSE BILL No. 1098.

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, HEAVEY, STIMMEL and ODORISIO. HOUSE BILL No. 1099.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, CROSSIN, HORST and ODORISIO. HOUSE BILL No. 1100.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of, or property or operations located in, states in which such insurers are not authorized to do business.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, SAKULSKY, STIMMEL and ODORISIO. HOUSE BILL No. 1101.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioner.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, KORNICK, STIMMEL and PURSLEY. HOUSE BILL No. 1102.

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682), requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

Referred to the Committee on Insurance.

By Messrs. FULMER, STIMMEL, CAPITOLO and CURWOOD. HOUSE BILL No. 1103.

An Act amending the "Fiduciaries Act of 1949," approved April 18, 1949 (P. L. 512), further providing for bonds for resident executors.

Referred to the Committee on Judiciary.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1104.

An Act creating the Pennsylvania Off-street Parking Insurance Authority as a body corporate and politic with powers to insure loans given by banks and certain other lending institutions to municipalities or nonprofit corporations or organizations for the purpose of acquiring, constructing, improving and maintaining off-street parking projects; ***.

Referred to the Committee on Insurance.

By Messrs. McCANN, PETROSKY, BRETH and RENWICK. HOUSE BILL No. 1105.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the form of applications, certifications and declarations for absentee ballots, the time within which applications for such ballots must be received, and the canvassing of such ballots.

Referred to the Committee on Elections.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 62.

An Act establishing a limitation on the time in which a deficiency judgment can be recovered after repossession of a motor vehicle.

Referred to the Committee on Judiciary.

SENATE BILL No. 159.

An Act amending the act of April 14, 1834 (P. L. 133) entitled "An act relative to the organization of the Courts of Justice" requiring certain jurors excused in one term of court to be enrolled for jury duty at the next term of court.

Referred to the Committee on Judiciary.

SENATE BILL No. 185.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

Referred to the Committee on Boroughs.

SENATE BILL No. 189.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting council to appeal from findings of the Civil Service Commission.

Referred to the Committee on Boroughs.

SENATE BILL No. 192.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" further providing for the placing of reflectors on vehicles and providing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 278.

An act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" changing the name of the Italian-American World War Veterans of the United States Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 279.

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers, sailors and marines of such counties . . ." correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 280.

An Act amending the act of May 5, 1945 (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents . . ." changing the name of the Italian-American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 281.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 282.

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class . . ." changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 283.

An Act amending the act of August 9, 1955 (P. L. 323) entitled "The County Code" by correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 284.

An Act amending the act of April 18, 1929 (P. L. 609) entitled "An act providing for the location care and maintenance of graves of soldiers sailors marines and members of the enlisted nurse corps . . ." changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 285.

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 286.

An Act amending the act of April 8, 1867 (P. L. 50)

entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian-American War Veterans of the United States Incorporated to conform with name in its charter.

Referred to the Committee on Military Affairs.

SENATE BILL No. 287.

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day, and Armistice Day" correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

Referred to the Committee on Military Affairs.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. DAVIS, GOODRICH, RENWICK and GRAMLICH. RESOLUTION No. 43.

In the House of Representatives, March 21, 1961.

Throughout this great State, the value of land is progressively rising with the increasing population. Many political subdivisions are faced with an insurmountable problem of providing necessary services to its residents because the tax rate on taxable property has reached the saturation point.

Much of the nontaxable land in this State consists of public lands on which the State pays ten cents an acre in lieu of taxes. At the time the rate was set, the sum of ten cents per acre was reasonable and satisfactory. Unfortunately, the rate of payment has not increased with the value of the land which could be of great tax value to the counties in which it is located; therefore be it

Resolved, That the Joint State Government Commission be directed to investigate and study the system of payments in lieu of taxes on public lands to counties by the State and recommend to the next regular session of the General Assembly a method of increasing the payments in lieu of taxes on public lands to the counties, together with drafts of legislation necessary to carry the recommendations into effect.

Referred to the Committee on Rules.

By Mrs. KOOKER, Messrs. BUSH, ZEMBER, KING, A. D. WILLIAMS and A. M. LEE. (Concurrent) RESOLUTION No. 44.

In the House of Representatives, March 22, 1961.

Whereas, The August 1960 Session of Congress passed the Kerr-Mills amendments to the Social Security Law providing a system of Federal aid in the field of the medically needy senior citizens of the United States. The proposals of the current National administration in this field would take effect in October, 1962, if enacted by Congress by such date; and

Whereas, Immediate action by the General Assembly to implement the provisions of current Federal law would bring prompt relief to our older citizens who are unable to afford medical care, our hospitals and Blue Cross programs. The State administration to date has failed to act to this end to the detriment of our citizens; and

Whereas, The full cooperation of the State Department of Public Welfare, the Governor and other administration officials is required in the promotion of the necessary legislation; therefore, be it

Resolved (the Senate concurring), That the administration urgently is requested to immediately implement the Kerr-Mills Act, and submit legislation as soon as possible to this session of the General Assembly to accomplish such implementation; and, be it further

Resolved, That a copy of this resolution be transmitted to the Honorable David L. Lawrence, Governor of Pennsylvania, and the Honorable Ruth Grigg Horting, Secretary of Public Welfare.

Referred to the Committee on Rules.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 14, bills on third reading. I would like to call up House bill 489, printer's No. 532, and in this case after the roll is completed I will ask for a fast roll call for 14 bills.

Mr. TOMPKINS. Mr. Speaker, do I understand these bills are to be amended?

Mr. McCANN. No, sir. I came back over and told you I withdrew the amendments.

Mr. TOMPKINS. Your proposal is that we take a roll call for a record vote and use that same record vote on all these bills?

Mr. McCANN. Beginning, Mr. Speaker, with 489—

Mr. TOMPKINS. These veterans' bills I am talking about.

Mr. McCANN. You have the numbers?

Mr. TOMPKINS. Yes.

Mr. McCANN. To the end. They concern the Italian-American World War Veterans of the United States.

Mr. TOMPKINS. Mr. Speaker, in the interest of the time it will save, we will go along with that.

The SPEAKER pro tempore. Hearing no objections, we will proceed to House bill 489, printer's No. 532, page 14 of today's calendar.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 489, entitled:

An Act amending the act of May 3, 1923 (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State * * *" correcting the name of the Italian American World War Veterans of the United States Incorporated to conform with its charter.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to interrogate the majority leader.

It is a question about the bills.

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

Mr. A. W. JOHNSON. Mr. Speaker, I have not checked this, but I understand that a similar, identical set of bills passed the other chamber yesterday. Is that true?

Mr. McCANN. With one word different.

Mr. A. W. JOHNSON. What is the plan to be? What set of bills are you going to pass? Are you going to spend double money and pass two sets of bills, or what are your plans?

Mr. McCANN. We are going to pass this set of bills. They have passed the other ones and the courts or whatever the organization is will determine the correction and they will be in position for whichever one it takes. It does not cost anything. It does not cost any more than it costs at this point.

Mr. A. W. JOHNSON. You mean the Senate bills may pass here, or the House bills may pass the Senate?

Mr. McCANN. That is right, sir.

Mr. A. W. JOHNSON. It looks like a lot of extra time and expense to me.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Auker,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Magee,	Scarcelli,
Boles,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bonner,	Goldstein, M. H.,	Markley,	Seltzer,
Bossert,	Goodrich,	Marsh,	Shelton,
Bower,	Gramlich,	Maxwell,	Sherman,
Bowman,	Gray,	May,	Shupnik,
Branca,	Gremminger,	McCandless,	Simmons,
Breth,	Gross,	McCann,	Slack,
Buchanan,	Guesman,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Stiteler,
Capitolo,	Hartley,	McKeever,	Stone,
Cauley,	Haudenshield,	McLaughlin,	Strausser,
Cioffi,	Heavey,	Meholchick,	Sullivan, J. A.,
Clarke,	Helm,	Miller,	Sullivan, T. F.,
Comer,	Henzel,	Mills,	Taylor,
Cooley,	Hocker,	Monroe,	Thompson,
Crossin,	Holliday,	Morley,	Tomascik,
Curwood,	Holman,	Mullen,	Tompkins,
Davis,	Horst,	Munley,	Trusio,
Dengler,	Irvis,	Murphy,	Varner,
Dennison,	Isaacs,	Murray,	Verona,
Donaldson,	Jenkins,	Needham,	Walsh,
Dougherty,	Jim,	O'Dell,	Wargo,
Doughten,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kistler,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Yetter,
Flynn,	Kornick,	Pursley,	Zember,
Foerster,	Korns,	Reibman,	Zimmerman,
Foor,	Kramer,	Reidenbach,	Andrews,
Fox,	Lamb,	Renwick,	Speaker
Frascella,	Lawson,		

NAYS—0

NOT VOTING—22

Ashton,	Klein,	Musto,	Stimmel,
Cianfrani,	Lippincott,	Prendergast,	Ujobai,
Down,	McInroy,	Price,	Wall,
Guthrie,	McNally,	Schuster,	Willard,
Heffner,	Merry,	Steckel,	Wynd,
Kelly,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

LEAVES OF ABSENCE

Mr. TOMPKINS. Mr. Speaker, for the record, the gentleman from Chester, Mr. Ashton, is one of the legislative members on the Committee on Capital Punishment who are holding public hearings this afternoon in the New House Caucus Room and for that reason I am asking a leave of absence from his presence on the floor of the House for this afternoon's session.

The SPEAKER pro tempore. Hearing no objection, leave is granted.

Mr. McCANN. Mr. Speaker, the gentleman from Philadelphia, Mr. Cianfrani, is also in the hearing dealing with capital punishment in the Senate Caucus room, and I also was directed to show that a leave of absence is granted from this point on in today's session.

The SPEAKER pro tempore. The Chair hearing no objection, leave is granted.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EILBERG asked and obtained permission for the Committee on Elections to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 490, entitled:

An Act amending the act of March 17, 1921 (P. L. 32) entitled "An act authorizing the erection and construction by counties of memorial halls in memory of the soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county" correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fry,	Lamb,	Renwick,
Anderson, J. H.,	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Auker,	Gelfand,	Leonard,	Rubin,
Blair,	George,	Limper,	Rudisill,
Boles,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Bonner,	Goldstein, M. H.,	Magee,	Schaaf,
Bossert,	Goodrich,	Manbeck,	Seltzer,
Bower,	Gramlich,	Markley,	Shelton,
Bowman,	Gray,	Marsh,	Sherman,
Branca,	Gremminger,	Maxwell,	Shupnik,
Breth,	Gross,	May,	Simmons,
Buchanan,	Guesman,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Capitolo,	Hartley,	McDevitt,	Stiteler,
Cauley,	Haudenshield,	McDonald,	Stone,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,

Cooley,	Henzel,	Miller,	Taylor,
Crossin,	Hocker,	Mills,	Thompson,
Curwood,	Holliday,	Monroe,	Tomascik,
Davis,	Holman,	Morley,	Tompkins,
Dengler,	Horst,	Mullen,	Trusio,
Dennison,	Irvis,	Munley,	Varner,
Donaldson,	Isaacs,	Murphy,	Verona,
Dougherty,	Jenkins,	Murray,	Walsh,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Dell,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Williams, A. D.,
Ewing,	Kernaghan,	Pashley,	Williams, E. S.,
Farabaugh,	Kessler,	Perry,	Wilt,
Fetterolf,	King,	Petrosky,	Wood,
Filo,	Kistler,	Piper,	Worley,
Fineman,	Knecht,	Polaski,	Yetter,
Flynn,	Kooker,	Polen,	Zimmerman,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Andrews,
Fox,	Kramer,	Reidenbach,	Speaker
Frascella,			

NAYS—0

NOT VOTING—19

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,	Stimmel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 491, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Blair,	George,	Long, Wm. Jas.,	Rutherford,
Boles,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 492, entitled:

An Act amending the act of May 5, 1945 (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents ***" changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Blair,	George,	Long, Wm. Jas.,	Rutherford,
Boles,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,

Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 493, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of the Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 495, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) correcting the name of the Italian American Veterans of the United States, Incorporated, to conform with name in its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,

Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate ate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 496, entitled:

An Act amending the act of April 19, 1929 (P. L. 609) entitled "An act providing for the location, care and maintenance of graves of soldiers, sailors, marines and members of the enlisted nurse corps * * *" changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 497, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,

Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 498, entitled:

An Act amending the act of June 2, 1937 (P. L. 1184) entitled as amended "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day, Flag Day, and Armistice Day"; correcting the name of the Italian American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 499, entitled:

An Act amending the act of June 11, 1935 (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons * * * providing for the erection and care of markers, headstones and flags and for the compilation of war records"; changing the name of The Italian-American World War Veterans of the United States, Incorporated, to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,

Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zember,
Foerster,	Kornick,	Reibman,	Zimmerman,
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,		

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeibly to order,

The House proceeded to the third reading and consideration of House bill No. 500, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) correcting the names of the Italian American War Veterans of the United State, Incorporated to conform with name in its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and naws were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Auker,	Gelfand,	Limper,	Rutherford,
Bachman,	George,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gibbons,	Lutty,	Schaaf,
Boies,	Goldstein, J. H.,	Magee,	Seltzer,
Bonner,	Goldstein, M. H.,	Manbeck,	Shelton,
Bossert,	Goodrich,	Markley,	Sherman,
Bower,	Gramlich,	Marsh,	Shupnik,
Bowman,	Gray,	Maxwell,	Simmons,
Branca,	Gremminger,	May,	Slack,
Breth,	Gross,	McCandless,	Snare,
Buchanan,	Guesman,	McCann,	Stank,
Bush,	Hamilton,	McCormack,	Stimmel,
Capano,	Hankins,	McDevitt,	Stiteler,
Capitolo,	Hartley,	McDonald,	Stone,
Cauley,	Haudenshield,	McKeever,	Strausser,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	Meholchick,	Sullivan, T. F.,
Comer,	Helm,	Miller,	Taylor,
Cooley,	Henzel,	Mills,	Thompson,
Crossin,	Hocker,	Monroe,	Tomascik,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Varner,
Dennison,	Irvis,	Murphy,	Verona,
Donaldson,	Isaacs,	Murray,	Walsh,
Dougherty,	Jenkins,	Needham,	Wargo,
Doughten,	Jim,	O'Dell,	Weidner,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Wescott,
Eilberg,	Jones,	Odorisio,	Whittaker,
Elvey,	Kamyk,	Ogilvie,	Willard,
Eshback,	Keiser,	Parlante,	Williams, A. D.,
Eshleman,	Kelly,	Pashley,	Williams, E. S.,
Ewing,	Kernaghan,	Perry,	Wilt,
Farabaugh,	Kessler,	Petrosky,	Wood,
Fetterolf,	King,	Piper,	Worley,
Filo,	Kistler,	Polaski,	Yetter,
Fineman,	Knecht,	Polen,	Zember,
Flynn,	Kooker,	Pursley,	Zimmerman,
Foerster,	Kornick,	Reibman,	
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,	Riley,	

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 501, entitled:

An Act amending the "Second Class County Code, approved July 28, 1953 (P. L. 723) correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Auker,	Gelfand,	Limper,	Rutherford,
Bachman,	George,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gibbons,	Lutty,	Schaaf,
Boies,	Goldstein, J. H.,	Magee,	Seltzer,
Bonner,	Goldstein, M. H.,	Manbeck,	Shelton,
Bossert,	Goodrich,	Markley,	Sherman,
Bower,	Gramlich,	Marsh,	Shupnik,
Bowman,	Gray,	Maxwell,	Simmons,
Branca,	Gremminger,	May,	Slack,
Breth,	Gross,	McCandless,	Snare,
Buchanan,	Guesman,	McCann,	Stank,
Bush,	Hamilton,	McCormack,	Stimmel,
Capano,	Hankins,	McDevitt,	Stiteler,
Capitolo,	Hartley,	McDonald,	Stone,
Cauley,	Haudenshield,	McKeever,	Strausser,
Cioffi,	Heavey,	McLaughlin,	Sullivan, J. A.,
Clarke,	Heffner,	Meholchick,	Sullivan, T. F.,
Comer,	Helm,	Miller,	Taylor,
Cooley,	Henzel,	Mills,	Thompson,
Crossin,	Hocker,	Monroe,	Tomascik,
Curwood,	Holliday,	Morley,	Tompkins,
Davis,	Holman,	Mullen,	Trusio,
Dengler,	Horst,	Munley,	Varner,
Dennison,	Irvis,	Murphy,	Verona,
Donaldson,	Isaacs,	Murray,	Walsh,
Dougherty,	Jenkins,	Needham,	Wargo,

Doughten,	Jim,	O'Dell,	Weidner,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Wescott,
Eilberg,	Jones,	Odorisio,	Whittaker,
Elvey,	Kamyk,	Ogilvie,	Willard,
Eshback,	Keiser,	Parlante,	Williams, A. D.,
Eshleman,	Kelly,	Pashley,	Williams, E. S.,
Ewing,	Kernaghan,	Perry,	Wilt,
Farabaugh,	Kessler,	Petrosky,	Wood,
Fetterolf,	King,	Piper,	Worley,
Filo,	Kistler,	Polaski,	Yetter,
Fineman,	Knecht,	Polen,	Zember,
Flynn,	Kooker,	Pursley,	Zimmerman,
Foerster,	Kornick,	Reibman,	
Foor,	Korns,	Reidenbach,	Andrews,
Fox,	Kramer,	Renwick,	Speaker
Frascella,	Lamb,	Riley,	

NAYS—0

NOT VOTING—18

Ashton,	McInroy,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Guthrie,	Merry,	Schuster,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,	Musto,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 502, entitled:

An Act amending the act of August 9, 1955 (P. L. 323) entitled "An act relating to counties of the third fourth fifth sixth seventh and eighth classes amending revising consolidating and changing the laws relating thereto" by correcting the name of the Italian American War Veterans of the United States Incorporated to conform with name in charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fry,	Lawson,	Rovansek,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rubin,
Arlene,	Gallagher,	Leonard,	Rudisill,
Auker,	Gelfand,	Limper,	Rutherford,
Bachman,	George,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Blair,	Gibbons,	Lutty,	Schaaf,
Boles,	Goldstein, J. H.,	Magee,	Schuster,
Bonner,	Goldstein, M. H.,	Manbeck,	Seltzer,
Bossert,	Goodrich,	Markley,	Shelton,
Bower,	Gramlich,	Marsh,	Sherman,
Bowman,	Gray,	Maxwell,	Shupnik,
Branca,	Gremminger,	May,	Simmons,
Breth,	Gross,	McCandless,	Slack,
Buchanan,	Guesman,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	Meholchick,	Sullivan, J. A.,
Comer,	Helm,	Miller,	Sullivan, T. F.,
Cooley,	Henzel,	Mills,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,

Doughten,	Jenkins,	Needham,	Walsh,
Dougherty,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Pursley,	Zimmerman,
Foerster,	Kornick,	Reibman,	Zember,
Foor,	Korns,	Reidenbach,	
Fox,	Kramer,	Renwick,	Andrews,
Frascella,	Lamb,	Riley,	Speaker

NAYS—0

NOT VOTING—17

Ashton,	McInroy,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,
Lippincott,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 503, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) changing the name of The Italian-American World War Veterans of the United States Incorporated to conform with its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,

Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 504, entitled:

An Act amending the act of April 8, 1867 (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" correcting the name of the Italian-American War Veterans of the United States Incorporated to conform with name in its charter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernagnan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS CALLED OUT OF ORDER

Mr. McCANN. Mr. Speaker, I ask that we turn to page 18, bills on third reading.

I call up House bill 558, the tourist promotional bill.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 558, entitled:

An Act providing for assistance to agencies promoting tourist travel and vacation business in Pennsylvania authorizing the Department of Commerce to make grants and provide assistance to properly designed tourist promotion agencies conferring powers and imposing duties on the governing bodies of certain political subdivisions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gailey,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibb,	Lutty,	Sakulsky,
Backenstoe,	Gibbons,	Magee,	Scarcelli,
Blair,	Goldstein, J. H.,	Manbeck,	Schaaf,
Boles,	Goldstein, M. H.,	Markley,	Schuster,
Bonner,	Goodrich,	Marsh,	Seltzer,
Bossert,	Gramlich,	Maxwell,	Shelton,
Bower,	Gray,	May,	Sherman,
Bowman,	Gremminger,	McCandless,	Shupnik,
Branca,	Gross,	McCann,	Simmons,
Buchanan,	Guesman,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stank,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	Meholchick,	Strausser,
Comer,	Helm,	Miller,	Sullivan, J. A.,
Cooley,	Henzel,	Monroe,	Sullivan, T. F.,
Crossin,	Hocker,	Morley,	Taylor,

Curwood,	Holliday,	Mullen,	Thompson,
Davis,	Holman,	Munley,	Tomascik,
Dengler,	Horst,	Murphy,	Tompkins,
Dennison,	Irvis,	Murray,	Trusio,
Donaldson,	Isaacs,	Needham,	Varner,
Dougherty,	Jenkins,	O'Dell,	Verona,
Down,	Jim,	O'Donnell, J. A.,	Walsh,
Edwards,	Johnson, A. W.,	O'Donnell, J. P.,	Wargo,
Eilberg,	Johnson, R. P.,	Odorisio,	Weidner,
Elvey,	Jones,	Ogilvie,	Welsh,
Eshback,	Kamyk,	Parlante,	Wescott,
Eshleman,	Kelly,	Pashley,	Whittaker,
Ewing,	Kernaghan,	Perry,	Willard,
Farabaugh,	Kessler,	Petrosky,	Williams, A. D.,
Fetterolf,	King,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Reidenbach,	Zember,
Fox,	Lamb,	Renwick,	
Frascella,	Lawson,	Riley,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—1

Kistler,

NOT VOTING—21

Ashton,	Klein,	Mills,	Ujobai,
Breth,	Lippincott,	Musto,	Wall,
Cianfrani,	McNally,	Prendergast,	Willaredt,
Doughten,	Merry,	Price,	Wynd,
Guthrie,	Mihm,	Steckel,	Zimmerman,
Keiser,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 556, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) authorizing the temporary investment of funds by school districts of the first class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Blair,	Goldstein, M. H.,	Manbeck,	Schaaf,
Boles,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Capitolo,	Haudenshield,	McDonald,	Stimmel,
Cauley,	Heavey,	McInroy,	Stiteler,
Cioffi,	Heffner,	McKeever,	Stone,
Clarke,	Helm,	McLaughlin,	Strausser,
Cooley,	Henzel,	Meholchick,	Sullivan, J. A.,
Crossin,	Hocker,	Miller,	Sullivan, T. F.,
Curwood,	Holliday,	Monroe,	Taylor,
Davis,	Holman,	Morley,	Thompson,
Dengler,	Horst,	Mullen,	Tomascik,
Dennison,	Irvis,	Munley,	Tompkins,
Donaldson,	Isaacs,	Murphy,	Trusio,
Dougherty,	Jenkins,	Murray,	Varner,
Doughten,	Jim,	Needham,	Verona,
Edwards,	Johnson, A. W.,	O'Dell,	Walsh,
Eilberg,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Elvey,	Jones,	O'Donnell, J. P.,	Weidner,
Eshback,	Kamyk,	Odorisio,	Welsh,
Eshleman,	Keiser,	Ogilvie,	Wescott,
Ewing,	Kelly,	Parlante,	Whittaker,
Farabaugh,	Kernaghan,	Pashley,	Willard,
Fetterolf,	Kessler,	Perry,	Williams, A. D.,
Filo,	King,	Petrosky,	Williams, E. S.,
Fineman,	Kistler,	Piper,	Wilt,
Flynn,	Knecht,	Polaski,	Wood,
Foerster,	Kooker,	Polen,	Worley,
Foor,	Kornick,	Pursley,	Yetter,
Fox,	Korns,	Reibman,	Zember,
Frascella,	Kramer,	Reidenbach,	Zimmerman,
Fry,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker

NAYS—0

NOT VOTING—20

Ashton,	Guthrie,	Mihm,	Steckel,
Breth,	Klein,	Mills,	Ujobai,
Cianfrani,	Lippincott,	Musto,	Wall,
Comer,	McNally,	Prendergast,	Willaredt,
Down,	Merry,	Price,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 540, entitled:

An Act amending the act of May 23, 1945 (P. L. 926) entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth * * *" further regulating appeals.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boles,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Capitolo,	Haudenshield,	McDonald,	Stimmel,
Cauley,	Heavey,	McInroy,	Stiteler,
Cioffi,	Heffner,	McKeever,	Stone,
Clarke,	Helm,	McLaughlin,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, J. A.,
Cooley,	Hocker,	Miller,	Sullivan, T. F.,
Crossin,	Holliday,	Monroe,	Taylor,
Curwood,	Holman,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomascik,

Dengler,	Irvis,	Munley,	Tompkins,
Dennison,	Isaacs,	Murphy,	Trusio,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Needham,	Verona,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Knecht,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Kornick,	Pursley,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,	Renwick,	Andrews,
Frascella,	Lawson,	Riley,	Speaker
Fry,			

NAYS—0

NOT VOTING—19

Ashton,	Klein,	Mills,	Ujobai,
Breth,	Lippincott,	Musto,	Wall,
Cianfrani,	McNally,	Prendergast,	Willaredt,
Fulmer,	Merry,	Price,	Wynd,
Guthrie,	Mihm,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 542, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) further specifying when tax levies shall first be based on assessments from valuations made with the use of the permanent system of records.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Frascella,	Lamb,	Riley,
Anderson, J. H.,	Fry,	Lawson,	Rovansek,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Royer,
Arlene,	Gailey,	Lee, K. B.,	Rubin,
Auker,	Gallagher,	Leonard,	Rudisill,
Bachman,	Gelfand,	Limper,	Rutherford,
Backenstoe,	George,	Long, Wm. Jas.,	Sakulsky,
Blair,	Gibb,	Long, Wm. Jos.,	Scarcelli,
Boles,	Gibbons,	Lutty,	Schaaf,
Bonner,	Goldstein, J. H.,	Magee,	Schuster,
Bossert,	Goodrich,	Manbeck,	Seltzer,
Bower,	Gramlich,	Markley,	Shelton,
Bowman,	Gray,	Marsh,	Sherman,
Branca,	Gremminger,	Maxwell,	Shupnik,
Buchanan,	Gross,	May,	Simmons,
Bush,	Guesman,	McCandless,	Slack,
Capano,	Hamilton,	McCann,	Snare,
Capitolo,	Hankins,	McCormack,	Stank,
Cauley,	Hartley,	McDevitt,	Stimmel,
Cioffi,	Haudenshield,	McDonald,	Stiteler,
Clarke,	Heavey,	McInroy,	Stone,
Comer,	Heffner,	McKeever,	Strausser,
Cooley,	Helm,	McLaughlin,	Sullivan, J. A.,
Crossin,	Henzel,	Meholchick,	Sullivan, T. F.,
Curwood,	Holliday,	Miller,	Taylor,
Davis,	Holman,	Monroe,	Tomascik,
Dengler,	Horst,	Morley,	Tompkins,
Dennison,	Irvis,	Mullen,	Trusio,
Donaldson,	Isaacs,	Munley,	Varner,
Dougherty,	Jenkins,	Murphy,	Verona,
Doughten,	Jim,	Murray,	Walsh,
Down,	Johnson, A. W.,	Needham,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wood,
Filo,	Kistler,	Piper,	Worley,
Fineman,	Knecht,	Polaski,	Yetter,
Flynn,	Kooker,	Polen,	Zember,
Foerster,	Kornick,	Pursley,	Zimmerman,
Foor,	Korns,	Reibman,	Andrews,
Fox,	Kramer,	Reidenbach,	Speaker

NAYS—4

Goldstein, M. H.,	Hocker,	O'Dell,	Wilt,

NOT VOTING—20

Ashton,	Lippincott,	Musto,	Thompson,
Breth,	McNally,	Prendergast,	Ujobai,
Cianfrani,	Merry,	Price,	Wall,
Guthrie,	Mihm,	Renwick,	Willaredt,
Klein,	Mills,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 555, entitled:

An Act amending the "Local Health Administration Law" approved August 24, 1951 (P. L. 1304) extending to thirty days the time within which county commissioners or the joint-county health commission may give notice of approval or disapproval of rules and regulations of the board of health.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fulmer,	Lawson,	Riley,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Royer,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rubin,
Arlene,	Gelfand,	Leonard,	Rudisill,
Auker,	George,	Limper,	Rutherford,
Bachman,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, J. H.,	Lutty,	Schaaf,
Boles,	Goldstein, M. H.,	Magee,	Schuster,
Bonner,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stone,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Cooley,	Henzel,	Miller,	Taylor,
Crossin,	Hocker,	Monroe,	Thompson,
Curwood,	Holliday,	Morley,	Tomascik,
Davis,	Holman,	Mullen,	Tompkins,
Dengler,	Horst,	Munley,	Trusio,
Dennison,	Irvis,	Murphy,	Varner,

Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Needham,	Walsh,
Doughten,	Jim,	O'Dell,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Weidner,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Welsh,
Eilberg,	Jones,	Odorisio,	Wescott,
Elvey,	Kamyk,	Ogilvie,	Whittaker,
Eshback,	Keiser,	Parlante,	Willard,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Fetterolf,	Kessler,	Petrosky,	Wilt,
Filo,	King,	Piper,	Wood,
Fineman,	Kistler,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Yetter,
Foerster,	Kooker,	Pursley,	Zember,
Foor,	Kornick,	Reibman,	Zimmerman,
Fox,	Korns,	Reidenbach,	
Frascella,	Kramer,	Renwick,	Andrews,
Fry,	Lamb,		Speaker

NAYS—0

NOT VOTING—22

Ashton,	Lippincott,	Musto,	Stiteler,
Breth,	Marsh,	Prendergast,	Ujobai,
Cianfrani,	McNally,	Price,	Wall,
Farabaugh,	Merry,	Rovansek,	Willaredt,
Guthrie,	Mihm,	Steckel,	Wynd,
Klein,	Mills,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 607, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), authorizing the production and performance of civic light opera between certain hours on Sundays in cities of the second class.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—162

Adams,	Fox,	Lawson,	Reidenbach,
Anderson, J. H.,	Frascella,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Fry,	Lee, K. B.,	Riley,
Arlene,	Fulmer,	Leonard,	Rovansek,
Bachman,	Gailey,	Limper,	Rubin,
Backenstoe,	Gallagher,	Long, Wm. Jas.,	Rudisill,
Blair,	Gelfand,	Long, Wm. Jos.,	Sakulsky,
Boies,	George,	Lutty,	Scarcelli,
Bonner,	Gibb,	Magee,	Schaaf,
Bossert,	Gibbons,	Markley,	Schuster,
Bower,	Goldstein, J. H.,	Marsh,	Seltzer,
Bowman,	Goldstein, M. H.,	Maxwell,	Shelton,
Branca,	Goodrich,	May,	Sherman,
Bush,	Gray,	McCann,	Shupnik,
Capano,	Gremminger,	McCormack,	Slack,
Capitolo,	Guesman,	McDevitt,	Snare,
Cauley,	Hamilton,	McDonald,	Stank,
Cioffi,	Hankins,	McInroy,	Stimmel,
Clarke,	Hartley,	McKeever,	Stone,
Comer,	Haudenshield,	McLaughlin,	Sullivan, J. A.,
Cooley,	Heavey,	Meholchick,	Sullivan, T. F.,
Crossin,	Heffner,	Monroe,	Taylor,
Curwood,	Helm,	Morley,	Thompson,
Davis,	Holliday,	Mullen,	Tomascik,
Dengler,	Holman,	Munley,	Tompkins,
Dennison,	Irvis,	Murphy,	Trusio,
Donaldson,	Isaacs,	Murray,	Varner,
Dougherty,	Jenkins,	Needham,	Verona,
Doughten,	Jim,	O'Dell,	Walsh,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Eilberg,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Elvey,	Jones,	Odorisio,	Welsh,
Eshback,	Kamyk,	Parlante,	Wescott,
Eshleman,	Kelly,	Pashley,	Williams, A. D.,
Ewing,	Kernaghan,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kooker,	Piper,	Yetter,
Filo,	Kornick,	Polaski,	Zember,
Fineman,	Knecht,	Polen,	
Flynn,	Kramer,	Pursley,	Andrews,
Foerster,	Lamb,	Reibman,	Speaker

NAYS—25

Auker,	Horst,	McCandless,	Stiteler,
Buchanan,	Keiser,	Miller,	Strausser,
Edwards,	Kessler,	Ogilvie,	Willard,
Foor,	Kistler,	Royer,	Wood,
Gross,	Korns,	Rutherford,	Worley,
Henzel,	Manbeck,	Simmons,	Zimmerman,
Hocker,			

NOT VOTING—20

Ashton,	Klein,	Mills,	Ujobai,
Breth,	Lippincott,	Musto,	Wall,
Cianfrani,	McNally,	Prendergast,	Whittaker,
Gramlich,	Merry,	Price,	Willaredt,
Guthrie,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 588, entitled:

An Act amending "The Game Law approved June 3, 1937 (P. L. 1225), extending provisions relating to when license tags are required to be displayed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,

Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 597, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), authorizing appropriations of moneys to airports operated by municipality authorities.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murray,	Varner,
Dougherty,	Jenkins,	Needham,	Verona,
Doughten,	Jim,	O'Dell,	Walsh,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Weidner,
Eilberg,	Jones,	Odorisio,	Welsh,
Elvey,	Kamyk,	Ogilvie,	Wescott,
Eshback,	Keiser,	Parlante,	Whittaker,
Eshleman,	Kelly,	Pashley,	Willard,
Ewing,	Kernaghan,	Perry,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Williams, E. S.,
Fetterolf,	King,	Piper,	Wilt,
Filo,	Kistler,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Pursley,	Yetter,
Foerster,	Kornick,	Reibman,	Zember,
Foor,	Korns,	Reidenbach,	Zimmerman,
Fox,	Kramer,	Renwick,	Andrews,
Frascella,	Lamb,		Speaker

NAYS—1

Murphy,

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 620, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), authorizing boroughs to have a recreation board of either five or seven members.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fry,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Auker,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Magee,	Scarcelli,
Boles,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bonner,	Goldstein, M. H.,	Markley,	Schuster,
Bossert,	Goodrich,	Marsh,	Seltzer,
Bower,	Gramlich,	Maxwell,	Shelton,
Bowman,	Gray,	May,	Sherman,
Branca,	Gremminger,	McCandless,	Shupnik,
Breth,	Gross,	McCann,	Simmons,
Buchanan,	Guesman,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenshield,	McKeever,	Stiteler,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	Meholchick,	Strausser,
Comer,	Helm,	Miller,	Sullivan, J. A.,
Cooley,	Henzel,	Mills,	Sullivan, T. F.,
Crossin,	Hocker,	Monroe,	Taylor,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Holman,	Mullen,	Tomascik,
Dengler,	Horst,	Munley,	Tompkins,
Dennison,	Irvis,	Murphy,	Trusio,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Needham,	Verona,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Wescott,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Williams, E. S.,

Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kistler,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Yetter,
Flynn,	Kornick,	Pursley,	Zember,
Foerster,	Korns,	Reibman,	Zimmerman,
Foor,	Kramer,	Reidenbach,	Andrews,
Fox,	Lamb,	Renwick,	Speaker
Frascella,	Lawson,		

NAYS—2

Isaacs,	Williams, A. D.,

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 638, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for annual estimates of expenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach.	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 648, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two tracts of land consisting of 29.60 acres more or less and 26.30 acres respectively situate in Woodbury Township Blair County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,

Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 571, entitled:

An Act amending the act of May 26, 1933 (P. L. 1088), entitled "An act authorizing the State Treasurer under certain conditions to transfer sums of money between the Motor License Fund and the General Fund * * *" authorizing the transfer of funds during each fiscal year and requiring the retransfer of the funds during the fiscal year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I would like to ask the minority whip which one of bills 580, 584 or 585 are debatable bills?

Mr. TOMPKINS. All of them.

Mr. McCANN. All three will be debatable or just questioned?

Mr. TOMPKINS. 587 is debatable.

Mr. McCANN. Well, 580, 584, 585 and 587?

Mr. TOMPKINS. 580 is the only one I know that might not be debatable.

Mr. McCANN. Mr. Speaker, I call up House bill 580.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 580, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1125) further regulating the use of automatic and magazine shotguns and providing a penalty.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boles,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,

Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilvie,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for consurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 128, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949" changing assessment provisions relating to certain third class school districts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fulmer,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Gailey,	Leonard,	Royer,
Anderson, S. A.,	Gallagher,	Limper,	Rubin,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Magee,	Scarcelli,
Bois,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bonner,	Goldstein, M. H.,	Markley,	Schuster,
Bossert,	Goodrich,	Marsh,	Seltzer,
Bower,	Gramlich,	Maxwell,	Shelton,
Bowman,	Gray,	May,	Sherman,
Branca,	Gremminger,	McCandless,	Shupnik,
Breth,	Gross,	McCann,	Simmons,
Buchanan,	Guesman,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenshield,	McKeever,	Stiteler,
Cioffi,	Heavey,	McLaughlin,	Stone,
Clarke,	Heffner,	Meholchick,	Strausser,
Comer,	Helm,	Miller,	Sullivan, J. A.,
Cooley,	Henzel,	Mills,	Sullivan, T. F.,
Crossin,	Hocker,	Monroe,	Taylor,
Curwood,	Holliday,	Morley,	Thompson,
Davis,	Horst,	Mullen,	Tomascik,
Dengler,	Irvis,	Munley,	Tompkins,
Dennison,	Jenkins,	Murphy,	Trusio,
Donaldson,	Jim,	Murray,	Varner,
Dougherty,	Johnson, A. W.,	Needham,	Verona,
Doughten,	Johnson, R. P.,	O'Dell,	Walsh,
Down,	Jones,	O'Donnell, J. A.,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. P.,	Weidner,
Eilberg,	Keiser,	Ogilive,	Welsh,
Eshback,	Kelly,	Parlante,	Wescott,
Eshleman,	Kernaghan,	Pashley,	Whittaker,
Ewing,	Kessler,	Perry,	Willard,
Farabaugh,	King,	Petrosky,	Williams, A. D.,
Fetterolf,	Kistler,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Pursley,	Worley,
Foerster,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Reidenbach,	Zember,
Fox,	Lamb,	Renwick,	Zimmerman,
Frascella,	Lawson,	Riley,	Andrews,
Fry,	Lee, A. M.,		Speaker

NAYS—5

Auker,	Holman,	Isaacs,	Odorisio,
Elvey,			

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929" approved April 9, 1929 (P. L. 177), authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department independent administrative board or commission to the jurisdiction and control of another administrative department independent administrative board or independent commission.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, this bill might be extensively debated. I tried to get the attention of the gentleman and let him know that.

Mr. McCANN. Mr. Speaker, I will ask that it be withdrawn as being agreed to.

The SPEAKER pro tempore. The Chair withdraws its decision that this bill has been agreed to on third reading.

On the question recurring,

Will the House agree to the bill on third reading?

BILL PASSED OVER

There being no objection

House bill No. 484 printer's No. 527

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House preceeded to the third reading and consideration of House bill No. 584, entitled:

An Act amending "The Game Law" approved June 3,

1937 (P. L. 1225), creating permits for the importing possessing propagating or selling of nutria and providing for certain fees and penalties in connection therewith.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Adams,	Fox,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Frascella,	Lee, K. B.,	Riley,
Anderson, S. A.,	Fry,	Leonard,	Rovansek,
Arlene,	Fulmer,	Limper,	Royer,
Auker,	Gailey,	Long, Wm. Jas.,	Rubin,
Bachman,	Gallagher,	Long, Wm. Jos.,	Rudisill,
Backenstoe,	Gelfand,	Lutty,	Rutherford,
Blair,	Gibb,	Magee,	Sakulsky,
Bois,	Gibbons,	Markley,	Scarcelli,
Bonner,	Goldstein, J. H.,	Marsh,	Schaaf,
Bower,	Goldstein, M. H.,	Maxwell,	Schuster,
Bowman,	Goodrich,	May,	Seltzer,
Branca,	Gray,	McCandless,	Shelton,
Breth,	Gremminger,	McCann,	Sherman,
Buchanan,	Gross,	McCormack,	Shupnik,
Capano,	Guesman,	McDevitt,	Simmons,
Capitolo,	Hamilton,	McDonald,	Slack,
Cauley,	Hankins,	McInroy,	Snare,
Cioffi,	Hartley,	McKeever,	Stank,
Clarke,	Haudenshield,	McLaughlin,	Stimmel,
Comer,	Heavey,	Meholchick,	Stiteler,
Cooley,	Heffner,	Miller,	Stone,
Crossin,	Helm,	Mills,	Strausser,
Curwood,	Henzel,	Monroe,	Sullivan, J. A.,
Davis,	Holliday,	Morley,	Sullivan, T. F.,
Dengler,	Horst,	Mullen,	Taylor,
Dennison,	Irvis,	Munley,	Thompson,
Donaldson,	Jenkins,	Murphy,	Tomascik,
Dougherty,	Jim,	Murray,	Trusio,
Doughten,	Johnson, A. W.,	Needham,	Varner,
Down,	Johnson, R. P.,	O'Dell,	Verona,
Edwards,	Jones,	O'Donnell, J. A.,	Walsh,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Wargo,
Elvey,	Keiser,	Odorisio,	Weidner,
Eshback,	Kelly,	Parlante,	Welsh,
Eshleman,	Kernaghan,	Pashley,	Wescott,
Ewing,	Kessler,	Perry,	Willard,
Farabaugh,	Knecht,	Petrosky,	Williams, E. S.,
Fetterolf,	Kooker,	Piper,	Wilt,
Filo,	Kornick,	Polaski,	Wood,
Fineman,	Korns,	Polen,	Yetter,
Flynn,	Kramer,	Reibman,	Zember,
Foerster,	Lamb,	Reidenbach,	Andrews,
Foor,	Lawson,		Speaker

NAYS—17

Bossert,	Holman,	Manbeck,	Whittaker,
Bush,	Isaacs,	Ogilive,	Williams, A. D.,
George,	King,	Pursley,	Worley,
Gramlich,	Kistler,	Tompkins,	Zimmerman,
Hocker,			

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 585, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), clarifying changing and increasing certain fees.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. FETTEROLF. Mr. Speaker, I would like to call the attention of the House to the fact that some of us do not have copies of this bill under printer's No. 630. Three of us in my immediate area do not have copies of the bill.

The SPEAKER pro tempore. The gentleman made the point that he did not have the 630 printer's number of this bill. The Chair is advised that the bill was printed and should be on the members' desks.

Mr. FETTEROLF. There are three of us in this immediate area who do not have a copy of that printer's number.

The SPEAKER pro tempore. Will the chief clerk see that the members who do not have copies of that bill get copies?

I am advised that the bill is in the file of the majority, if not all, of the members.

Mr. TOMPKINS. I should like to interrogate on this bill.

The SPEAKER pro tempore. The Chair withdraws its decision. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. I would like to ask one of the sponsors of this bill, or somebody, what the purpose of this bill is and what they are trying to accomplish by it.

The SPEAKER pro tempore. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, I would like to ask what the purpose of this bill is and what they are trying to accomplish by it.

Mr. CURWOOD. Mr. Speaker, it is a very simple bill. Under the present status today the game commission only takes in $300, $400 to $500 a year from these particular individuals. All they are trying to do is to get enough to pay the bill and thereby save the game commission money.

Mr. TOMPKINS. The gentleman is speaking of fur dealers, now.

Mr. CURWOOD. Yes, fur dealers, taxidermists, and so forth.

Mr. TOMPKINS. In other words, the gentleman claims they are not carrying their own load?

Mr. CURWOOD. Mr. Speaker, they do not have enough of them in the State to carry their own load. That is right, sir.

Mr. TOMPKINS. I thank the gentleman.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—161

Adams,	Fry,	Long, Wm. Jas.,	Riley,
Anderson, J. H.,	Gailey,	Long, Wm. Jos.,	Rovansek,
Anderson, S. A.,	Gallagher,	Lutty,	Royer,
Arlene,	Gelfand,	Magee,	Rubin,
Auker,	George,	Manbeck,	Rudisill,
Bachman,	Gibb,	Markley,	Rutherford,
Backenstoe,	Gibbons,	Marsh,	Sakulsky,
Blair,	Goldstein, J. H.,	Maxwell,	Scarcelli,

Bois,	Goldstein, M. H.,	McCandless,	Schaaf,
Bonner,	Gray,	McCann,	Schuster,
Bowman,	Gremminger,	McCormack,	Seltzer,
Branca,	Guesman,	McDevitt,	Shelton,
Breth,	Hamilton,	McDonald,	Sherman,
Buchanan,	Hankins,	McInroy,	Shupnik,
Capano,	Hartley,	McKeever,	Slack,
Capitolo,	Heavey,	McLaughlin,	Snare,
Cauley,	Heffner,	Meholchick,	Stank,
Cioffi,	Helm,	Miller,	Stimmel,
Clarke,	Henzel,	Mills,	Stiteler,
Comer,	Irvis,	Monroe,	Stone,
Cooley,	Isaacs,	Morley,	Strausser,
Crossin,	Jenkins,	Mullen,	Sullivan, J. A.,
Curwood,	Jim,	Munley,	Sullivan, T. F.,
Davis,	Johnson, R. P.,	Murphy,	Taylor,
Dengler,	Jones,	Murray,	Thompson,
Dennison,	Kamyk,	Needham,	Tomascik,
Donaldson,	Kelly,	O'Dell,	Trusio,
Dougherty,	Kernaghan,	O'Donnell, J. A.,	Verona,
Doughten,	King,	O'Donnell, J. P.,	Walsh,
Down,	Knecht,	Odorisio,	Wargo,
Edwards,	Kooker,	Parlante,	Welsh,
Eilberg,	Kornick,	Pashley,	Wescott,
Eshback,	Korns,	Perry,	Willard,
Eshleman,	Kramer,	Petrosky,	Williams, E. S.,
Farabaugh,	Lamb,	Piper,	Wilt,
Filo,	Lawson,	Polaski,	Wood,
Fineman,	Lee, A. M.,	Polen,	Yetter,
Flynn,	Lee, K. B.,	Reibman,	Zember,
Foerster,	Leonard,	Reidenbach,	Zimmerman,
Fox,	Limper,	Renwick,	Andrews,
Frascella,			Speaker

NAYS—30

Bossert,	Goodrich,	Johnson, A. W.,	Simmons,
Bower,	Gramlich,	Keiser,	Tompkins,
Bush,	Gross,	Kessler,	Varner,
Elvey,	Haudenshield,	Kistler,	Weidner,
Ewing,	Hocker,	May,	Whittaker,
Fetterolf,	Holliday,	Ogilive,	Williams, A. D.,
Foor,	Holman,	Pursley,	Worley,
Fulmer,	Horst,		

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 587, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), permitting a nonresident who is not a resident of the United States to purchase a three-day license for hunting on regulated shooting grounds.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TOMPKINS. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Curwood.

The SPEAKER pro tempore. Will the gentleman from Luzerne, Mr. Curwood, permit himself to be interrogated?

Mr. CURWOOD. I shall, Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, this bill, as I understand it, provides for the issuance of certain limited hunting licenses to nonresidents of the United States, is that right?

Mr. CURWOOD. That is right, Mr. Speaker.

Mr. TOMPKINS. A nonresident of the United States would be classified as an alien, would he not?

Mr. CURWOOD. Yes, I would say so.

Mr. TOMPKINS. Is there not legislation on our Federal statute books to the effect that an alien cannot possess or use a firearm?

Mr. CURWOOD. Yes, Mr. Speaker.

Mr. TOMPKINS. How, then can we grant that right in Pennsylvania if there is Federal legislation against it?

Mr. CURWOOD. I will tell you all about that, Mr. Speaker. I go to Canada once in a while, you know. I take a little gun with me, and I go up there and I get a little permit from the Canadian authorities with which they let me go out hunting for three or four days. I want to do the same thing for these Canadians when they come down to visit me.

Mr. TOMPKINS. Mr. Speaker, is that the gentleman's full answer to that question?

Mr. CURWOOD: I am sorry, Mr. Speaker, I did not get that.

Mr. TOMPKINS. Is that the gentleman's full answer to that question?

Mr. CURWOOD. No. How much longer do you want me to go? What else do you want me to talk about?

Mr. TOMPKINS. I thank the gentleman. I think I understand what he is trying to get at.

Mr. CURWOOD. Oh, you are going to figure it out yourself. Well, let me tell you.

Mr. Speaker, since Mr. Tompkins wants a little more discussion on it, I would like to bring something else up on a little different angle. You know, I had a very close friend of mine back home and the only way I could get her a fishing license was—I was chairman of Fisheries at that time—by saying that she was a relation of Queen Elizabeth and she was visiting over here. So I got her a fishing license, which I thought was pretty nice. It is a little bit off the subject, but I believe in this.

The bill was introduced for a good reason, a very good reason, to let an alien who happened to be a friend, say, of Mr. Tompkins, my colleague, when visiting him at his home and wanting very badly to go out hunting that day to be able to do so. In the past he probably made the very good excuse, I cannot go out with you, with his cousin or aunt or uncle because he could not go hunting with him. Now I am making it possible for Mr. Tompkins to take that friend of his from Italy, Germany, England or any place else, hunting with him for three days on a minimum license fee. It that enough, Mr. Tompkins?

Mr. TOMPKINS. That is all, Mr. Speaker.

Mr. Speaker, I am very sympathetic to the cause of the gentleman. I have nothing against Canadians. I have friends who are Canadians. As a matter of fact, my father was a Canadian, a naturalized Canadian, in this country. I have a great deal of sympathy for them. I have a great deal of sympathy for all other nationalities, but I am wondering if we here are creating an instrument in the hands of the Pennsylvania people that might be a violation of the Federal law and get our friends in trouble. That is the only thing I am trying to avoid.

Mr. McCANN. Mr. Speaker, I have been informed, and I ask you to verify this, that other States have passed similar legislation and it does not supersede the Federal Alien Firearms Act. I am not an authority and know noth-

ing about this, but they tell me that in other States they have done the same thing, so that when these people visit you from either Canada or Mexico you can get a permit so they can hunt with you and it is not a violation of the act that you speak of.

I do not know, but, if we can do this, it might help Pennsylvanians somewhere who have people coming from another country who want to spend their money while they are hunting here.

Mr. TOMPKINS. Mr. Speaker, I appreciate all that. What I am trying to do is raise the issue as to whether or not we are going to pass legislation that might trap some of our good friends under a Federal violation. That is all.

Mr. GOODRICH. Mr. Speaker, presently in Pennsylvania a nonresident can get a nonresident license. I applied once for one last year. Certainly when that legislation was passed here, this question must have been considered. I do not know about the Federal firearms act. I wonder if Mr. Tompkins absolutely knows that they are prohibited from carrying firearms. We already allow for a season license and this is only a three-day license.

Yes, they are aliens. Yes, aliens.

I acquired one for an alien myself last year and you had to get a special license from a special licensing bureau, a three-day license. They are allowed to have a three-day license.

The SPEAKER pro tempore. If the gentleman who is interrogating the gentleman who has the floor will ask for recognition, I will appreciate it.

Mr. AUKER. Thank you, Mr. Speaker. I am going to make a suggestion here that I think may work this thing out. Have this bill go over and possibly go back to committee later on and have this bill effective only if he is accompanied by a licensed hunter of Pennsylvania. Then I think that is going to resolve any questions that might arise.

I think for the protection of everybody concerned it would be a good idea to do that, unless you could put in a further limitation, also, for those immediately adjoining the territory of the United States on the north.

I am making that as a suggestion so we might possibly make a good bill out of this.

Mr. WILLARD. Mr. Speaker, it is my interpretation of this bill that this special license only applies to regulated shooting areas. I cannot possibly conceive of aliens coming in from Canada, or from any other parts, nonresident aliens, and hunting without being accompanied by some of his friends on these regulated shooting areas.

It is usually the practice to get a party to go to these places and you hunt in a group. I thought that might clarify Mr. Auker's thoughts on some of his points.

Mr. CURWOOD. Mr. Speaker, I see nothing wrong with this bill whatsoever and I think we should run the bill. I am talking about my committee. When they come out 100 percent for it, I am standing by any committee and I know they will stand behind me. Let us run the bill and give them a chance to hunt with it.

Mr. TOMPKINS, Mr. Speaker, I merely want to call your attention to the fact that I am not against our Canadian friends. I am not against any of our alien friends; I am for them all. But I do not want to get them trapped in a Federal violation because they think under Pennsylvania law they have the right to do these things. Under the Federal law they will collect from you for a stamp for slot machines, but they will arrest you for it under Pennsylvania law. All I am trying to do is to get this clarified so we will not trap our friends.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Fry,	Lamb,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Riley,
Arlene,	Gallagher,	Lee, K. B.,	Rovansek,
Bachman,	Gelfand,	Leonard,	Royer,
Backenstoe,	George,	Limper,	Rubin,
Blair,	Gibb,	Long, Wm. Jas.,	Rudisill,
Bois,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bonner,	Goldstein, J. H.,	Lutty,	Sakulsky,
Bossert,	Goldstein, M. H.,	Magee,	Scarcelli,
Bower,	Goodrich,	Manbeck,	Schaaf,
Bowman,	Gramlich,	Markley,	Schuster,
Branca,	Gray,	Marsh,	Seltzer,
Breth,	Gremminger,	Maxwell,	Shelton,
Buchanan,	Gross,	May,	Sherman,
Bush,	Guesman,	McCandless,	Shupnik,
Capano,	Hamilton,	McCann,	Simmons,
Capitolo,	Hankins,	McCormack,	Slack,
Cauley,	Hartley,	McDevitt,	Snare,
Cioffi,	Haudenshield,	McDonald,	Stank,
Clarke,	Heavey,	McInroy,	Stimmel,
Comer,	Heffner,	McKeever,	Stiteler,
Cooley,	Helm,	McLaughlin,	Stone,
Crossin,	Henzel,	Meholchick,	Sullivan, J. A.,
Curwood,	Hocker,	Miller,	Sullivan, T. F.,
Davis,	Holliday,	Mills,	Taylor,
Dengler,	Holman,	Monroe,	Thompson,
Dennison,	Horst,	Morley,	Tomascik,
Donaldson,	Irvis,	Mullen,	Trusio,
Dougherty,	Isaacs,	Munley,	Varner,
Doughten,	Jenkins,	Murphy,	Verona,
Down,	Jim,	Murray,	Walsh,
Edwards,	Johnson, A. W.,	Needham,	Wargo,
Eilberg,	Johnson, R. P.,	O'Dell,	Weidner,
Elvey,	Jones,	O'Donnell, J. A.,	Welsh,
Eshback,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eshleman,	Keiser,	Odorisio,	Whittaker,
Ewing,	Kelly,	Ogilive,	Willard,
Farabaugh,	Kernaghan,	Parlante,	Williams, A. D.,
Fetterolf,	Kessler,	Pashley,	Williams, E. S.,
Filo,	King,	Perry,	Wilt,
Fineman,	Kistler,	Petrosky,	Wood,
Flynn,	Knecht,	Piper,	Worley,
Foerster,	Kooker,	Polaski,	Yetter,
Foor,	Kornick,	Polen,	Zemher,
Fox,	Korns,	Pursley,	Zimmerman,
Frascella,	Kramer,	Reibman,	Andrews, Speaker

NAYS—3

Auker,	Strausser,	Tompkins,

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 206, entitled:

An Act amending the act of October 14, 1959 (P. L. 1314) entitled "An act to regulate and establish the fees

to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class" further regulating the fees to be received by the clerk of oyer and terminer and quarter sessions of the peace and the municipal court of Philadelphia in counties of the first class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. A. M. LEE. Mr. Speaker, for the information of the members on this side of the House, a request was made of me that we vote on this bill today. I have cleared it with Mr. Tompkins and Mr. Johnson, and, for the information of the members of the Republican caucus, I would say that this is merely a correctional amendment to the act of 1959 establishing a fee bill in the court of quarter sessions in the city of Philadelphia. The only change is that on the money handled by the clerk of quarter sessions there was a mistake made. We put in the bill originally five cents on every dollar and it should be five mills on the dollar, and this bill is an amendment to change that from five cents to five mills.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 315, entitled:

An Act amending the act of September 23, 1959 (P. L. 941) entitled "An act authorizing the Department of Property and Supplies * * * to sell and convey an easement in lands situate in the Township of Skippack, Montgomery County," further providing for an easement in lands situate in the Township of Skippack, Montgomery County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 451, entitled:

An Act authorizing the Department of Forests and Waters to acquire approximately five acres of land in Milford Township, Juniata County for State forest administrative purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hecker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 742, entitled:

An Act amending the act of April 3, 1860 (P. L. 630) entitled, "An act relative to Proceedings upon Mortgages and Recognizances" excluding counties of the first class from the provisions of the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hecker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 743, entitled:

An Act amending the act of April 25, 1850 (P. L. 569) entitled, "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rents * * *" excluding prothonotaries in counties of the first class from the provisions relating to the recording of certain accounts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 811, entitled:

An Act amending the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" providing a method of paying service increments from the pension fund to employes of the city after retirement.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Eilberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 61.

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Whereas John W. McLane organized one of Erie's first military organizations and later recruited and led with distinction the 83rd Pennsylvania Volunteers during the Civil War and

Whereas Colonel John W. McLane has been a traditional hero in Erie for over a hundred years and has always been referred to as General McLane and

Whereas Colonel McLane's promotion to "General" was in the making but never reached as he was killed in action while leading his regiment at the Battle of Gaine's Mills on June 27, 1862.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 3, by inserting after the word "a" the word "Brigadier"; Section 2, page 2, line 6, by inserting after the word "to" the word "Brigadier".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fry,	Lawson,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Royer,
Arlene,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Bois,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goldstein, M. H.,	Manbeck,	Schuster,
Bossert,	Goodrich,	Markley,	Seltzer,
Bower,	Gramlich,	Marsh,	Shelton,
Bowman,	Gray,	Maxwell,	Sherman,
Branca,	Gremminger,	May,	Shupnik,
Breth,	Gross,	McCandless,	Simmons,
Buchanan,	Guesman,	McCann,	Slack,
Bush,	Hamilton,	McCormack,	Snare,
Capano,	Hankins,	McDevitt,	Stank,
Capitolo,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Miller,	Sullivan, T. F.,
Crossin,	Hocker,	Mills,	Taylor,
Curwood,	Holliday,	Monroe,	Thompson,
Davis,	Holman,	Morley,	Tomascik,
Dengler,	Horst,	Mullen,	Tompkins,
Dennison,	Irvis,	Munley,	Trusio,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Murray,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Ellberg,	Jones,	O'Donnell, J. P.,	Welsh,
Elvey,	Kamyk,	Odorisio,	Wescott,
Eshback,	Keiser,	Ogilive,	Whittaker,
Eshleman,	Kelly,	Parlante,	Willard,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Frascella,	Lamb,	Renwick,	Speaker

NAYS—0

NOT VOTING—16

Ashton,	Lippincott,	Musto,	Ujobai,
Cianfrani,	McNally,	Prendergast,	Wall,
Guthrie,	Merry,	Price,	Willaredt,
Klein,	Mihm,	Steckel,	Wynd,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

Mr. McCANN. Mr. Speaker; I ask that the members do not leave the House. We have announcements and other items to be considered, so I wish they would stay. There is also a reconsideration motion to be presented.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all remaining bills on today's calendar be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

BILL RE-REFERRED

Mr. DOUGHERTY from the Committee on Cities—Counties First Class, returned with the recommendation that it be re-referred to the Committee on Cities—Counties Second and Second Class A, House bill No. 599, entitled:

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns, and Townships," approved April 29, 1937 (P. L. 487), permitting a change of enrollment of political party before an alderman, justice of the peace, or notary public.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Cities—Counties Second and Second Class A.

REPORTS FROM COMMITTEE

Mr. CURWOOD from fthe Committee on Game and Conservation, reported as amended, House bill No. 589, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing certain penalties.

Mr. J. A. SULLIVAN from the Committte on Cities—Counties First Class, reported as committed, House bill No. 639, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations, and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," removing the Statue of Limitations in certain cases.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1082, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the time for opening and closing polls.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 639, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," removing the Statute of Limitations in certain cases.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1082, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the time for opening and closing polls.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. AUKER asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION

CONGRATULATIONS

Mr. BOSSERT asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, March 22, 1961.

The Lock Haven State College Wrestling Team, under the able tutoring of Mr. Hubert Jack, achieved outstanding success in winning not only the State College Wrestling Championships in the State College Wrestling Tournament on March 3 and 4, 1961, but in winning the National N.A.I.A. Tournament at Boulder, Colorado; therefore, be it

Resolved, That this House of Representatives extends its hearty congratulations to the wrestling team of the Lock Haven State College and to its coach; and be it further

Resolved, That copies of this resolution be sent to Lock Haven State College.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 1

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, January 5, 1961.

Resolved (the Senate concurring) That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to support and enact a temporary Unemployment Compensation Act which would extend unemployment compensation benefits for an additional period of three months within each unemployed's benefit year for each eligible unemployed who has exhausted or will exhaust all benefits to which he is entitled under the act of the Commonwealth of Pennsylvania, approved December 5, 1936 (1937 P. L. 2897), known as the "Unemployment Compensation Law" during each such unemployed's current benefit year and which would grant the necessary funds to the State's Unemployment Compensation Funds to carry out said extension; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officer of each house of Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

The SPEAKER pro tempore. The Chair thanks the members for their tolerance and for their cooperation while he chaired the session today. Thank you very much.

ANNOUNCEMENTS BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, when we adjourn today, we will be returning on Tuesday, April 4, 1961. Each of the members has received an invitation to the Governor's legislative reception for Monday, April 3rd. The Democratic membership will receive a notice that we will caucus at 3 p.m. on Tuesday, April 4, and the session will begin at 4 o'clock, as was agreed. Then we will be in session two days, Tuesday and Wednesday. On Wednesday the scheduled time will be 11 a.m., for the purpose of committee meetings on Wednesday morning. We are going to reschedule the photograph of the House for 11 a.m., Wednesday morning, April 5, which was cancelled Tuesday, the morning that Mr. Agnew died.

Other than that, may I say to the Speaker who was in the Chair today that he presided as if he were before the Commonwealth court. He did not act as an attorney; he acted as though he were the judge sitting on the bench, because time and time again he said, "The court," "The court," "The court."

The SPEAKER pro tempore. The Chair thanks the majority leader for his kind words.

The Chair recognizes the minority leader.

Mr. TOMPKINS. Mr. Speaker, the Republicans will caucus also on Tuesday, April 4, at 3 o'clock, the regular hour before the session.

May I compliment the Speaker for the day and suggest that I have never seen any of the Dauphin County court appear without their robes.

The SPEAKER pro tempore. The Chair thanks the gentleman.

ADJOURNMENT

Mr. HOLLIDAY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 4, 1961, at 4 p.m., e.s.t.

The motion was agreed to, and (at 4:05 p.m., e.s.t.) the House adjourned.

HOUSE SUPPLEMENT

STANDING COMMITTEES

AGRICULTURE AND DAIRY INDUSTRIES

Farabaugh, Chairman, Prendergast, vice Chairman, Yetter, Secretary, Cooley, Gray, Hamilton, Kamyk, McNally, Musto, Perry, Reibman, Rubin, Wargo, Ashton, Fox, Korns, Manbeck, McCandless, Wescott, Worley.

APPROPRIATIONS

Polen, Chairman, Stank, Vice Chairman, Munley, Secretary, Boies, Eilberg, Gelfand, Hamilton, McCormack, Mihm, Mullen, Musto, Reidenbach, Wargo, Bower, Hocker, Johnson, A. W., Seltzer, Willaredt, Wilt, Wood.

BANKING AND BUILDING AND LOAN ASSOCIATIONS

Parlante, Chairman, Clarke, Vice Chairman, Comer, Secretary, Bachman, Curwood, Gelfand, Guesman, Lutty, Mills, O'Donnell, J. A., Rubin, Sherman, Buchanan, Bush, Dengler, Goldstein, J. H., Gramlich, Keiser, Varner.

BOROUGHS

Filo, Chairman, Murphy, Vice Chairman, Klein, Secretary, Cooley, Farabaugh, Jenkins, Lawson, Long, Wm. James, Reibman, Sakulsky, Sullivan, J. A., Sullivan, T. F., Verona, Gross, Kernaghan, Kistler, Knecht, Kooker, Simmons, Zimmerman.

CITIES—COUNTIES, FIRST CLASS

Dougherty, Chairman, Mullen, Vice Chairman, Kelly, Secretary, Arlene, Branca, Comer, Doughten, Frascella, Limper, Rubin, Shelton, Sullivan, J. A., Anderson, J. H., Davis, Holman, Lee, A. M., Pursley, Williams, A. D., Zember.

CITIES—COUNTIES, SECOND CLASS AND SECOND CLASS A

Lutty, Chairman, Jenkins, Vice Chairman, Cauley, Secretary, Clarke, Foerster, Irvis, Kamyk, Lamb, Leonard, McLaughlin, Needham, Schuster, Walsh, Donaldson, Gibb, Goldstein, M. H., Haudenshield, Kessler, King, Thompson.

CITIES—THIRD CLASS

Walsh, Chairman, Sakulsky, Vice Chairman, Verona, Secretary, Boies, Cioffi, Gailey, Gremminger, McDevitt, McDonald, Polaski, Tomascik, Trusio, (one vacancy—Majority), Down, Magee, Marsh, Miller, H. G., Ogilvie, Rutherford, Slack.

CONGRESSIONAL APPORTIONMENT

Sherman, Chairman, Lamb, Vice Chairman, Fry, Secretary, Comer, Frascella, Gremminger, Limper, O'Donnell, J. P., Reidenbach, Rovansek, Rudisill, Trusio, Bower, Henzel, Holliday, Horst, Johnson, A. W., Kernaghan, Weidner.

COUNTIES

Cioffi, Chairman, McDonald, Vice Chairman, McNally, Secretary, Farabaugh, Flynn, Foerster, Hankins, O'Donnell, J. A., Prendergast, Rovansek, Sakulsky, Scarcelli, (one vacancy—Majority), Down, Eshelman, Gibbons, Holliday, McCandless, Pursley, Wynd.

EDUCATION

Reibman, Chairman, Anderson, S. A., Vice Chairman, Hamilton, Secretary, Capano, Eilberg, Fineman, Gailey, Irvis, Morley, Murray, Musto, Reidenbach, Sherman, Dengler, Eshleman, Fulmer, Goldstein, M. H., Helm, Henzel, Lee, A. M.

ELECTIONS

Eilberg, Chairman, Murray, Vice Chairman, Prendergast, Secretary, Capano, Gray, Klein, McDevitt, Monroe, Murphy, Pashley, Sullivan, J. A., Sullivan, T. F., Walsh, Bowman, Dengler, Dennison, Edwards, Varner, Wall, Zember.

FISHERIES

Jim, Chairman, Schaaf, Vice Chairman, Gremminger, Secretary, Curwood, Kelly, Long, Wm. James, Meholchick, O'Donnell, J. A., Riley, Schuster, Shelton, Shupnik, Yetter, Edwards, Gramlich, Merry, O'Dell, Stimmel, Willard, Zimmerman.

GAME AND CONSERVATION

Curwood, Chairman, Renwick, Vice Chairman, Cooley, Secretary, Doughten, Fry, Guesman, Hartley, Jim, Long, Wm. Joseph, Meholchick, Riley, Shupnik, Yetter, Ashton, Auker, Goodrich, Lee, K. B., McInroy, Snare, Willard.

HIGHWAYS

Comer, Chairman, Yetter, Vice Chairman, Cioffi, Secretary, Curwood, Filo, Fry, Heavey, Kornick, McNally, Munley, Murray, Stank, Stone, Walsh, Davis, Down, Eshleman, Fulmer, Lee, K. B., Merry, Strausser, Thompson.

INSURANCE

Hamilton, Chairman, Heavey, Vice Chairman, Guesman, Secretary, Crossin, Doughten, Gremminger, Hankins, Hartley, Kelly, Kornick, Prendergast, Sakulsky, Shelton, Foor, Horst, Odorisio, Pursley, Stimmel, Stiteler, Willaredt.

JUDICIARY

Rudisill, Chairman, McCormack, Vice Chairman, Gelfand, Secretary, Eilberg, Fineman, Gailey, Irvis, Lamb, Murphy, Reibman, Schaaf, Sherman, Stone, Auker, Bowman, Donaldson, Heffner, Isaacs, Magee, Steckel.

JUDICIARY—SPECIAL

Leonard, Chairman, Branca, Vice Chairman, Clarke, Secretary, Cauley, Gray, Kramer, Mills, Riley, Tomascik, Welsh, Backenstoe, Bower, Holman, Johnson, R. P., Worley.

LABOR RELATIONS

Wargo, Chairman, McKeever, Vice Chairman, Sullivan, T. F., Secretary, Bonner, Branca, Flynn, Hartley, Lawson, Leonard, McLaughlin, Polaski, Rovansek, Welsh, Adams, Edwards, George, Gramlich, Gross, March, Rutherford.

LAW AND ORDER

Welsh, Chairman, Gailey, Vice Chairman, Hankins, Secretary, Hartley, Jenkins, Kramer, Long, Wm. James, Mills, Monroe, Mullen, Munley, Murray, Scarcelli, Foor, George, Gibb, Kessler, Strausser, Ujobai.

LEGISLATIVE APPORTIONMENT

Kornick, Chairman, Gailey, Vice Chairman, Crossin, Secretary, Arlene, Cioffi, Filo, Gallagher, McKeever, Morley, Needham, Parlante, Schaaf, Stone, Ashton, Blair, Goldstein, M. H., Weidner, Willaredt, Williams, A. D., Williams, E. S.

LIQUOR CONTROL

Reidenbach, Chairman, Scarcelli, Vice Chairman, Flynn, Secretary, Boies, Capitolo, Maxwell, Mills, Rubin, Schuster, Stank, Taylor, Trusio, Wargo, Anderson, J. H., Bossert, Elvey, Eshback, Manbeck, Piper, Steckel.

MILITARY AFFAIRS

Needham, Chairman, Arlene, Vice Chairman, Anderson,

S. A., Secretary, Capitolo, Crossin, Kamyk, Limper, Long, Wm. Jos., McKeever, Meholchick, Mihm, Scarcelli, Shupnik, Adams, George, May, Ogilvie, Price, Snare, Stiteler.

MINES AND MINERAL INDUSTRIES

Rovansek, Chairman, Bonner, Vice Chairman, Murphy, Secretary, Crossin, Kornick, McDonald, Meholchick, Needham, Stank, Verona, Buchanan, Dennison, Ewing, Knecht, Varner.

MOTOR VEHICLES

Limper, Chairman, McLaughlin, Vice Chairman, Cianfrani, Secretary, Bachman, Capitolo, Cauley, Filo, Frascella, Kelly, Lawson, McNally, Renwick, Taylor, Dennison, Ewing, Gibb, Guthrie, Lippincott, Markley, O'Dell.

MUNICIPAL CORPORATIONS

Polaski, Chairman, Gallagher, Vice Chairman, Capitolo, Secretary, Cauley, Cianfrani, Hankins, Jim, Jones, Klein, Long, Wm. James, McDonald, Riley, (one vacancy—Majority), Blair, Bowman, Bush, Fetterolf, Gibbons, Isaacs, May.

PROFESSIONAL LICENSURE

Boies, Chairman, Pashley, Vice Chairman, Shupnik, Secretary, Clarke, Fineman, Jones, Klein, Maxwell, McCormack, O'Donnell, J. P., Parlante, Perry, Schaaf, Haudenshield, King, Kooker, Piper, Simmons, Slack, Whittaker.

PUBLIC HEALTH AND SANITATION

Maxwell, Chairman, Monroe, Vice Chairman, Jones, Secretary, Bachman, Gray, Lawson, O'Donnell, J. A., O'Donnell, J. P., Polen, Sullivan, T. F., Backenstoe, Fox, Henzel, Kistler, Kooker.

PUBLIC UTILITIES AND CORPORATIONS

Mills, Chairman, Cianfrani, Vice Chairman, Kramer, Secretary, Gallagher, Hamilton, Heavey, Lutty, Maxwell, O'Donnell, J. A., Pashley, Taylor, Tomascik, Bossert, Guthrie, Heffner, Magee, Steckel, Thompson, Wall.

RAILROADS AND RAILWAYS

Taylor, Chairman, Schuster, Vice Chairman, Gallagher, Secretary, Arlene, Boies, Guesman, Long, Wm. Joseph, McDivitt, Shelton, (one vacancy—Majority), Isaacs, McInroy, Miller, H. G., Wall, Worley.

RULES

McCann, Chairman, Johnson, A. W., Andrews, Eilberg, Helm, Kamyk, Dougherty, Musto, Petrosky, Tompkins.

STATE GOVERNMENT

Fineman, Chairman, Foerster, Vice Chairman, Pashley, Secretary, Anderson, S. A., Kramer, Lutty, McCormack, Perry, Polaski, Polen, Reidenbach, Renwick, Rudisill, Donaldson, Price, Royer, Stimmel, Strausser, Williams, E. S., Wood.

TOWNSHIPS

Flynn, Chairman, Trusio, Vice Chairman, Farabaugh, Secretary, Bachman, Cooley, Fry, Jim, Jones, Kornick, Morley, Renwick, Rudisill, Verona, Eshback, Goodrich, Horst, Johnson, R. P., Korns, Odorisio, Wescott.

WAYS AND MEANS

Kamyk, Chairman, Frascella, Vice Chairman, McLaughlin, Secretary, Foerster, Heavey, Mihm, Morley, Munley, Musto, O'Donnell, J. P., Perry, Polen, Wargo, Davis, Ewing, Guthrie, Johnson, A. W., Ogilvie, Price, Royer.

WELFARE

Stone, Chairman, Munley, Vice Chairman, Bonner, Secretary, Anderson, S. A., Capano, Doughten, Kamyk, Lamb, Leonard, Long, Wm. Jos., Monroe, Mullen, Musto, Auker, Elvey, Markley, Miller, Ujobai, Weidner, Whittaker.

WORKMEN'S COMPENSATION

Capano, Chairman, Irvis, Vice Chairman, Sullivan, J. A., Secretary, Bonner, Branca, Cianfrani, Jenkins, Limper, McDevitt, McKeever, Rovensek, Tomascik, Welsh, Blair, Buchanan, Goldstein, J. H., Keiser, McInroy, Wescott, Zember.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, APRIL 4, 1961. No. 32.

SENATE

TUESDAY, APRIL 4, 1961.

The Senate met at 3:30 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PRAYER

The Chaplain, Right Reverend Monsignor ROY C. KEFFER, of St. Theresa's Parish, New Cumberland, offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost, Amen.

Direct, O Lord, we beseech Thee, all our actions by Thy holy inspirations and carry them on by Thy gracious assistance, that every prayer and work of ours may always begin by Thee and, through Thee, be happily ended, through Christ, our Lord. Amen.

In the name of the Father and of the Son and of the Holy Ghost, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. MAHADY, further reading was dispensed with, and the Journal was approved.

GUESTS OF SENATOR M. HARVEY TAYLOR PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair would like to take this opportunity to present to the Members of the Senate a class in Problems of Democracy, from Millersburg High School. They are here under the direction of Mr. Rodney Kelchner.

This high school class is in the Senate Chamber as the special guests of Senator Taylor.

Will the class please rise, together with their Director, in order for the Senate to recognize them?

The Chair welcomes you in our midst and trusts that you will spend some time with us and see your government in operation. Thank you for coming.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

THE ADJUTANT GENERAL

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm A. Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Adjutant General, to serve until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Maj. Gen. A. J. Drexel Biddle, resigned.

DAVID L. LAWRENCE.

SECRETARY OF THE COMMONWEALTH

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate E. James Trimarchi, Jr., R. D. 2, College Lodge Road, Indiana, Indiana County, for appointment as Secretary of the Commonwealth, to serve until superseded, vice Hon. John S. Rice, Gettysburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John L. Dorris, 41 West Broad Street, Nanticoke, Luzerne County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1971, vice Leon Schwartz, Esq., Nanticoke, whose term expired.

DAVID L. LAWRENCE.

PENNSYLVANIA NATIONAL GUARD

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following for appointment as Brigadier General, Pennsylvania National Guard, until terminated:

Colonel Arthur D. Bertolett, 341 Friendship Drive, Paoli, Chester County, vice Major General Harry A. Markle, Jr., retired.

Colonel Herbert A. Vernet, Jr., 245 East Granada Avenue, Hershey, Dauphin County, vice Major General Arthur D. Kemp, retired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin F. Whitsel, R. D. 1, Shirleysburg, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Cromwell, Huntingdon County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William D. Witmer, R. D. 7, York, York County, for appointment as Justice of the Peace in and for the Township of Springettsbury, York County, to serve until the first Monday of January 1962, vice William D. Quickel, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph P. Zamgulis, 744 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to serve until the first Monday of January 1962, vice Paul J. Koval, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Anna M. Fisher, Box 403, R. D. 2, Chambersburg, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 128,** with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 61.**

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 53,** which was referred to the Committee on Constitutional Changes and Federal Relations.

He also presented for concurrence **HB 67,** which was referred to the Committee on Mines and Mineral Industries.

He also presented for concurrence **HB 206, 343, 742** and **743,** which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 315, 558** and **648,** which were referred to the Committee on State Government.

He also presented for concurrence **HB 419, 542, 597, 620** and **811,** which were referred to the Committee on Local Government.

He also presented for concurrence **HB 423, 451, 452, 580, 584, 585, 587** and **588,** which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 442,** which was referred to the Committee on Labor and Industry.

He also presented for concurrence **HB 489, 490, 491, 492, 493, 495, 496, 497, 498, 499, 500, 501, 502, 503** and **504,** which were referred to the Committee on Military Affairs and Aeronautics.

He also presented for concurrence **HB 540** and **555,** which were referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 556** and **638,** which were referred to the Committee on Education.

He also presented for concurrence **HB 571,** which was referred to the Committee on Appropriations.

He also presented for concurrence **HB 607,** which was referred to the Committee on Law and Order.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Leon Higginbotham, Jr., Esq., (Democrat), 44 West Upsal Street, Philadelphia 19, Philadelphia County, for appointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified, vice Charles R. Brown, Hollidaysburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl K. Witwer, Elverson, Chester County, for reappointment

as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances M. Fordyce (Democrat), 36 South Mercer Street, Greenville, Mercer County, for appointment as a member of the Mercer County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Edna K. Rumbaugh, Sharpsville whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 16, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William E. Baker, Box 142-D, R. D. 1, Honey Brook, Chester County, for appointment as Justice of the Peace in and for the Township of Wallace, Chester County, to serve until the first Monday of January 1962, vice Allan W. Keusch, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin A. LaPish, R. D. 1, Spring City, Chester County, for appointment as Justice of the Peace in and for the Township of East Vincent, Chester County, to serve until the first Monday of January 1962, vice Charles W. Rambo, deceased.

DAVID L. LAWRENCE.

ALDERMAN

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Burley F. Lohr, 75 Victoria Street, Washington, Washington County, for appointment as Alderman in and for the Second Ward of the City of Washington, Washington County, to serve until the first Monday of January 1962, vice Charles W. Rohrkaste, deceased.

DAVID L. LAWRENCE.

PERMISSION TO ADDRESS SENATE

Mr. EHRGOOD asked and obtained unanimous consent to address the Senate.

Mr. EHRGOOD. Mr. President, the bill which I am about to introduce is an appropriation for the General Hospitals throughout the Commonwealth of Pennsylvania. All of these General Hospitals are badly pinched by the formula which is now existing within this Commonwealth; the present formula being ten dollars per free patient-day care.

I am sure that each Member of the Senate has received many, many letters and communications from individuals who are interested in these various hospitals throughout Pennsylvania. The thirteen-month fiscal period, which they are about to undertake, will find them more than strapped. It will find them in bad shape unless something is done for them by this Commonwealth; namely, giving to them an increased appropriation so that it becomes more in line with the actual cost to these hospitals. This bill, which my colleagues and I are introducing, will raise this formula to fifteen dollars per free patient-day care.

The following are a few examples showing what this will mean to some of these hospitals:

Jefferson Medical College Hospital, in Philadelphia, with an estimated 48,170 hospitals days, will receive $722,550 under this bill for the thirteen-month fiscal period as opposed to $858,000 for the two-year period previous. There are many others. For example, in Pittsburgh, we have the South Side Hospital, which has 15,899 hospital days, and it would receive $238,485 under this bill as opposed to $247,500 in the past biennium. This follows all down the line for the hospitals and it is based on a formula to which no one can object.

For example, in York, certainly their hospital is in bad shape and under this bill, it would receive $376,620, which I am sure will get them out of a deep hole.

Therefore, Mr. President, on behalf of myself, Senator Van Sant, Senator Wade, Senator Scott, Senator Stroup and Senator Keller, I am offering this bill.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I realize that we are under the order of business of Bills Introduced and Referred, but I would just like to point out to the gentleman who last spoke and make an observation to him that the statement he made was not absolutely correct. I know that in the interest of clarity and of having the correct information, he will give me a few moments under Petitions and Remonstrances to straighten out some misimpressions which he is laboring under in this regard.

BILLS INTRODUCED AND REFERRED

Messrs. EHRGOOD, SCOTT, KELLER, VAN SANT, WADE and STROUP presented to the Chair SB 445, entitled:

An Act making an appropriation to the Department of Public Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

Messrs. EHRGOOD and SHAFER presented to the Chair SB 446, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," bringing persons between eighteen and twenty-one years of age within the provisions of the act relating to corrupting the morals of children.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. BELL asked and obtained unanimous consent to address the Senate.

Mr. BELL. Mr. President and gentlemen of the Senate, two weeks ago, I interrogated the Majority Leader as to what plans the Administration had for implementing the Kerr-Mills Act. Unfortunately, the interrogation and subsequent informal debate strayed into the realm of politics.

At this time, together with my colleague, Senator Ware, I am going to introduce a bill which would implement the Kerr-Mills Act in Pennsylvania on a limited scale; namely, it would seek medical care for the indigent-aged.

After listening to the remarks of my colleague, Senator Ehrgood, from Lebanon County, I want to second his remarks that our general hospitals in Pennsylvania are in bad shape. They need money. Fifteen dollars a day when medical care costs twenty-two dollars a day, is a pretty big gap. Something must be done either along Senator Ehrgood's line or the Kerr-Mills implementation line, because we a cannot wait until October 1962.

I hope the Appropriations Committee, or whatever committee receives this bill, will hold public hearings on it so that some legislation can be enacted on this subject.

BILLS INTRODUCED AND REFERRED

Messrs. BELL and WARE presented to the Chair **SB 447**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," extending assistance to include inpatient hospital care for aged person; removing certain limitations on the receipt of assistance by aged persons, and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

Mr. BELL presented to the Chair **SB 448**, entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing other than separate confinement in county penal institutions and requiring the approval of plans by the Department of Justice in certain cases.

Which was committed to the Committee on Local Government.

Messrs. FLEMING and SARRAF presented to the Chair **SB 449**, entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for summer schools.

Which was committed to the Committee on Education.

Messrs. DEVLIN and WEINER presented to the Chair **SB 450**, entitled:

An Act regulating the granting of releases in personal injury cases.

Which was committed to the Committee on Judiciary General.

Messrs. DEVLIN, STAISEY and SARRAF presented to the Chair **SB 451**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the purchase of certain concealable firearms.

Which was committed to the Committee on Law and Order.

Messrs. MURRAY and FLACK presented to the Chair **SB 452**, entitled:

An Act amending the act of July 7, 1955 (P. L. 258), entitled "An act providing for anthracite mine drainage, contingent on Federal aid, and making an appropriation," removing certain restrictions.

Which was committed to the Committee on Mines and Mineral Industries.

Messrs. MURRAY and WEINER presented to the Chair **SB 453**, entitled:

An Act amending the act of June 27, 1947 (P. L. 1095), entitled as amended "Anthracite Strip Mining Law," further regulating anthracite strip mining operations; changing provisions with respect to bonds, backfilling, restoration, permits and registration, including certain persons within the provisions of the act; and imposing penalties.

Whch was committed to the Committee on Mines and Mineral Industries.

Mr. YATRON presented to the Chair **SB 454**, entitled:

An Act amending the act of May 16, 1923 (P. L. 207), entitled "Municipal Claim and Tax Lien Law," extending the period for revival of suggestions and averments of nonpayment and default, and the time for the filing and renewal of such claims to twenty years, and changing fees.

Which was committed to the Committee on Local Government.

Messrs. SILVERT and WEINER presented to the Chair SB 455, entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," changing provisions governing the change of the place of business of a branch; and changing provisions for the period of public notice for the discontinuance of a branch.

Which was committed to the Committee on Banking.

They also presented to the Chair **SB 456**, entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended, "Banking Code," changing certain provisons with respect to the payment of interest on deposits; and eliminating the time limit in which action must be taken on articles of merger or consolidation.

Which was committed to the Committee on Banking.

PERMISSION TO ADDRESS SENATE

Mr. STIEFEL asked and obtained unanimous consent to address the Senate.

Mr. STIEFEL. Mr. President, I have pointed out on various occasions that several years ago a department was created on Capitol Hill simply to suit the stature of a very capable administrator, Senator Harry Shapiro.

While Harry Shapiro was the Secretary of Public Welfare, he could cope with this giant. I should say a giant of a department. I would not call it a Frankenstein but I would say an official giant, which was composed of

various parts taken from this department and another department. They created a sprawling empire.

Voltaire said once that he would rather have Mephisto legislate and Gabriel execute than Gabriel legislate and Mephisto execute. I am just afraid of Mephisto.

They took the ten General Hospitals which belonged to the Department of Health and put them, for some reasons best known to them, in the Department of Public Welfare. What hospitals have to do with public welfare, I do not know. However, one thing is clear. When we have such a capable and gifted man as Doctor Wilbar, he would be the proper person—and this department would be the proper department—to manage the General Hospitals of Philadelphia. For this reason, this is a corrective measure.

Therefore, on behalf of Senator Pechan and myself, I am about to present a bill, removing the ten General Hospitals from the Department of Public Welfare and placing them where they belong, in the Department of Health.

BILLS INTRODUCED AND REFERRED

Messrs. STIEFEL and PECHAN presented to the Chair **SB 457**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," transferring ten general hospitals from the Department of Public Welfare to the Department of Health; making an appropriation and imposing duties on the Department of Health.

Which was committed to the Committee on State Government.

Mr. STIEFEL presented to the Chair **SB 458**, entitled:

An Act relating to the geography of Pennsylvania; creating the Pennsylvania Georgraphy Board, and prescribing its powers and duties.

Which was committed to the Committee on State Government.

Mr. McGINNIS presented to the Chair **SB 459**, entitled:

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," removing the limitations on appropriations which may be made for agricultural extension work.

Which was committed to the Committee on Local Government.

Messrs. VAN SANT and ROONEY presented to the Chair **SB 460**, entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Law," allowing a credit on taxes imposed by a political subdivision for certain taxes paid in another political subdivision.

Which was committed to the Committee on Local Government.

Messrs. ROONEY and MAHADY presented to the Chair **SB 461**, entitled:

A Joint Resolution proposing an amendment to article four, section twenty-one of the Constitution of the Commonwealth of Pennsylvania, changing the time at which the Auditor General, the State Treasurer and the Secretary of Internal Affairs take office and permitting the Auditor General and State Treasurer to succeed themselves for one additional term.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. PROPERT, BELL, MAHADY and YATRON presented to the Chair **SB 462**, entitled:

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes," removing the requirement of reproduction in counties of the third class.

Which was committed to the Committee on Local Government.

Messrs. STROUP and HAWBAKER presented to the Chair **SB 463**, entitled:

An Act amending the act of May 4, 1927 (P. L. 519), entitled "The Borough Code," permitting boroughs to make appropriations to industrial development agencies.

Which was committed to the Committee on Local Government.

Messrs. SEYLER, MURRAY and WEINER presented to the Chair **SB 464**, entitled:

An Act authorizing and directing the Governor, on behalf of the Commonwealth of Pennsylvania, to execute an interstate compact relating to the interstate placement of children.

Which was committed to the Committee on Public Health and Welfare.

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, I am about to introduce two bills, which will be presented to you by Fred Rooney, Jr.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 465**, entitled:

A Joint Resolution proposnig an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the exemption from per capita taxes of United States citizens who are retired or living on pension.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Messrs. PECHAN, ROONEY, DEVLIN, SESLER and McMENAMIN presented to the Chair **SB 466**, entitled:

An Act amending the act of July 12, 1935 (P. L. 708), entitled "An act prohibiting others than members of the Bar to practice law and providing penalties," defining certain practices as practicing law.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

MR. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, I assume, in view of the fact that Mr. Rooney is a bachelor, that the statement made by Mr. Pechan refers to his nephew.

BILL INTRODUCED AND REFERRED

Messrs. VAN SANT, SHAFER, WARE, EHRGOOD, STROUP and SCOTT presented to the Chair **SB 467**, entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," extending assistance to include hospitalization for certain aged persons; removing certain limitations on the receipt of assistance by aged persons; providing for a new plan for medical assistance for aged persons, and imposing powers and duties on the Department of Public Welfare in connection therewith; making an appropriation, and repealing certain existing laws.

Which was committed to the Committee on Public Health and Welfare.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER. Mr. President, there have been many occasions when people of this Commonwealth, who have become unemployed, have been unable to meet their mortgage payments and have faced foreclosures.

This bill, Mr. President, would set up, in the Department of Commerce, an agency—if an appropriation is provided—whereby such persons may obtain a stay of execution on the mortgage foreclosure proceedings, apply for relief, and obtain a loan which would tide them over during the period of unemployment; such loan to be repaid following the time when they are able to resume work and make the payments on their regular mortgages.

I am, accordingly, presenting this bill.

BILL INTRODUCED AND REFERRED

Messrs. BERGER and LANE presented to the Chair **SB 468**, entitled:

An Act to promote the welfare of the people of the Commonwealth by providing assistance to unemployed home owners who cannot meet mortgage payments by reason of their unemployment; establishing the Home Mortgage Assistance Fund; imposing duties upon the Secretary of Commerce and certain courts; providing penalties, and making an appropriation.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. DEVLIN asked and obtained unanimous consent to address the Senate.

Mr. DEVLIN. Mr. President, this resolution I am about to offer is to commend the Westinghouse Electric Corporation.

Mr. President, tomorrow is the Seventy-fifth Annual Stockholder's Meeting of the Westinghouse Electric Corporation. This corporation was founded on the principle of research and for the purpose of doing research. It has gone so far as to provide thousands of jobs and thousands of business opportunities for the citizens of this Commonwealth.

For example, in 1948 two scientists, working at the Bettis Airport Research Field, developed the atomic energy program, as a result of which there are now between five and six thousand employees. There are eleven different installations and many smaller companies serving as suppliers.

I think it fitting that we, the Senate of the Commonwealth of Pennsylvania, take recognition of their contribution to our economy.

SENATE RESOLUTION

COMMENDING THE WESTINGHOUSE ELECTRIC CORPORATION

Mr. DEVLIN offered he following resolution (**Serial No. 28**), which was read, considered and adopted:

In the Senate, April 4, 1961.

Seventy-five years ago the Westinghouse Electric Corporation launched scientific research and engineering development in the field of electric power, and has since maintained one of the world's leading research organizations which has hepled make the Greater Pittsburgh area a world center for new products and industrial progress.

This research has led Westinghouse to world leadership in the field of atomic power and has made Western Pennsylvania the heart of this vital new industry, creating thousands of new jobs and adding to the economic strength of the Commonwealth.

The pioneering of George Westinghouse and his successors on turbines for electric power generation and naval propulsion resulted in the establishment of numerous plants in various parts of Pennsylvania which are now major producers of equipment for electric power generation and distribution, and for naval propulsion; therefore be it

RESOLVED, That the Commonwealth of Pennsylvania hereby gratefully recognizes these achievements by Westinghouse Electric Corporation, its employees and stockholders on occasion of the 75th meeting of stockholders; and be it further

RESOLVED, That the Commonwealth continue to encourage and stimulate such industrial research and development which contributes so heavily to the progress and prosperity of all its citizens; and be it further

RESOLVED, That a copy of this resolution be transmitted to the President of the Westinghouse Electric Corporation.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. SARRAF,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MEMBER OF THE PENNSYLVANIA FAIR EMPLOYMENT PRACTICE COMMISSION

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate A. Leon Higginbotham, Jr., Esq., (Democrat), 44 West Upsal Street, Philadelphia 19, Philadelphia County, for appointment as a member of the Pennsylvania Fair Employment Practice Commission, until February 21, 1966, or until his successor shall have been duly appointed and qualified, vice Charles R. Brown, Hollidaysburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE BOARD OF TRUSTEES OF KUTZTOWN STATE COLLEGE

January 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Earl W. Witwer, Elverson, Chester County, for reappointment as a member of the Board of Trustees of Kutztown State College, until the third Tuesday of January 1965, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

MEMBER OF THE MERCER COUNTY BOARD OF ASSISTANCE

February 27, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Frances M. Fordyce (Democrat), 36 South Mercer Street, Greenville, Mercer County, for appointment as a member of the Mercer County Board of Assistance, until December 31, 1963, and until her successor is duly appointed and qualified, vice Miss Edna K. Rumbaugh, Sharpsville, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

January 16, 1961.

To hte Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William E. Baker, Box 142-D, R. D. 1, Honey Brook, Chester County, for appointment as Justice of the Peace in and for the Township of Wallace, Chester County, to serve until the first Monday of January 1962, vice Allan W. Keusch, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Benjamin A. LaPish, R. D. 1, Spring City, Chester County, for appointment as Justice of the Peace in and for the Township of East Vincent, Chester County, to serve until the first Monday of January 1962, vice Charles W. Rambo, deceased.

DAVID L. LAWRENCE.

ALDERMAN

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Burley F. Lohr, 75 Victoria Street, Washington, Washington County, for appointment as Alderman in and for the Second Ward of the City of Washington, Washington County, to serve until the first Monday of January 1962, vice Charles W. Rohrkaste, deceased.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. STAISEY. Mr. President, I second the motion.

The motion was agreed to.

RECESS

Mr. SILVERT. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a meeting of the Committee on Finance, to be held in the office of the President pro tempore.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objection, and declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. LANE, by unanimous consent, from the Committee on Finance, reported, as amended, **HB 635** and **636**, and, as committed, **HB 570**.

SENATE RESOLUTION

EXPRESSING CONFIDENCE IN THE PRESENT INDEPENDENT STRUCTURE AND OPERATION OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

Mr. STIEFEL, by unanimous consent, offered the fol-

lowing resolution (**Serial No. 29**), which was read and referred to the Committee on Historical Preservation:

In the Senate, April 4, 1961.

WHEREAS, persistent rumors are afloat that legislation is in prospect which would place the Pennsylvania Historical and Museum Commission under the proposed Department of Conservation and Recreation as a division of that department; and

WHEREAS, the Pennsylvania Historical and Museum Commission is not concerned with either conservation or recreation but with historical research, publications, care of State's archives, management of the State's museums, and the restoration and interpretation of historic sites and buildings; and

WHEREAS, the Pennsylvania Historical and Museum Commission is the one agency in the State Government on which members of the General Assembly are represented and take part in its deliberations and formation of its policies; and

WHEREAS, the Pennsylvania Historical and Museum Commission has established a fine reputation for competence and fulfilling its responsibilities under the law as an independent commission; therefore, be it

RESOLVED, That the Senate of Pennsylvania expresses its confidence in the present independent structure and operation of the Pennsylvania Historical and Museum Commission and further places on record its opposition to any proposal to interfere with the present independent status of this commission.

CALENDAR

THIRD READING CALENDAR

BILL ON THIRD READING, REFEATED ON FINAL PASSAGE

HB 70—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. DEVLIN. Mr. President, I desire to be recorded as voting "aye".

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SEYLER. Mr. President, I desire to change my vote from "aye" to "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. WEINER. Mr. President, I desire to change my vote from "aye" to "no", the reason being that this bill does not have enough votes to pass. If we can convince certain people who might want to be for the bill at a later date, we will be in a position to bring the bill back.

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. LANE. Mr. President, I desire to change my vote from "aye" to "no" for the same reason, hoping we can get the bill back on the Calendar for reconsideration.

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19

Camiel,	Kalman,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Yatron,
Haluska,	McGinnis,	Sarraf,	Ripp,
Hays,	Miller,	Silvert,	Presiding Officer

NAYS—30

Bell,	Keller,	Pechan,	Stroup,
Berger,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Scott,	Van Sant,
Confair,	Lane,	Sesler,	Wade,
Ehrgood,	Madigan,	Seyler,	Wagner,
Flack,	Mallery,	Shafer,	Ware, III,
Fleming,	McMenamin,	Stevenson,	Weiner,
Hawbaker,			Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

HB 73 and **74**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 75—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Ripp,
Hays,			Presiding Officer

NAYS—1

Chapman,

A majority of all the Senators having voted "aye", the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 84—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "aye".

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Bell,	Keller,	Pechan,	Stiefel,
Camiel,	Kessler,	Propert,	Stroup,
Chapman,	Lane,	Rooney,	Taylor,
Devlin,	Madigan,	Sarraf,	Wade,
DiSilvestro,	McCreesh,	Scott,	Wagner,
Ehrgood,	McGinnis,	Seyler,	Ware, III,
Flack,	McMenamin,	Shafer,	Weiner,
Fleming,	Miller,	Silvert,	Yatron,
Haluska,	Mullin,	Stevenson,	Ripp,
Hawbaker,	Murray,		Presiding Officer

NAYS—4

Berger,	Kromer,	Mahady,	Mallery,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 100—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. MULLIN. Mr. President, I desire to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no".

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hawbaker,	Miller,	Stiefel,
Berger,	Hays,	Murray,	Stroup,
Camiel,	Kalman,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Rooney,	Wade,
Devlin,	Kromer,	Sarraf,	Wagner,
DiSilvestro,	Lane,	Scott,	Ware, III,
Donolow,	Madigan,	Sesler,	Weiner,
Ehrgood,	Mallery,	Shafer,	Wolfe,
Flack,	McCreesh,	Silvert,	Yatron,
Fleming,	McGinnis,	Staisey,	Ripp,
Haluska,	McMenamin,	Stevenson,	Presiding Officer

NAYS—3

Mahady,	Mullin,	Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 103—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Berger,	Haluska,	Miller,	Silvert,
Camiel,	Keller,	Murray,	Stiefel,
Devlin,	Lane,	Sarraf,	Wagner,
DiSilvestro,	Mallery,	Scott,	Weiner,
Ehrgood,	McCreesh,	Seyler,	Yatron,
Flack,	McGinnis,	Shafer,	Ripp,
Fleming,	McMenamin,		

NAYS—15

Bell,	Kromer,	Pechan,	Taylor,
Chapman,	Madigan,	Propert,	Wade,
Hawbaker,	Mahady,	Stevenson,	Ware, III,
Kessler,	Mullin,	Stroup,	

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

SB 104—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LANE, by unanimous consent, offered the following amendments:

> Amend Sec. 1 (Sec. 1002), page 2, line 14, by inserting brackets before and after "restricted".
>
> Amend Sec. 1 (Sec. 1002), page 2, line 14, by inserting brackets before and after "zone" and inserting immediately thereafter: limit.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL ON THIRD READING AMENDED

SB 134—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. DEVLIN, RIPP and FLEMING, by unanimous consent, offered the following amendments:

> Amend Title, page 1, last three lines of Title, by striking out "AND INCREASING THE" in third from last line, and all of last two lines.
>
> Amend Sec. 2, page 3, lines 11 to 20, page 4, lines 1 to 19, and page 5, lines 1 to 10, by striking out all of said lines.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. DEVLIN.

BILL RECOMMITTED

SB 177—Upon motion of Mr. BERGER, seconded by Mr. FLEMING, and agreed to, the bill was recommitted to the Committee on Local Government.

BILL OVER IN ORDER

SB 200—Mr. WEINER. Mr. President, I request that Senate Bill No. 200 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, there are amendments to this bill, but they have not arrived as yet. I hope to have them here tomorrow.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 208—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 224—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Staisey,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler.	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stevenson,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 240—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 293—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 296—Read at length the third time and greed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. CHAPMAN. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. STIEFEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bell,	Keller,	Pechan,	Stroup,
Berger,	Kessler,	Propert,	Taylor,
Camiel,	Kromer,	Sarraf,	Van Sant,
Devlin,	Lane,	Scott,	Wagner,
DiSilvestro,	McCreesh,	Seyler,	Ware, III,
Ehrgood,	McGinnis,	Shafer,	Weiner,
Haluska,	McMenamin,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Ripp,
Kalman,	Murray,	Stiefel,	Presiding Officer

NAYS—9

Chapman,	Madigan,	Mallery,	Stevenson,
Flack,	Mahady,	Mullin,	Wade,
Fleming,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 297—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bell,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Taylor,
Devlin,	Kromer,	Propert,	Van Sant,
DiSilvestro,	Lane,	Sarraf,	Wagner,
Ehrgood,	Mahady,	Scott,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Haluska,	McGinnis,	Shafer,	Yatron,
Hawbaker,	McMenamin,	Silvert,	Ripp,
Kalman,	Miller,	Stalsey,	Presiding Officer

NAYS—9

Berger,	Madigan,	Mullin,	Stroup,
Chapman,	Mallery,	Stevenson,	Wade,
Fleming,			

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 302—Read at length the third time and agreed to,,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 303—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Rooney,	Van Sant,
Devlin,	Lane,	Sarraf,	Wade,
DiSilvestro,	Madigan,	Scott,	Wagner,
Donolow,	Mahady,	Sesler,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Ripp,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

HB 332—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 5, line 6, by striking out "April 1, 1961" and inserting: immediately.

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, this amendment merely changes the effective date, which would have been April 1, and makes it effective immediately after its enactment.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. **WEINER.**

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 30—Without objection, the bill was passed over in its order at the request of Mr. **BERGER.**

BILLS ON SECOND READING

HB 37, 42 and 71—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 78—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 88—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendments:

Amend Sec. 2 (Sec. 1770), page 2, line 9, by striking out "third."

Amend Sec. 2 (Sec. 1770), page 2, line 13, by inserting after "the": third.

They were agreed to.

The section was agreed to as amended.

The third section was read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendments:

Amend Sec. 4 (Sec. 1805), page 4, line 5, by striking out "third."

Amend Sec. 4 (Sec. 1805), page 4, line 8, by striking out "third."

Amend Sec. 4 (Sec. 1980), page 5, line 13, by inserting after "the" where it appears the first time: third.

They were agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendment:

Amend Sec. 5 (Sec. 1990), page 6, line 12, by inserting after "the": third.

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendments:

Amend Sec. 6 (Sec. 2161), page 7, line 17, by striking out "third."

Amend Sec. 6 (Sec. 2162), page 8, line 9, by striking out "third."

Amend Sec. 6 (Sec. 2163), page 8, line 14, by striking out "third."

Amend Sec. 6 (Sec. 2164), page 9, line 3, by striking out "third."

Amend Sec. 6 (Sec. 2165), page 12, line 8, by striking out "third."

Amend Sec. 6 (Sec. 2166), page 12, line 15, by striking out "third."

Amend Sec. 6 (Sec. 2167), page 13, line 4, by striking out "third."

Amend Sec. 6 (Sec. 2168), page 13, line 13, by striking out "third."

Amend Sec. 6 (Sec. 2168), page 13, line 14, by inserting after "and": for the purpose of protecting and promoting the welfare of children and youth.

Amend Sec. 6 (Sec. 2168), page 13, lines 18, 19 and 20; page 14, line 1, by striking out "THAT SUPPLEMENT OR" in line 18, both of lines 19 and 20, page 13; all of line 1, page 14, and inserting: designated to keep children in their own homes, prevent.

Amend Sec. 6 (Sec. 2168), page 14, line 2, by striking out "HELPING" and inserting: help.

Amend Sec. 6 (Sec. 2168), page 14, lines 4 to 8, by striking out "ADEQUATE CARE FOR" in line 4, all of lines 5 to 8, and inserting: in foster family homes and child caring institutions, adequate substitute care for dependent or neglected children, whether or not such children have been adjudicated as neglected or delinquent, and upon the request of the court, for children and youth who have been adjudicated delinquent.

Amend Sec. 6 (Sec. 2168), page 14, line 12, by striking out "third."

Amend Sec. 6 (Sec. 2169), page 14, line 15, by striking out "third."

Amend Sec. 6 (Sec. 2171), page 15, line 7, by striking out "third."

Amend Sec. 6 (Sec. 2172), page 16, line 2, by striking out "third."

Amend Sec. 6 (Sec. 2176), page 22, line 5, by striking out "third."

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendments:

Amend Sec. 7 (Sec. 2301), page 24, line 11, by striking out "third."

Amend Sec. 7 (Sec. 2305), page 25, line 5, by striking out "third."

Amend Sec. 7 (Sec. 2305), page 26, line 6, by striking out "third."

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Messrs. LANE and STEVENSON offered the following amendment:

Amend Sec. 8, page 26, line 14, by striking out "third."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. LANE and STEVENSON offered the following amendment:

Amend Title, page 1, fifth line of Title, by striking out "third."

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 92—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. SARRAF, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL OVER IN ORDER

SB 93—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 94—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Sec. 2 (Sec. 2), page 2, lines 19 and 20, by striking out "upon petition of the city council hereafter authorized".

Amend Sec. 2 (Sec. 2), page 3, line 3, by inserting after "classification": or in the existing form of government.

Amend Sec. 2 (Sec. 2), page 3, line 3, by inserting after "until": four years after the.

Amend Sec. 2 (Sec. 2), page 3, line 4, by inserting after "Governor" where it appears the first time: provided, that the court of quarter sessions of the county in which the city is located shall appoint a charter commission to study and make recommendations on the adoption of a form of city government under sections 3, 4, 5, 6 and 7 of this act, and a form of government is adopted within the above four year period. If a form of government is not adopted within the four year period, the city shall automatically become classified according to the provisions of section 1 of this act and be subject to the provisions therein.

Amend Bill, page 4, by inserting between lines 11 and 12:

Section 3. The act is amended by adding after section 2, the following new sections to read:

Section 3. Whenever the population of any city of the second class A has regressed to a figure below the minimum fixed for that classification, the court of quarter sessions of the county in which the city is located shall, upon petition of fifteen per cent of the registered voters of the city, appoint a charter commission to study and make recommendations on the adoption of a form of city government.

Section 4. The charter commission so appointed shall consist of not less than nine nor more than fifteen members who shall be qualified electors of the city. In every case at least three members of the charter commission shall be appointed from among the members of city council.

Section 5. The charter commission shall organize and function in accordance with the provisions of the Optional Third Class City Charter Law and in so far as the same are applicable shall exercise the same powers and perform the same duties as are conferred or imposed upon charter commissions elected under the provisions of the Optional Third Class City Charter Law.

Members of the charter commission shall serve without compensation but shall be reimbursed by the city for their necessary expenses incurred in the performance of their duties. The city council shall appropriate reasonable sums of money necessary for such purpose and for the work of the charter commission as provided in the Optional Third Class City Charter Law.

The charter commission shall report its recommendations at the time and in the manner provided in the Optional Third Class City Charter Law. In its report the charter commission shall recommend retention of the existing classification or adoption of the commission form as government or adoption of one of the optional forms of city government provided in the Optional Third Class City Charter Law.

Section 6. Within five days after the charter commission reports its recommendations the city council shall certify a copy of the commission's report to the county board of elections which shall cause the question to be placed upon the ballot or voting machines at such time as the commission shall in its report specify. The question shall be submitted to the electors in the manner and at the time provided in the Optional Third Class City Charter Law and shall be framed by city council.

Section 7. The county board of elections shall make return of the vote cast on the question as provided by law. If at such election the electors have voted against retaining the existing classification or have voted in favor of adopting the commission form of government or have voted in favor of adopting one of the optional forms of government provided in the Optional Third Class City Charter Law, the city shall become a city of the third class and shall be governed under the appropriate provisions of the Third Class City Code or the Optional Third Class City Charter Law. The transition to a new form of government shall take effect as provided in the Optional Third Class City Charter Law or in the Third Class City Code, as the case may be.

Whenever by the return of any such election it shall appear that a majority favor retention of existing classification, or there is a majority against the different form of city government recommended by the charter commission, the city shall retain its existing classification and it shall be unlawful to hold another election on the question in such city within a period of five years.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend Sec. 3, page 4, line 12, by striking out "3" and inserting: 8.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "cities": ;changing the method of reclassifying cities of the second class A upon a decrease in population; authorizing retention of existing classification; authorizing elections and permitting selection of a form of city government in such cases from among general optional plans.

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILL OVER IN ORDER

SB 99—Without objection, the bill was passed over in its order at the request of Mr. MULLIN.

BILL OVER IN ORDER

SB 105—Mr. BERGER. Mr. President, I request that Senate Bill No. 105 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I desire to interrogate any one of the sponsors of this bill.

The PRESIDING OFFICER. You may have your choice.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Luzerne, Senator Murray.

The PRESIDING OFFICER. Will the gentleman from Luzerne, Mr. Murray, permit himself to be interrogated?

Mr. MURRAY. I will, Mr. President.

Mr. BERGER. Mr. President, the only inquiry I wish to make in connection with this bill is to ask whether or not this entire bill, which is Senate Bill No. 105, does not contain exactly the same provisions as the bill we find on our Calendar, Senate Bill No. 294, on pages 2 and 3 of that bill? I inquire what the reason is for Senate Bill No. 105.

The PRESIDING OFFICER. Did the gentleman from Luzerne, Mr. Murray, understand the question?

Mr. MURRAY. I did, Mr. President.

It is quite a lengthy bill.

Mr. WEINER. Mr. President—

The PRESIDING OFFICER. Would the gentleman from Luzerne, Mr. Murray, yield to the gentleman from Philadelphia, Mr. Weiner?

Mr. MURRAY. I will, Mr. President.

Mr. BERGER. Mr. President, in that case, I will accept Senator Weiner as the interrogatee.

Mr. WEINER. Mr. President, I believe that I can give the gentleman a satisfactory explanation.

Senate Bill No. 105 is making this part of this Act. Senate Bill No. 294 is the codification of the entire process or procedures of lighting, flags and other such equipment which appears on trailers, cars and things of that nature. If we do not pass Senate Bill No. 105, obviosuly Senate Bill No. 294 will have to have that matter deleted from it. Possibly the better procedure would have been to pass Senate Bill No. 105 first, and then follow along with Senate Bill No. 294. However, I think, as between the two bills, Senate Bill No. 105 has been on the Calendar for a little while and, possibly, that has been my neglect in not seeing that it got through because we were holding it up each week. Senate Bill No. 294, which is the codification, should have possibly waited until Senate Bill No. 105 had passed.

Mr. BERGER. Mr. President, that explanation may be crystal clear, but both bills, apparently, amend Section 1 of Subsection (d) of Section 801 of the Act of 1959, to read as follows:

"Section 801 Required Lighting Equipment"

In Senate Bill No. 294, under Section 1, Subsection (d), Section 801 of the Act of 1959, it also reads as follows:

"Section 801 Required Lighting Equipment"

Mr. WEINER. Mr. President, I believe I also can explain that.

On the face of the bill, it says: "Amending the act of . . ." It then gives you the date, which is April 29, 1959. The bill further reads as follows:

"An act consolidating and revising the Vehicle Code the Tractor Code . . ." and so on and so forth.

As you read along, you will note in each section it brings the Act which it is amending into play and then it goes on to revise that Act itself, all of the way through. Sometimes, it merely takes, for example, Section 3, Subsection (g), on page 5. It goes on and reads in the new language which is consolidating for the Acts which have already passed.

Possibly, Mr. President, this confusion would have been avoided if we would have passed this other bill first. In that case, we would actually be reading the new revised bill all in one place.

Mr. BERGER. Mr. President, this question should receive a very short answer.

Mr. President, I would like to inquire of the Majority Leader whether it is necessary to pass Senate Bill No. 105.

Mr. WEINER. I would say so, Mr. President.

You are specifically taking care of the provision which deals with this particular problem. It all comes under the Act of April 29, 1959 (P. L. 58) and other Acts. As a matter of good housekeeping, when you are consolidating them into one unit, then that should be included. As you well realize, when this Act is signed by the Governor, it will read, "Act so-and-so." It will include Senate Bill No. 105, which will become whatever the number of the Act might be. In that way, you can refer back to when that was done. If you do not do that, you will find that you will have this consolidated Act, but no particular Act which refers to this specific section.

That may sound like a Philadelphia lawyer answering, but—

Mr. BERGER. Mr. President, that is exactly what it sounds like to me.

The provisions of Senate Bill No. 105 are identical with pages 2 and 3, down to line 8, of Senate Bill No. 294.

Mr. WEINER. Mr. President, the gentleman is absolutely correct. However, this is a part of the consolidation or codification of any Act which is referred back to.

If it will help the gentleman, I will allow Senate Bill No. 105 to go over in its order and Senate Bill No. 294 to go over in its order. By doing that, we can dispel any doubts which the gentleman might have. It may be that he is pointing out something that I am not aware of. We can check that with the department.

Mr. BERGER. I think, Mr. President, possibly the gentleman is right. However, I have no objection to the bills if they are all right. I would, however, like Senate Bill No. 105 and Senate Bill No. 294 to go over in order, not only for the reasons I have stated during the interrogation, but also I would like to know why they do not apply to certain vehicles and apply to other vehicles.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL OVER IN ORDER TEMPORARILY

HB 132—Mr. BERGER. Mr. President, I request that House Bill No. 132 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I am going to have to object to this for a very specific reason. Prior to our taking a recess, I stated at that time—and I think the record will bear me out—that this was a bill which I felt was a very important piece of legislation, probably the most important piece of legislation that we will have before us at this Session. I asked the gentlemen of the Senate to take time during their holiday vacation and read this bill. It is forty-five pages long and it has a number of complexities in it. I feel that we must get to this matter sooner or later.

This bill has passed the House. It was introduced on January 16, 1961. It had bipartisan support in the House when it passed, or else it would not be here. The bill was in committee in the Senate for about two weeks because we wanted to make sure that everybody had an opportunity to deal with it. The bill then was reported out, and it has been on the Calendar now for two weeks. I believe that we should act on this matter and dispose of it. If the bill does not have the votes and it fails, that is one aspect of it. If it does have the votes, I think that we ought to pass it so we can dispose of it.

As I have stated many times, when we have discussed controversial matters or matters that were allegedly

controversial, leaving a bill lay when it is an important measure does not gain any votes and it does not lose any votes. The people who were in favor of it originally will remain so, and time will not heal the breach of those who were against it. If I thought it would, I would be very happy to do the missionary work in the interim. However, I am afraid there are some people who have certain preconceived notions about this measure. I am not saying they are incorrect, but they just do not happen to coincide with my views on this bill. I believe the sooner we get this up to third reading and get it passed, all of us will feel better about it.

The mail on this measure has been very heavy. The telephone calls, the meetings and so on and so forth have been very heavy. To place ourselves under this heavy pressure, when all we have to do is deal with this measure, I think is not good legislative procedure.

Mr. BERGER. Mr. President, I recognize the fact that there was some bipartisan support on this bill, and I have no doubt there will be some when it comes to a vote in the Senate. It might even increase the support of this bill if I were to prepare and offer some amendments, which occurred to me within the last few days, and they might prove eminently acceptable to those who favor the bill.

In so far as the bill having been on the Calendar for a long time and whether or not it will be voted on,—those who are for it and those who are against it can vote for or against it—I can say the same thing about one or two bills on the front part of the Third Reading Calendar, too, on which I did not hear that same argument advanced.

However, Mr. President, I renew my request that the bill go over in its order.

Mr. WEINER. Mr. President, I would request that House Bill No. 132 now go over in its order temporarily.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order temporarily.

BILL ON SECOND READING

SB 133—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill just read was rereferred to the Committee on Appropriations.

BILL ON SECOND READING

SB 138—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 173—The first section was read.

On the question,
Will the Senate agree to the section?
Mr. STEVENSON offered the following amendments:

Amend Sec. 1 (Sec. 702), page 3, lines 8 and 9, by striking out all of line 8, and "manner provided in article ten of this act" in line 9.

Amend Sec 1 (Sec. 702), page 3, line 17, by inserting after "acquire:" land for land fill purposes.

Amend Sec. 1 (Sec. 702), page 3, line 18, by inserting after "maintain:" such.

Amend Bill, page 6, by inserting after line 7:
Section 2. This act shall take effect immediately.

They were agreed to.
The section was agreed to as amended.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. STEVENSON offered the following amendments:

Amend Title, page 1, next to last line of Title, by striking out "garbage disposal and."

Amend Title, page 1, last line of Title, by striking out "operations" and inserting: purposes.

They were agreed to.
The title was agreed to as amended.
Without objection, the bill, as amended, was passed over in its order at the request of Mr. STEVENSON.

BILL POSTPONED

SB 181—Mr. LANE. Mr. President, I move that Senate Bill No. 181 be placed on the Second Reading Postponed Calendar.

Mr. SEYLER. Mr. President, I second the motion.
On the question,
Will the Senate agree to the motion?
Mr. LANE. Mr. President, the reason I made this motion is because in the event that we consolidate the General Fund and Institution District Fund into one operation, there will not be any necessity for Senate Bill No. 181 because the per capita tax then will be levied by the General Fund in all of the counties. Therefore, let us place it on the Second Reading Postponed Calendar.

And the question recurring,
Will the Senate agree to the motion?
It was agreed to.

BILL OVER IN ORDER

SB 186—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 190 and **HB 191**—Read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, **HB 191**, the bill just read, rereferred to the Committee on Appropriations.

BILL ON SECOND READING AMENDED

SB 201—The first and second sections were read and agreed to.

The third section was read.
On the question,
Will the Senate agree to the section?
Mr. LANE offered the following amendements:

Amend Sec. 3 (Sec. 405) page 4, line 17 by inserting a bracket before "it."

Amend Sec. 3 (Sec. 405), page 4, line 17 by striking out the bracket before "place."

Amend Sec. 3 (Sec. 405), page 5, lines 1 to

8 by striking out "provide" in line 1, all of lines 2 to 8 and inserting: for the purpose of protecting and promoting the welfare of children and youth, it shall be their duty to provide those child welfare services designed to keep children in their own home, prevent neglect, abuse and exploitations, help overcome problems that result in dependency, neglect or delinquency and to provide in foster family homes or child caring institutions, adequate substitute care for dependent or neglected children, whether or not such children have been adjudicated as neglected or dependent, and upon the request of the court for children and youth who have been adjudicated delinquent.

They were agreed to.

The section was agreed to as amended.

The fourth section and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILL ON SECOND READING

SB 209—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 212 and **213**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING

SB 260 and **268**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

BILLS REREFERRED

Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bills just read were rereferred to the Committee on Appropriations.

BILL ON SECOND READING

SB 273—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 291—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 292—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 294, 299, 301 and 302—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 303, 304 and **SB 309**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON SECOND READING

HB 310, SB 313 and 314—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 336—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

SB 372—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HB 132 CALLED UP

HB 132—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 8 of the Second Reading Calendar, by Mr. WEINER.

BILL OVER IN ORDER

HB 232—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WAGNER. Mr. President, I would respectfully suggest to the Majority Leader, and the friends of this legislation, that in the interest of understanding and in the interest of proper acceptance of the measure, it seems to me that the previous request that this bill go over in its order for further deliberation might well be carefully considered.

When the bill was in the Committee on Education, I suggested to the committee that perhaps it might be well to go a little easy with this bill because it is somewhat revolutionary and new, and it would have better acceptance if it were better understood. The statement was made by the chairman at that time that there was no intent to rush it through; that, on the contrary, he desire was to get it on the Calendar so it might get more attention and more scrutiny.

Now actually, Mr. President, this is the first day since that meeting that we have had a chance to look at the bill on the Calendar.

While Senator Weiner says that we are getting a lot of mail on this and a lot of telephone calls and they would be ended if we took action on it. I do not relish a whole carload of mail every day, but if that is the way we proceed, we could save a lot of mail and a lot of telephone calls if we passed all of the bills as soon as they appear on the Calendar.

There is a bill on page 6 of today's Calendar, Senate Bill No. 88, dealing with the institution districts and their management. If we had passed that bill, Senator, when it first appeared, I would have been saved a great deal of correspondence, a great number of telephone calls and a number of meetings, Senator Lane, with our County Commissioners. I think the sponsors of this bill will agree with me that it is a fortunate thing that we did not rush it through immediately.

I would suggest this to the Majority Leader. There are some very fine people in this State who are very much interested in House Bill No. 132. There are some equally fine people who have some objections to it. I have talked with some of them and I have satisfied some of them as to certain things that worried them. There are others who have made observations that have not yet been satisfied. I have suggested to the library people, and I am suggesting to the Senators here, that we allow enough time. Suppose there is an amendment in the offing that

might make this more acceptable to the kind of people whom we need to support libraries and to support this program when it is established in Pennsylvania. Then I think it would be time pretty well spent.

This is not a partisan measure. There is some support and perhaps some opposition on both sides, but to get it through in the interest of expediency by one vote, I think would be very unfortunate.

We have school bills of importance at every Session on which we spend weeks. Even though everybody is tremendously interested in schools, they want to wait until they are certain that they are doing what is proposed in the best possible way.

As one who is kindly disposed to this legislation and who also would like to satisfy some people who have given a lifetime to library work, I would like to repeat the request that was made by the Minority Leader; that the bill go over long enough to have a meeting of minds that are good, but not in harmony at this particular moment.

Mr. WEINER. Mr. President, I would like to point out to the gentleman who just spoke that I am not trying to be arbitrary about this measure or be obstinate in trying to move it. However, as I stated when the measure came over here, I had no objection to the bill remaining in committee or being worked on, and the Committee Chairman was not pressured or bothered by anyone to report this measure out.

I think you will agree with me that it is an important measure and probably one of the most important measures we will pass in this Session. That is why I took the time of this Body, when we were about to adjourn, to point out to the membership that they should look over this bill and read it. I would be very happy to hear from anyone who has anything to say about it. If we were incorrect in any position that we were taking, or the bill was going too far or was being acted upon in a harsh manner, I would be the first to concede that we ought to do nothing about it or amend out those portions of this legislation.

I think the history here has also been that I have never prevented—and I do not think any Members on this side have ever prevented—anybody from introducing amendments even when a bill is on third reading.

I admit to you that if I used the pressure of the mail as a reason for moving this bill, that is certainly not a good reason. If I stated that, I was incorrect. I did not mean that as the sole reason. It just shows that people are greatly interested in this measure and are taking the trouble to sit down and write a letter about it, or taking the trouble to call their representative. It takes a great deal of effort for people, busily engaged in everyday affairs, to do this.

I certainly think it behooves us, and is incumbent upon us, that we move in the direction of trying to take some action on this measure.

I will agree with you and I am hopeful that the Members on your side will cast more than just one vote for this bill. I think this is good legislation. I think it moves in the right direction. I think we need it. I have a great many statistics on this matter, if you would like to hear them. I will not bore you with them today, however.

Many, many articles have appeared on this subject. One of the best magazines I think in this Country,—it only comes out every other month—Horizon Magazine, went into great detail about this. It stated how poor our library setup is, how badly it is used, and how badly handled are our library matters. There are some libraries right here in our State which do not even have an encyclopedia. I think this bill will help remedy this condition. It might be that this is not the panacea to cure the ill, or it might not cover the entire program. However we will be back here to take care of that problem once we get into it.

If there are specific amendments being prepared, I would like to see them. I would be very happy to look at them. I would be happy to ask the Committee Chairman, Senator Hays, to go over the amendments with us. If you have specific amendments, I am sure no one will turn them down or look askance at them.

I think we should not continue to hold this bill on second reading. Tomorrow, there will be Members absent who will not be able to act on this measure, and the following week and the next week. These things drag on and drag on. One of the things we have to do is get about our business and try to clean it up as quickly as we can.

I am not saying this in the sense that we ride roughshod over anybody or hurt anyone. By the same token, this measure has been with us about a month and I think now the time to act is today in order to move this bill up to third reading so that we can at least look at it and be in a position to move it finally.

Mr. BERGER. Mr. President, I would like to correct what the Majority Leader just said regarding the fact that this bill has been with us for about a month. I would also like to reiterate what Senator Wagner said in connection with it.

This is the first time this bill has been before us on the Calendar. It was brought out of committee and the Majority Leader did state that he hoped everyone would have a chance to look it over because it was the well-known Library Bill. What I said about there being votes both for and against the bill, on this side, I believe is correct. In fact, I am sure there are several votes in favor of it. However, I am sure there are others who may vote for the bill and—presently, I am not quite convinced—who would like to look it over a little bit more. They may wish to correspond with people who have corresponded with the Members and talk with people who have called them and discussed it with them.

This bill is surely not a bill which should be rushed through in a cavalier manner. It is one which should be very carefully considered and deliberated.

That, Mr. President, is the only reason for my asking for the bill to go over in order. I cannot concede that this bill has been on the Calendar for a month, nor that it has been before us for a month. It certainly has been under discussion and appeared in the newspapers when it was in the House. However, this is the first opportunity the Members of the Senate have had to find this bill upon their Calendar and to know that they are going to be considering it.

Consequently, Mr. President, although I understand objections have been made, I reiterate my request for the bill to go over in order.

Mr. WEINER. Mr. President, I want to point out that I believe the Histories are usually correct. This measure, according to the History, was referred to the Committee on Education on March 7. Today, I believe, is April 4. Therefore, we are three days shy of having a full month that this legislation has been with us.

During the two weeks when it was in committee, the members on that committee certainly had an opportunity to be apprised of it. During the recent recess, I think was a good time to look over this measure and discuss it with your constituents.

Mr. President, I now desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. Certainly, Mr. President.

Mr. WEINER. Would you please advise me when we will be ready to vote on this measure?

Mr. BERGER. Mr. President, I can advise the Majority Leader only that at the present time, I do not know when I will be able to vote on it. I hope it will be within the next week. I see no reason, whatsoever, to rush it through this week.

Mr. WEINER. Could the gentleman advise me whether there are any specific amendments being prepared to this bill at the moment?

Mr. BERGER. Mr. President, as to the amendments being prepared, I cannot truthfully say that I have requested them. However, I am formulating the amendments which I think might be helpful to the bill, in so far as some of the apprehensions which people have concerning it. I can say now that one of them is where the word "recommend" is used in it; that it shall not be construed to be a "must" bill. It must continue to be a "may" bill.

Mr. WEINER. Mr. President, the gentleman does not have to answer this question. I will just throw it as a general question.

Can the gentleman advise me whether there is any objection to having this bill go to third reading and then he can offer his amendments at that time? Would he please inform me whether there is any objection to having amendments inserted on third reading rather than second reading? In that way, we will be in a position to move this bill when we get to that point, whether it be this week or early next week.

Mr. BERGER. Mr. President, at this time, I would prefer that the bill remain upon the Second Reading Calendar. I would prefer this not only for the amendments which I have in mind, but for any amendments which any Member of our Caucus may also have in mind.

Mr. WEINER. Mr. President, I believe the history here has always shown that we have never objected to anybody putting amendments in on third reading. I can assure the gentleman, on behalf of the Members of the Democratic Caucus, that there will be no objection to any amendment going in on third reading, whether that be tomorrow, next week or whenever the bill is being moved.

Mr. STROUP. Mr. President, I would like to join with my colleagues, Senator Berger and Senator Wagner, in requesting the Majority Leader to put this bill over in order.

I think there is some error in our understanding as to the amount of time which has been devoted by the Members of the Senate to a study of this very important legislation. In the first place, when it came before the Committee on Education, we had it for a very brief period of time before it was reported out of committee. Certainly, Mr. President, there was no opportunity in that committee to make a very detailed study of the bill before it was reported out. I would have preferred to have had it held for awhile, in order for it to be studied very carefully.

I think we must realize that we have been on vacation. I was one of those Senators who took very close to heart the admonition which was delivered by the Majority Leader to study the bill carefully during the Easter vacation. I assure you, gentlemen of the Senate, that I have done so. Not only have I studied it carefully in detail, and tried to analyze its effect upon libraries, upon our counties and the people throughout the Commonwealth, but I held a series of meetings in all of my three counties. As a consequence of those meetings and as a consequence of the study which I made, I still approach this bill with an open mind. I would like further opportunity to make a more careful analysis and to study it thoroughly.

Mr. President, I believe this bill is perhaps one of the most important, far-reaching pieces of legislation that has been called to the attention of the gentlemen of this Senate. I can see no reason whatsoever, after being back in Session but one day, that we should vociferously and so hurriedly rush through this type of legislation.

I, therefore, add my voice to the others of my colleagues, requesting that the bill go over in order.

The PRESIDING OFFICER. Does Senator Weiner persist in his desire that the bill be read for the second time?

Mr. WEINER. Mr. President, I will yield to Senator Ware.

Mr. WARE. Mr. President, I should like to add my voice to those of my colleagues. I, too, have taken Senator Weiner's—I will call it—admonition of the previous Session to study this bill. In addition to doing some of the things just related by Senator Stroup, I studied Governor Leader's Committee Report, consisting of two rather extensive volumes.

I am not satisfied with the bill in what it prescribes. I am, however, in sympathy with what its apparent intentions are. I think it is perfectly in order to ask for sufficient time to study the effects of such a bill. I must object to the thought that we have had some months to study it. Undoubtedly, all of us could have studied it during the past month if we would have had no other legislation to consider.

Mr. WEINER. Mr. President, I do not want to appear as pinning anyone down or asking for any specific promises. However, if these gentlemen will do their studying this evening and carfefully go through this measure, I believe we will be able to move it tomorrow.

Therefore, Mr. President, with the hope that these gentlemen will do some homework this evening, in regard to this bill, I will remove my objection to the bill going over in order.

Mr. WARE. Mr. President, I can state right now that I cannot do all the required homework which I think is necessary tonight or tomorrow night. Indeed, I am wait-

ing for information from the library of the Longwood Foundation and from several of the nearby universities. If we want to do our job properly here, I ask that we have enough time in which to do it.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Chester, Senator Ware.

The PRESIDING OFFICER. Will the gentleman from Chester, Mr. Ware, permit himself to be interrogated?

Mr. WARE. Gladly, Mr. President.

Mr. WEINER. Mr. President, would the gentleman please advise me when he will be in a position to vote on this bill?

Mr. WARE. I shall make every effort next week.

Mr. WEINER. Will the gentleman be able to vote on this bill next Monday?

Mr. WARE. I shall make evey effort. I made every effort to be ready today, Mr. President, but some of these things take time.

Mr. WEINER. Thank you very much.

Mr. FLEMING. Mr. President, I can see no reason why the request for this bill to go over in order would not be adhered to the Majority Leader.

The PRESIDING OFFICER. Do you understand, sir, that the objection has been withdrawn and we are now ready to have the bill go over in order. Am I correct, Senator Weiner?

Mr. WEINER. The Chair is absolutely correct.

Mr. FLEMING. I am sorry if I am out of order.

Has Senator Weiner agreed to have this bill go over in order?

Mr. WEINER. Yes, I have.

The PRESIDING OFFICER. The gentleman from Allegheny, Mr. Fleming, has ruled himself out of order. Therefore, the Chair states, for the record, that House Bill No. 132, Printer's No. 686, will go over in its order.

SECOND READING CALENDAR

BILL ON SECOND READING AMENDED

HB 388—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. Weiner offered the following amendment:

> Amend Section 2, page 16, line 4, by striking out "[This Act]" and inserting in lieu thereof: The act of May 29, 1945 (P. L. 1134).

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, the amendments I am offering are merely editorial changes and corrections in the printing of the bill.

An the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. WEINER offered the following amendment:

> Amend Section 3, page 16, line 19, by striking out "[1.1]" and inserting in lieu thereof: 2.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER

SB 419—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 450, 461 and **569**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE CONCURRENT RESOLUTION NO. 16 CALLED UP

The PRESIDING OFFICER. The next order of business is consideration of House Concurrent Resolution No. 16, entitled "Legislative Commission on Space Allocation," which appears on page 14 of today's Calendar.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, there has been a survey made by the State, on which a great deal of money has been spent. I am for holding this resolution on the Calendar until this survey is placed in the hands of every Member here, at which time I believe we will be able to act on this measure.

If we were to pass this measure, I do not believe the group would be able to work or operate until such time as they have had a look at the survey that has been made. I believe all of us agree that to spend money on another survey, after one has been completed, would be a little farfetched.

Mr. FLEMING. Mr. President, I would not agree with the Majority Leader at all that this Commission, which would be created by House Concurrent Resolution No. 16, would make another survey. However, it would give a degree of standing, respectability and authority to this Legislative Commission which could deal with the study that has been made, and deal with the Executive in an attempt to get much needed space for the Legislative Branch.

I would suggest to the Majority Leader that he permit this resolution to be adopted. Then the Presiding Officers of the Senate and of the House could appoint the Commission and they, in turn, could work with the Administration in an attempt to iron out an almost intolerable situation with respect to the Legislative Branch.

Mr. WEINER. Mr. President, I agree with the gentleman about the intolerable situation. It is just a matter of approach. His view may be just as valid as mine. However, I believe, Senator, if we wait for the report and have it in our hands, and then appoint our committee to work as a liaison with them, possibly we can accomplish a little bit more, and we will have some material with which to go to them and discuss this matter.

There is really no other reason for holding this up. It is not that crucial whether these people are appointed today, next week or tomorrow. If you feel this resolution is that essential, and all of the people on your side feel that way, I have no objection to it passing except that

the Commission will have nothing to do until the report comes out.

Mr. FLEMING. Mr. President, I thank the Majority Leader. I agree with him that the Commission should have nothing to do until the report is available. However, I still think, from the standpoint of expediency, it should be passed today.

Mr. WEINER. Mr. President, I have no objection to this measure going through as long as we are not going to act on it. It just seems to me that we are doing a needless act at the moment. I am not moved in any direction nor do I feel strongly either way about this.

The PRESIDING OFFICER. In order to keep the record straight, the Chair is given to understand that a resolution is not acted upon unless it is called up. Do you now call up House Concurrent Resolution No. 16?

Mr. WEINER. I believe the Chair called it up. I did not call it up.

The PRESIDING OFFICER. The Chair did call it up. The Chair is asking the Majority Leader now if he desires to have it called up.

Mr. WEINER. Mr. President, I do not have any desire to call it up. If any other Member wants to call it up, it is perfectly all right with me.

Mr. FLEMING. Mr. President, I would like to now call up House Concurrent Resolution No. 16.

PARLIAMENTARY INQUIRY

Mr. SEYLER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from York, Mr. Seyler, will state it.

Mr. SEYLER. Mr. President, I want to know if it is in order for me to request, despite the fact that the resolution has now been called up, that it go over in its order. I do this because I am in much the same position as Senator Wagner, Senator Fleming, Senator Ware and numerous others with regard to the recent bill that we put over in order; namely, that I have not been able to come to a conclusion as to this resolution.

I would point out to the gentleman who said—I think it was Senator Fleming—this is not another study, that if he reads the resolution, the only purpose of the Commission is to:

> ". . . it shall be its duty to study the use of office and work space in the capitol buildings, to make recommendations for the efficient use and equitable allocation of such space, and to make regular reports of its findings and recommendations to the Governor, the General Assembly and the Secretary of Property and Supplies . . . ."

I have a feeling, Mr. President, that in view of that fact, it is quite proper to call this an additional study, and until action is taken by that committee,—the committee presently studying it, which is the committee on the part of the Executive Department of our government —my own feeling at the moment is that to set forth another study on the same grounds is a duplication and waste for which I cannot see the necessity.

Therefore, for the same reasons given by speakers in regard to House Bill No. 132, I would earnestly request the gentleman not to press the matter at this time. If I am in order, I would ask that it go over in its order. If that is not in order, I would request the gentleman to withdraw his request to have the resolution called up.

Mr. FLEMING. Mr. President, so there is no misunderstanding, I am going to comply with Senator Seyler's request. However, before I do that, I would like to draw to the attention of the entire Senate that this is the type of a commission that we certainly should have. I would like the Senate to know that the Presiding Officer of the House of Representatives had asked me if I would not see if I could move this measure.

For the past two years, we have been attempting to get space and have been more or less just shoved aside by the Executive or the Administrative Branch. Certainly the Legislative Branch of Government has a right to have such a commission; a right to fight, if you please, for the necessary space to properly conduct its functions of government. On that, I would vote and support this measure to the utmost of my ability.

Certainly, Mr. President, when Senator Seyler has requested time,—and I am sorry to see that in this Sesssion we have not given time on requested measures, such as has been done in the twenty years that I have been in Harrisburg—I certainly withdraw my request to call up the resolution and would accede to his request to have it go over in its order.

Mr. SEYLER. Mr. President, I want to thank the gentleman for his very generous action in withdrawing his request to have this resolution considered. The gentleman spoke with some vehemence on the subject. I do not agree with all he said. However, I do not think this is the proper time nor is it in order to debate the measure. Therefore, I will reserve the differences I would have with the gentleman until the proper time.

Mr. WEINER. Mr. President, I am very happy to know to whom the Speaker of the House of Representatives goes when he wants to have a measure moved in the Senate. Perhaps I will speak to him myself and then we can get some cooperation along those lines on some other measures.

The PRESIDING OFFICER. All objections having been withdrawn, the resolution will go over in its order.

PARLIAMENTARY INQUIRY

Mr. LANE. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Washington, Mr. Lane, will state it.

Mr. LANE. Mr. President, as I understand it, since the request to have the resolution called up has been withdrawn, it is not necessary for it to go over in order. Is that not correct?

The PRESIDING OFFICER. Inasmuch as it was called up perhaps by the Chair, we had to go through certain parliamentary procedure to get the record straight. The record is now straight.

Mr. LANE. Mr. President, we appeared to have a love feast here and everyone agreed that it should not be called up. Therefore, I think it maintains its status quo. That is my opinion.

The PRESIDING OFFICER. Your opinion is well taken, sir.

SENATE RESOLUTION, SERIAL NO. 22, CALLED UP

Mr. WEINER, without objection, called up from page 14 of the calendar, Senate Resolution, Serial No. 22, entitled:

Offering Various Services to Aid in the Orderly Transfer of Powers of the Auditor General and State Treasurer

On the question,

Will the Senate adopt the resolution?

SENATE RESOLUTION, SERIAL No. 22, ADOPTED

Mr. WEINER. Mr. President, I move that the Senate do adopt Senate Resolution, Serial No. 22.

Mr. SARRAF. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I find myself in the same position as Senator Seyler, Senator Ware, Senator Fleming and Senator Stroup in connection with this resolution as they were with some previous legislation.

Therefore, Mr. President, I request time to give this further consideration and study, rather than act upon it hastily at this time.

The PRESIDING OFFICER. The Chair will ask the Majority Leader if this atmosphere still prevails.

Mr. WEINER. Mr. President, I am sorry that I cannot be as generous as Senator Berger, and the Senator from Allegheny County when he talks to the Speaker of the House, and ask that this measure go over. Time is running out on this measure. I believe if you will read the resolution, you will see that it does not hurt anybody or that it does not do anything except set the record straight. I am sure no Member here, regardless of his political affiliation, wants to see a payless pay day in the Commonwealth of Pennsylvania. I think, for the purpose of keeping the record straight, we ought to pass this. All it does is ask the gentlemen in the State Treasurer's office and the Auditor General's office if we can do anything to lend our good offices in helping to continue the flow of government with the transition of these offices, and we are most anxious to do so.

I believe the Auditor General in this resolution is completely out of place because I think he has taken steps to do that. I have been advised by the Treasurer-elect that this has not happened as far as she is concerned.

Therefore, I think we should go on record here to see that all of the employees of the State of Pennsylvania do not experience a payless pay day due to some transition in government or some political feelings that people might have in either direction.

Mr. BERGER. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDING OFFICER. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. BERGER. Will the gentleman please advise us as to what extent the Democratic State Committee will facilitate the orderly transition in these fiscal offices?

Mr. WEINER. Mr. President, the Democratic State Committee will not in any way take any part in this. They have merely been anxious to have an independent body, either from Pennsylvania State University or the University of Pennsylvania, go in and make a survey of these offices in order to determine what is needed.

It might be that my information is absolutely incorrect and based on rumor, but I have heard that a number of persons who have worked in these offices have left to take other jobs or to participate in some other activities. The result of this may be that there may not be enough personnel to really handle this problem when the new Treasurer and the new Auditor General take office. I believe the present Auditor General has taken steps and has invited in the Auditor General-elect, in order for him to familiarize himself with the job. I have been advised by the State Treasure-elect that this has not happened with her. Time is growing short. It is only a matter of two or three weeks until they will assume office under the constitutional provision.

Mr. BERGER. Mr. President, now that the gentleman has chased that one all around left field, would he care to answer the interrogation as to what extent the Democratic State Committee will participate in the orderly transition between the present fiscal officers and those elected?

Mr. WEINER. Mr. President, under this resolution, they are merely offering their offices or services to help this situation. We are seeking to have an independent agency come in and do the survey, much the same as they did when Governor Leader became the Governor. They then had independent agencies come in here and make surveys of certain departments.

Mr. BERGER. Mr. President, without questioning the accuracy of the gentleman's statement, I do question whether or not the Democratic State Committee participated in the surveys made by Governor Leader. I think some State officials might do it and, possibly, some Members of the Senate, as suggested in the resolution. However, I do not believe that this is quite the place where the Democratic State Committee would participate with any great assistance to the incoming officers or the outgoing officers.

Mr. WEINER. Mr. President, I would like to assure the gentleman and the other Members of the Senate that the Democratic State Committee will take no part in this whatsoever. We are merely asking, pure and simple, that there be an orderly transition of government. I believe if the Treasurer-elect were invited over to at least survey the office and has people acquaint her with some of the problems which exist in any office when anybody takes over a job, I think is all that is being requested.

Mr. BERGER, Mr. President, I so understand that the elected officers, who I believe will take office in May, have been invited and even have been offered office space in order to acquaint themselves with the duties of their coming administrations. I am sure that that offer is still open, although I do not pretend to speak for either of the people in question.

However, Mr. President, reverting to the matter under discussion, I might have an amendment whereby we could delete the Democratic State Committee from the resolution and then maybe the transition would be orderly.

Mr. WEINER. Mr. President, in order for the record to be correct, the invitation has only been extended in the area about which I spoke; namely, in the office of the Auditor General. I believe I am now stating this fact the third time. The State Treasurer has not been invited and has not been advised that there is any space. There was a news release on this matter and it stated this in effect. I then went on to question the people involved and I have been advised that this is actually not so, in so far

as the State Treasurer is concerned.

I have no objection to deleting the Democratic State Committee, if that is the problem. The Democratic State Committee also helps to set the policy, as I have been advised that the Republican State Committee occasionally helps set some of the policy here for the gentleman on the other side of the aisle. That may be a rumor that I hear from time to time and it might have no bearing on the case. However, I think it plays some part here. If that is what the stumbling block is, I would not hesitate to ask that it be removed from the resolution.

Mr. BERGER. Mr. President, may I suggest that the resolution be passed over in order at the present time for the preparation of the necessary amendments?

Mr. WEINER. Mr. President, if the resolution is here, I will take a pencil and strike out the words "Democratic State Committee." I think that should make the gentleman happy. However, I think we should pass this measure. I believe this is beyond the realm of politics.

Mr. President, I now desire to interrogate the gentleman from Potter, Senator Berger.

The PRESIDING OFFICER. Will the gentleman from Potter, Mr. Berger, permit himself to be interrogated?

Mr. BERGER. Certainly, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise us whether if I delete the words "Democratic State Committee," he would vote for this resolution?

Mr. BERGER. Mr. President, I am afraid that the gentleman is trying to anticipate a decision that I will have to make when my name is called.

The PRESIDING OFFICER. Let us wait until the names are called.

Mr. WEINER. Mr. President, would you call the gentleman's name?

Mr. BERGER. Mr. President, perhaps the Majority Leader has been doing that for awhile.

The PRESIDING OFFICER. Let us proceed orderly.

Mr. BERGER. Mr. President, I ask for a roll call.

And the question recurring,

Will the Senate agree to the motion?

(During the calling of the roll, the following occurred:)

Mr. CAMIEL. Mr. President, I desire to be recorded voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. PECHAN. Mr. President, not hearing my name called, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were required by Mr. BERGER and were as follows, viz:

YEAS—23

Camiel,	Lane,	Mullin,	Staisey,
Devlin,	Mahady,	Murray,	Stiefel,
DiSilvestro,	McCreesh,	Rooney,	Weiner,
Haluska,	McGinnis,	Sarraf,	Yatron,
Hays,	McMenamin,	Seyler,	Ripp,
Kalman,	Miller,	Silvert,	Presiding Officer

NAYS—20

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Wade,
Confair,	Kessler,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,

So the question was determined in the affirmative, and the resolution was adopted.

HB 95 CALLED UP

HB 95—Without objection, the bill, which previously went over in its order, was called up, from page 2 of the Third Reading Calendar, by Mr. WEINER.

BILL ON THIRD READING AMENDED

HB 95—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER, by unanimous consent, offered the following amendment:

Amend Sec. 2, page 2, line 3, by striking out "April 1 1961" and inserting: immediately.

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, the purpose of this amendment is merely to change the April 1 effective date to immediately so that when the measure is enacted, it will become effective immediately.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. WEINER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **HB 570, 635** and **636.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Messrs. McMENAMIN and SHAFER, by unanimous consent, presented to the Chair **SB 469,** entitled:

An Act amending the act of May 26, 1949 (P. L. 1828), entitled "Fiduciaries Investment Act of 1949," making further provisions concerning authorized investments in corporate bonds and stock.

Which was committed to the Committee on Banking.

Messrs. KALMAN and SEYLER, by unanimous consent, presented to the Chair **SB 470,** entitled:

An Act amending the act of May 31, 1945 (P. L. 1198), entitled "Bituminous Coal Pit Mining Conservation Act," further regulating bituminous strip mining operations; changing provisions with respect to bonds, filing dates, reports, registration, backfilling and overburden, including certain persons within the provisions of the act, and providing for the use of funds in certain cases.

Which was committed to the Committee on Mines and Mineral Industries.

The President pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **SB 128, HB 61, 194, 305** and **312.**

The PRESIDING OFFICER (Joseph D. Ripp) in the Chair.

PETITIONS AND REMONSTRANCES

Mr. WEINER. Mr. President, the hour is late and I will not take too much time. However, I think one of the things which should be set straight here is the issue concerning the Kerr-Mills Act. It is unforunate that hospital aid has become a political issue.

For some reason or other, the Republicans throughout the Commonwealth, and the gentlemen on the other side, have been pounding that this Administration is not doing the job, is not on its toes, and it is not following through as far as getting this extra money is concerned.

Let me, if I may, set the record straight. The Kerr-Mills Bill is a fifty-fifty operation. For every dollar the Commonwealth spends, the Federal Government will return one dollar. Under our present setup here, our State cost would soar to about $15,187,000, from the present $5,000,000 which it is now spending. This is an increase of more than $10,000,000. The Federal-aid would be limited to fifty per cent and not eighty per cent, as indicated by some spokesmen who have been going about saying that. I have heard it at public meetings myself. This setup only applies to the lower per capita income States, of which Pennsylvania is not considered one of them.

We have to completely revamp our State-aid to the hospital program. Also, we cannot overlook the fact that there are bills which are presently at work in the present Congress.

We do not have to make any decision until June of this year. I do not know why we continue to hammer away at this. If Congress takes the action, as indicated during the campaign and which has been stated by some of the Congressmen on national networks during various discussions, we will receive much more, and I think under a better program.

Four things would have to be done in order for us to meet the Kerr-Mills Act. This is the thing which has been the stumbling block right here in our own State. We must go into a purchase of care system, rather than the present system under which we now operate. This has caused some difficulty because many of the Members of the House and Senate, privately and some of them publicly, have stated that they are not in favor of the State or the Federal Government telling them how to operate their institutions and they want them to keep their hands off. Under the Kerr-Mills Act, this would disappear. They would have to meet certain basic requirements and there is no question in my mind that there would be some auditing done by the Federal Government, as well as the State Government.

There can be no residence requirement, as we now have, for people to receive this aid. Under this setup, this would have to come under—under the Kerr-Mills Act—the Public Assistance Program. There are certain standards which will have to be set up to meet this. The Department of Public Welfare would have to administer the program as a part of public assistance. Under that, we have certain setups which must be met. I am sure one of the big problems we have had here with many of our compacts is that some of the other States are much more lenient than we are in some of the requirements that we have for persons to meet the general requirements.

Eligibility would have to meet State-wide standards. It could not be left up to local areas. What some hospitals call indigent care might not meet the standard or the eligibility as set up here. The State Board of Public Welfare has set up a program under the Kerr-Mills Act, if and when we have to go into that and if there is no alternative program passed, which would include individuals over sixty-five whose annual income is less than $1,500, or $2,400 for a married couple, and who have liquid assets of less than these same amounts who would be considered as unable to pay their hospital bills.

As you also understand, gentlemen, this would also mean that they would have a lien possibly placed against their home, because this is one of our requirements today if they accept public assistance.

This study that has been made of persons receiving "free care"—and I use that in quotes—under our present hospital system, and all of the available data that has come to us, estimates that about 62,000 persons would be under this program. This would cost the State annually $30,375,000, of which $15,187,000 would have to be paid out of State funds. If we did not put up that money or we put up any less, we would get that much less. However, once we are committed to this program, I do not see how you can turn it off and say we are only going to take X number of people or Y number of people and no more.

Because of the late hour, I do not want to prolong this. However, I think these are some of the statistics that are available, not only to me but to you as well. You can get them from the Department of Welfare, I am sure, by a simple phone call or even by a letter. If you compare this to the carrying-on of some of these people in the hospital administration—and I do not blame them because they are trying to get more money—I think you will find that the figures do not come out.

Also I think we ought not to be misled. This money that we are talking about is for the hospitals themselves and not for the people. It is simply for the hospital problem and not for the people themselves.

The other program—with which I happen to agree and which I may never see because it may never pass the Congress and come into being—if it does go through, would place the money in the hands of the people, which I think is a much more desirable effect to be had because it would allow them to go where they want to go and do what they want to do. This, in turn, would help the hospitals.

The other program would be giving the money to the hospitals and hoping that they meet the standards in doing the job for other people.

Mr. EHRGOOD. Mr. President, on March 20, Senator Van Sant and I introduced a Concurrent Resolution to inquire into the operation and procedures of the Bureau of Highway Safety.

You can imagine my surprise when the Lancaster New Era, on March 22, had a headline stating: "Squabble Halts State Action on 1,800 Auto Violations in the City of Lancaster."

Evidently, the aldermen in the city of Lancaster have

not been sending in Form OR330 to the Bureau of Highway Safety. This is the form, incidentally, which decides on the type of penalty for the violating driver and, of course, is the key factor in the Governor's touted Highway Safety Program.

There have been a great many editorials. We found out, for example, that this is not only taking place in the city of Lancaster, but in Dauphin County as well, and undoubtedly in many other sections of this Commonwealth. The consequences of this action—or failure to act—by the aldermen are great. However, it also points out something else. It seems to me that there has been great laxity in the Bureau of Highway Safety. For instance, as one of the editorials in the New Era points out:

"2 Kinds of Justice for State Motorists"

There is another one in the Intelligencer Journal. Interestingly enough, one is a Democratic paper and the other is a Republican paper, so that there is no evidence of any partisanship in this matter. It is a matter of great concern to the driving public in Pennsylvania, because I am sure that we will all agree that equal justice is the criteria of highway safety.

What does it mean if these forms are not sent in? It means that people in that section are not piling up their points, are not getting warning letters, and so forth.

I would like to read a short paragraph from the New Era editorial:

> "An interesting facet to this story is what does it do to Governor Lawrence's highway safety program? As far as we can see, it places a great big question mark on the program which has been conducted a great deal of fanfare.
>
> "The State knew that 1,800 cases from Lancaster were unreported, but did nothing about it . . .":

Let me interpolate here. Certainly if they did not know, they should have known, because the Bureau of Highway Safety should know whether violations are being reported from a particular district or not. This gets down to the gist of the inquiry which Senator Van Sant and I were requesting.

Let me go on to read:

> "All of this adds up to the fact that the State Bureau of Traffic Safety doesn't know or doesn't really care about what is going on around the State. Governor Lawrence, or the Legislature, or both should start an investigation to clear up the mess."

Again, interpolating, it is too bad that the paper did not know about this inquiry that we were requesting.

> "No matter how you look at it, drivers in Pennsylvania are getting two kinds of justice. And the kind you get apparently is determined by where the violation takes place."

Gentlemen of the Senate, I appreciate the fact that the Chairman of the Highways Committee, to which this Concurrent Resolution was sent, is not here. However, the Majority Leader is here, and I am sure that he is interested in highway safety. He is interested in justice for all and equal justice for all.

If we are going to have situations—flagrant situations—existing, such as occurred in the city of Lancaster and such as are reported as occurring in Dauphin County, where the head of the aldermen stated they do not send in this form either, then we are in a bad situation. I think probably there are many more places in the State where this is occurring. If it occurs with forms such as this, it is occurring in other ways.

In the interest of the traveling public, in view of the fact that we will have radar I am sure, I think that certainly we should be treated fairly, certainly there should be an inquiry into these procedures, and certainly all this mess should be cleared up. The one way to do it is by passing this resolution. I am hopeful that this will be done immediately because we cannot wait until June for that I am sure, as the Majority Leader would like us to wait until June or July to see what the Federal Government does.

Mr. WEINER. Mr. President, I am certainly sorry to hear that in the area of Lebanon and Lancaster, the justices of the peace are not law-abiding. I was under the impression that these good people, the magistrates, were anxious to do the job and that justices of the peace duly carried out their duties.

I would like to point out to the Senator that in the city of Philadelphia very recently, they streamlined the procedures in the traffic court whereby they can get these reports and forms out much more speedily and get them into Harrisburg, so that there is a constant record and it is being kept up-to-date.

It seems to me that pointing out they are not doing it in Lebanon and Lancaster, and they are not doing it in Harrisburg in Dauphin County, certainly does not argue very well for these areas nor does it speak well for their public officials.

The State has taken action; it has written to these people and has been after them. I think it is incumbent upon these people, since they are elected to office, that they will uphold the laws and carry out their duties. If they are not doing so, Senator, I think somebody ought to report them for either nonfeasance or malfeasance in office.

The PRESIDING OFFICER. At this time, the Chair turns the gavel over to the gentleman from York, Senator Seyler, to preside.

The PRESIDING OFFICER (Harry E. Seyler) in the Chair.

Mr. EHRGOOD. Mr. President, I agree wholeheartedly with the Majority Leader. Of course, I did not want to point out that after all, he is missing the point. The Bureau of Highway Safety should know what is going on or what is not being done. That is what I think should be cleared up. I do not want to point out that the city of Lancaster has a Democratic Mayor or a Democratic Administration, because I think that has nothing to do with the issue at all. I did not point out that the Bureau of Highway Safety is under Democratic control either.

I do hope, however, that this matter will be cleared up. In the interest of seeing that people are protected and that there is a fair administration of justice, I believe that we should look into this matter. It is too important to just merely speak of it in this room without something further being done about it.

Mr. WEINER. Mr. President, I hardly think it is the duty of a mayor to send in these forms. I think if the

gentleman will go into it,— and I do not want to get into a political discussion here— he will find that many of the J.P.'s and magistrates in those areas certainly are not Democrats. I think it ought to be brought to the attention of the people as soon as possible—sometime around election time—that they do not carry out their duties or do their job well. I am glad that the Senator is alert to this and is anxious to point this out.

I also think that it is pretty impossible for any department—with eleven and one-half million people in this State, a great majority of whom have automobiles—to go around and check up on each one of these people to see that they obey the laws and that the people who enforce the laws carry out their duties.

I think the Senator is intelligent and he is also a man who has dealt with the problems of the law. He is well aware of the impossibility of that situation. We can only hope that everybody does his job and does his duty. If they fail in this, there are certain actions that people can take to correct their nonfeasance or misfeasance in office.

Mr. EHRGOOD. Mr. President, I do not want to prolong this discussion, but the only thing that I can say to the Majority Leader is that we have had a great many statistics. I know the Bureau of Highway Safety has a great many statistics and it knows when reports are not being filed. That is the time when they should have done something about it. I hope there is something being done about it now. However, to be sure that there is, I think we should pass this resolution.

Mr. BELL. Mr. President, several chapters back, the Majority Leader made reference to the discussion on the Kerr-Mills legislation as being a political conspiracy, or words to that effect. You must pardon my memory, as the remarks were made a little while back.

Mr. President, I want to put the record straight because I think all of the discussion on the Kerr-Mills Act, on this side of the aisle, has come from the Senator from Delaware; namely, myself.

Back about February 27 or 28, I spoke to the Majority Leader. I showed him a newspaper publication and I arranged with him, at that time, to interrogate him on the floor as to what progress was being made with respect to the Kerr-Mills augmentation. The following week, we had an arrangement where I was to interrogate the gentleman. I believe it was on March 7, the day of the radar battle. I then made arrangements to interrogate him on March 14. On that day, we had the tragic event which occurred in this Legislature, the death of Representative Agnew.

I can assure the Majority Leader, and I can assure the people of Pennsylvania, that the reason I brought this matter to the floor of this Chamber was because I had seen, in my own county, Chester Hospital close its doors to the indigent during the period between March 1 and March 15. They warned that they were going to do it for a month in advance.

I had previously gone over to the Department of Public Welfare. Incidentally, I was treated very nicely and very politely, and I received every kind of cooperation from the Secretary, Mrs. Horting. However, I have been the only person who brought that onto the floor of this Senate. I can assure this Chamber that I have no desire for politics to come into this measure. I merely want for my hospitals, and for your hospitals, as much help as we can get. As I said a week or two ago, during a little bit of debate on the floor of the Senate, politics have no part in this. Let us not get politics into it. I would suggest to the Majority Party that the best way to keep politics out of it is to have some public hearings, by a proper committee, where not only the leaders of the Democratic side and, perhaps, the Republican side talk to these people, but where the rest of us can go in and listen, the same way as when Park Martin came up and proposed the highway program. I think we should have public hearings and have the hospital people and Mrs. Horting come in. Then, we can at least get to the crux of it and understand what it is all about. Frankly, unless we do something for our hospitals in Pennsylvania, we are going to be in bad shape.

I hope nobody in this room takes this as a political address.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that I am happy he is taking the view that this is not a political measure. I certainly hope that he persists in his view.

I would also like to point out that there are hearings being held. As a matter of fact, there were some hearings held today before the Appropriations Committee, with the Hospital Association. They appeared before the Joint Appropriations Committee and some of these problems were gone into. They were not dealt with in detail, but they touched on them. There have been other people around the Capitol who have been discussing this measure. I think, after hearing all these people, all of us will agree with one thing; namely, that we are all trying to get as much as we can for the hospitals. However, we should do it in a proper manner and do it in a way whereby all of the hospitals will derive a benefit and the people of the Commonwealth will derive the greatest benefit. The only way this can be done is by proceeding in a manner which will provide the most for all of us.

I hope this matter stays out of politics. It does not belong there and I think we should continue in that vein and we will have no further difficulty with it.

I hope the gentleman from Delaware will be equally sympathetic in his attitude when we talk about the Philadelphia hospitals, as well. We happen to have one or two of them down there which are not in this program or any other program. They should be, however. I certainly hope that I can call upon the gentleman not to be political at that time and also to give us some help in getting the measure passed.

Mr. MULLIN. Mr. President, this morning, at the hearing held before the Joint Appropriations Committee, all of the hospital representatives were there and they presented a plan. During the hearing, it developed that there was some money appropriated, or an opportunity for the Commonwealth to receive some matching funds from the Federal Government. However, it developed that the plan of the hospitals was taking all the money and the people, provided by the bill to receive the benefits, are not getting anything from it; that is, the people who are on pensions and who are just about getting enough to live on. They were the ones who initiated the move to give hospital aid for the aged. The plan of the hospitals was to take practically every penny which was to be given to the aged. This does not pertain to the people on

relief. They can get good hospitalization, free of charge now. However, the people who are on pension and who use up all of their funds to live on and do not have one penny's worth of hospitalization when they do get sick, they have no means of paying for it. They cannot get public assistance and they are the people for whom this legislation was intended. The only way in which they could possibly receive any money would be through the Social Security system. That is the only way in which they could possibly receive any aid, under our present rules. That was brought out very clearly at the hearing. The hospital representatives listened and recognized that fact.

There will have to be some other way to solve this problem of aid to the aged, meaning the aged who are receiving pensions and who cannot afford any hospital treatment. They will use up all their pension money by giving it to the hospitals and the medical profession. They are the people whom we want to help. Under this present arrangement, they are not getting any help at all.

Mr. BELL. Mr. President, perhaps, as a Member of this Senate, I am asking too much. Perhaps, I, as a Senator, do not have any right to be invited to such a public hearing.

I have always thought that one of our failures in the legislative setup is the fact that enough of us do not know what is going on. I, frankly, would have loved to have been at that public hearing this morning, not to talk but to listen. I think, in the future, when we have great items like this, of great interest to all of our constituents, there should be courtesy extended to the nonmembers of the committee, telling them that there are going to be hearings of this nature, and inviting them to come as listeners.

Perhaps, I should have read the newspapers, but I did not see anything about the hearings in the newspapers.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
WEDNESDAY, APRIL 5, 1961

TIME	COMMITTEE	ROOM
9:30 a.m.	CONSTITUTIONAL CHANGES & FEDERAL RELATIONS	302

NOTICE

The Committee on Forests and Waters, Game and Fish will hold a hearing on Senate Bill 350 on Wednesday, April 5th at 10:00 a.m., in the Senate Caucus Room, 1st Floor of the Capitol Building, Harrisburg, Pennsylvania.

There will be a hearing by the Joint Senate and House Appropriations Committees in the office of the Senate Appropriations Committee, Room 252, at 11:00 a.m. for the Pennsylvania State College of Optometry.

ANNOUNCEMENT OF TAKING OF SENATE PHOTOGRAPH

Mr. WEINER. Mr. President, I think the announcement should be made that there will be a photograph taken of the entire Senate tomorrow, while we are in Session. It will take place some time after 12:00 noon.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Wednesday, April 5, 1961, at 12:00 m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:03 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, April 4, 1961

The House met at 4 p.m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

The SPEAKER. The Speaker announces with profound regret and sorrow the untimely death on Tuesday, March 28, of the Honorable James Wynd, Jr., late a member of this House, representing the county of Wyoming. As a mark of respect to his memory, the Chair requests at the conclusion of the prayer that we stand in silence with heads bowed until the gavel falls. Prayer will be offered by the Chaplain.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty Father, in the spirit of humility, repentance, and dependency we approach Thy presence in this hour. We acknowledge with profound regret the sudden passing of one of the members of this House of Representatives; and we pray that Thy special blessing may rest and abide with the family of the late James Wynd, Jr. We pay tribute to his years of faithful service to the Commonwealth in the various capacities of public servant. And we ask that Thou wilt continue to provide Thy counsel and providential care in the lives of these distinguished representatives. O God, strengthen them in this hour and enable them to ever live fruitful lives in Thy service: through Christ, our Lord. Amen.

(The Members stood in silence as a mark of respect to the memory of Honorable James Wynd, Jr.)

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Tuesday, March 7, Wednesday, March 8, Monday, March 13 and Tuesday, March 14, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, March 22, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. McCANN, COOLEY, STANK and J. A. O'DONNELL. HOUSE BILL No. 1106.

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of the official primary ballot.

Referred to the Committee on Elections.

By Messrs. WARGO, WELSH, GALLAGHER and McLAUGHLIN. HOUSE BILL No. 1107.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

Referred to the Committee on State Government.

By Messrs. FULMER, A. M. JOHNSON, EILBERG and STONE. HOUSE BILL No. 1108.

An Act amending the "Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing persons who are going to be out of State to have an out of State physician give him his physical or eye examination when one is required by the secretary.

Referred to the Committee on Rules.

By Messrs. HARTLEY and DOUGHTEN. HOUSE BILL No. 1109.

An Act providing that the Pennsylvania Game Commission shall have exclusive power to regulate hunting in this Commonwealth; prohibiting ordinances and resolutions of political subdivisions which regulate hunting therein; and invalidating such ordinances and resolutions.

Referred to the Committee on Game and Conservation.

By Messrs. HARTLEY and DOUGHTEN. HOUSE BILL No. 1110.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating suspensions of operators' licenses or learners' permits for violation of maximum speed limits.

Referred to the Committee on Rules.

By Messrs. STONE, CAPANO, LAMB, Mrs. S. A. ANDERSON, Messrs. KLEIN, MORLEY, HAMILTON, WARGO, Mrs. MARKLEY and Mr. WEIDNER. HOUSE BILL No. 1111.

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286), further prescribing work in which minors may engage; providing for the issuance of special permits for minors engaging in the entertainment and related fields, changing provisions relating to working hours, employment certificates, regulations; prescribing penalties and providing a short title.

Referred to the Committee on Labor Relations.

By Mr. POLEN. HOUSE BILL No. 1112.

An Act making an appropriation to the joint committee appointed by the House of Representatives and the State to act as hosts to the National Legislative Conference for expenses incurred by said committee for that purpose.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1113.

An Act making an appropriation to the Department of Commerce for defraying the expenses of the Commonwealth as host to the 1962 National Governors' Conference.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. AUKER, KNECHT, NEEDHAM, CROSSIN, Mrs. MUNLEY, Messrs. MAGEE and McCANDLESS. RESOLUTION No. 45.

In the House of Representatives, March 22, 1961.

Chronic unemployment exists in various parts of this Commonwealth of Pennsylvania.

Signs and evidence point to the fact that unemployment is on the increase in such chronic unemployment areas and throughout the Commonwealth in general.

Through such conditions the unemployment rolls are increasing and the number of persons on public assistance is increasing by the addition thereto of many of our citi-

zens and especially the graduates of our high schools each year.

The increase in unemployment and public assistance rolls and those leaving our State to gain permanent employment in other states materially decrease the number of substantial taxpayers in our State, thus reflecting a substantial decrease in revenue taxes, especially the broad base taxes.

Such conditions make it necessary to keep increasing taxes on those gainfully employed and on businesses which furnish employment, which results in an unfavorable business and economic climate which in turn makes it more difficult to induce or persuade existing Pennsylvania industry to expand in the State or to attract new industry to come into our State and establish herein.

The primary and most critical problem facing Pennsylvania and our State Government is the solution of the unemployment problem and the need to create greatly expanded job opportunities and to greatly increase employment for Pennsylvania' slabor force as it now exists and as it increases each year through the graduation of students from high schools.

The persons most intimately acquainted with and most vitally concerned with these problems are executive directors of industrial development organizations, the officers thereof and the Chambers of Commerce and other similar organizations in such unemployment centers; therefore, be it

Resolved, That the Governor appoint a commission consisting of such persons as hereinbefore set forth for the purpose of determining the methods and means necessary to induce the expansion of Pennsylvania industry and the attraction of new industry into Pennsylvania and to determine what should be done by the General Assembly and the administrative branch of our State to implement, aid and assist in establishing favorable business, economic tax, social, cultural and recreation climate in order to relieve the unemployment problem and increase State revenue; and be it further

Resolved, That the commission report its finding and recommendations, with drafts of legislation necessary to carry the recommendations into effect to the General Assembly and the Governor in ninety days; and be it further

Resolved, That the Governor put into effect all recommendations made by the commission which can be accomplished by administrative directive; and be it further

Resolved, That if legislation is necessary in accordance with the findings and recommendations of the commission and the General Assembly has adjourned sine die, the Governor be requested to convene the General Assembly in special session for the purpose of enacting such laws, time being of the essence in solving the important problems relating to unemployment and decreasing State revenues.

Referred to the Committee on Rules.

By Messrs. ROVANSEK, CIOFFI, FILO, LAMB, DENGLER, WEIDNER, GRAMLICH and KESSLER.

RESOLUTION No. 46.

In the House of Representatives, March 21, 1961.

In as much as the Speaker and the members of the House of Representatives of the Commonwealth of Pennsylvania have manifested a sincere desire and interest for good music; and in as much as musical groups perform for the members from time to time either "acapello" or with piano accompaniment; and in as much as the Legislative Chorus has upon many occasions entertained members, therefore be it

Resolved, That we respectfully petition the Speaker and the members of the House of Representatives to purchase a piano to be used from time to time in the House of Representatives.

Referred to the Committee on Rules.

By Messrs. ADAMS, WEIDNER and ZEMBER.

(Concurrent) RESOLUTION No. 47.

In the House of Representatives, March 22, 1961.

The Executive Board, consisting of the Governor and six heads of administrative departments designated by the Governor, is authorized by The Administrative Code of 1929, to standardize salaries and wages of persons employed by the administrative departments, boards and commissions, except the Department of the Auditor General, the Department of Internal Affairs, and the Treasury Department.

Under this authority, the Board has established a system of classification, subject to revision from time to time.

The salaries prescribed by statute for the members of State boards and commissions, however, vary considerably, with no apparent relation to the amount of time required to fulfill the duties involved.

For example, members of the State Harness Racing Commission receive no salary, but are reimbursed for expenses, while members of the Board of Arbitration of Claims receive $65 per diem in the performance of official duties.

Some members of the boards are paid on a per diem basis, of varying amounts, while others receive annual salaries, also of varying amounts.

Members of the Civil Service Commission receive $25 per diem, not to exceed $3,000 per year, while members of the Sanitary Water Board receive $15 per diem when actually engaged in the work of the board.

The nine members of the Pennsylvania Fair Employment Practice Commission receive per diem compensation of $15 per day, while members of the Advisory Board on Problems of Older Workers receive $35 per day.

Additional examples of the wide variance in the compensation of members of various boards and commissions are as follows:

On the Unemployment Compensation Board of Review, the chairman receives $11,500 annually, and the two members, $11,000 each.

On the Pennsylvania Labor Relations Board, the chairman receives $9,000 annually, and the two members, $8,500 each.

These boards meet only several days monthly, about the same frequency as commissions, the members of which are paid on a per diem basis.

On the Pennsylvania Securities Commissions, the chairman and two members all receive $10,000 annually, although the chairman on other boards receive $500 more than other members.

The State Armory Board, consisting of seven members, offers salaries of $1,200 each annually.

The Anthracite Mine Drainage Commission and the Bituminous Mine Law Study Commission serve without compensation or expense allotments.

Certainly the cost of living is the same for all board members, regardless of field, and there should be a standard per diem rate for all boards and commissions. There appears to be no uniformity in setting the compensation rates of the members of the sixty State boards and commissions listed in the 1959-60 Pennsylvania Manual; therefore be it

Resolved (the Senate concurring), That the Joint State Government Commission be directed to study, investigate and examine the compensation of members of State boards and commissions, and the average amount of meetings per month, time, effort and value required for the transaction of their duties; and be it further

Resolved, That the Joint State Government Commission report to the General Assembly its findings and recommend a uniform payment plan for such boards and commissions, with the aim of putting the higher paid salaried members on a per diem basis as soon as possible.

Referred to the Committee on Rules.

SPECIAL ELECTIONS

The SPEAKER laid before the House the following writs of special elections:

Commonwealth of Pennsylvania, SS:

To Hon. John S. Rice, Secretary of the Commonwealth, and to Elkins Wetherill, Warren M. Cornell, Jr. and Daniel T. Costello, constituting the Board of Elections of Montgomery County:

GREETING: WHEREAS, A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Third Legislative District of the County of Montgomery, caused by reason of the resignation of Floyd K. Brenninger, one of the Representatives from said District, on the twelfth day of January, one thousand nine hundred sixty-one.

NOW, THEREFORE, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said County of Montgomery on the sixteenth day of May, A. D. one thousand nine hundred sixty-one, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania, for the remainder of the term expiring December first, one thousand nine hundred sixty-two, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 7th day of March A.D. one thousand nine hundred sixty-one.

HIRAM G. ANDREWS
Speaker of the House of Representatives
J. OMINSKY
Chief Clerk of the House of Representatives

Commonwealth of Pennsylvania } SS:
County of Dauphin }
ATTEST:

Frank J. Szobocsan being duly sworn according to law, says that he resides at 584 So. 4th St., Steelton, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 9th day of March, 1961, at 9:43 o'clock A.M., at his office in the Capitol Building, in Harrisburg, a write for a special election for the office of Representative in the General Assembly for the Third Legislative District of Montgomery County, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

FRANK J. SZOBOCSAN
Sergeant-at-Arms.
Sworn and subcribed to before me this 9th day of March, 1961.
MARY B. SHARPE
Notary Public,
My commission expires January 11, 1965.
State Capitol, Harrisburg, Pa.

Commonwealth of Pennsylvania } SS:
County of Dauphin }

Vincent J. Bingham, being sworn according to law, says that he resides at 160 N. Wycombe Ave., Lansdowne, Delaware County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of Montgomery County, on the 13th day of March, 1961, at 4 o'clock, p. m., at its office in Norristown, a writ for a special election for the office of Representative in the General Assembly for the Third Legislative District of Montgomery County by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

VINCENT J. BINGHAM
Sergeant-at-Arms
Sworn and subscribed to before me this 14th day of March, 1961.
DOROTHY M. IONNI
Notary Public
My commission expires February 3, 1963.
Harrisburg, Dauphin County, Pa.

Commonwealth of Pennsylvania, SS:

To Hon. John S. Rice, Secretary of the Commonwealth, and to Thomas McHenry, Maurice S. Osser and Louis Menna, constituting the Board of Elections of Philadelphia:

Greeting: Whereas: A vacancy exists in the office of Representatives of the Commonwealth of Pennsylvania for the seventh Legislative District of Philadelphia, caused by reason of the death of Francis X. Muldowney, the Representative from said District, on the Eleventh day of February, one thousand nine hundred sixty-one.

Now, Therefore, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the State of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the said Legislative District of Philadelphia on the sixteenth day of May, A. D. one thousand nine hundred sixty-one, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred sixty-two, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 7th day of March, A. D. one thousand nine hundred sixety-one.

(SEAL)

Attest:
J. OMINSKY
Chief Clerk of the House of Representatives

(SEAL)

HIRAM G. ANDREWS
Speaker of the House of Representatives

Commonwealth of Pennsylvania } SS:
County of Dauphin }

Frank J. Szobocsan, being duly sworn according to law, says that he resides at 584 South Fourth Street, Steelton, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 9th day of March, 1961, at 9:43 o'clock, a.m., at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the seventh Legislative District of Philadelphia, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(SEAL)

FRANK J. SZOBOCSAN
Sergeant-at-Arms
Sworn and subscribed to before me this 9th day of March, 1961.

(SEAL)

DOROTHY M. IONNI
Notary Public
My Commission Expires Feb. 3, 1963
Harrisburg, Pa., Dauphin County

Commonwealth of Pennsylvania } SS:
County of Dauphin }

Joseph Ominsky, being duly sworn according to law, says that he resides at 5205 Overbrook Avenue, Philadelphia, Pennsylvania, that he is Chief Clerk of the House of Representatives, Commonwealth of Pennsylvania.

That he served on the Board of Elections of Philadelphia, on the 10th day of March, 1961, at 11:45 o'clock, a.m., at its office in Philadelphia a writ for a special election for the office of Representative in the General Assembly for the seventh Legislative District of Philadelphia, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

(SEAL)

J. OMINSKY
Chief Clerk
Sworn and subscribed to before me this 10th day of March, 1961.

(SEAL)

DOROTHY M. IONNI
Notary Public
My Commission Expires Feb. 3, 1963
Harrisburg, Pa., Dauphin County

Commonwealth of Pennsylvania, SS:

To Hon. John S. Rice, Secretary of the Commonwealth, and to William D. McClelland, John E. McGrady, and John M. Walker, constituting the Board of Elections of the County of Allegheny:

Greeting: Whereas: A vacancy exists in the office of Representative of the Commonwealth of Pennsylvania for the Seventeenth Legislative District of the County of Allegheny, caused by reason of the death of Willard F. Agnew, Jr., one of the representatives from said district, on the fourteenth day of March, one thousand nine hundred sixty-one.

Now, Therefore, I, Hiram G. Andrews, Speaker of the House of Representatives, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the Seventeenth Legislative District of the County of Allegheny on the sixteenth day of May, A. D. one thousond nine hundred sixty-one, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred sixty-two, and that you give due and public notice of said election throughout said District, in the form and manner directed by law.

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Given under my hand and seal of the House of Representatives at Harrisburg, Pennsylvania, this 21st day of March, A.D., one thousand nine hundred sixty-one.

ATTEST:
J. OMINSKY
Chief Clerk of the House of Representatives
HIRAM G. ANDREWS
Speaker of the House of Representatives

Commonwealth of Pennsylvania } SS:
County of Dauphin }

Frank J. Szobocsan being duly sworn according to law, says that he resides at 584 S. Fourth St., Steelton, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputizeed.

That he served on the Honorable John S. Rice, Secretary of the Commonwealth of Pennsylvania, on the 22nd day of March, 1961, at 11:00 o'clock A.M., at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the Seventeenth Legislative District of the County of Allegheny, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

FRANK J. SZOBOCSAN
Sergeant-at-Arms
Sworn and subscribed to before me this 22nd day of March, 1961.
(SEAL)

DOROTHY M. IONNI
Notary Public
My Commission Expires Feb. 3, 1963.
Harrisburg, Pa. Dauphin County

Commonwealth of Pennsylvania } SS:
County of Dauphin }

Harry Hertzog being duly sworn according to law, says that he resides at Route 885, Box 286-A, Dravosburg, Allegheny County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of Allegheny County, on the 24th day of March, 1961, at 9:30 o'clock A.M. at its office in Pittsburgh, a writ for a special election for the office of Representative in the General Assembly for the Seventeenth Legislative District of the County of Allegheny, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

HARRY E. HERTZOG
Sergeant-at-Arms
Sworn and subscribed to before me this 3rd day of April, 1961.
(SEAL)

DOROTHY M. IONNI
Notary Public
My Commission Expires Feb. 3, 1963.
Harrisburg, Pa. Dauphin County

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 61.

An Act to commission posthumously John W. McLane in the Pennsylvania National Guard.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATIONS FROM GOVERNOR

The secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor, which were read as follows:

APPROVAL OF HOUSE BILLS Nos. 44, 45, and 46

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 44, Printer's No. 44, entitled "An Act amending the act of April 9 1929 (P L 177) entitled 'The Administrative Code of 1929' authorizing the Department of Forests and Waters to use moneys from performance bonds to correct unsatisfactory conditions caused by failure of contracting party to comply with contract provisions."

DAVID L. LAWRENCE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 45, Printer's No. 45, entitled "An Act amending the act of April 9 1929 (P L 177) entitled 'The Administrative Code of 1929' providing as to the supervision of the Department of Property and Supplies for the protection of State office buildings and grounds."

DAVID L. LAWRENCE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 28, 1961.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 46, Printer's No. 46,

entitled "An Act amending the act of March 31 1949 (P L 372) entitled 'The General State Authority Act of one thousand nine hundred and forty-nine' authorizing the assistant secretary or the assistant treasurer to sign certain papers.

DAVID L. LAWRENCE.

MILLERSBURG HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a class in "Problems of Democracy." They are students at the Millersburg High School. They are here under the direction of Mr. Rod Kelchner. The students are the guests of the gentlemen form Dauphin, Messrs. Keiser and Hocker. Will the delegation please stand?

The Chair thanks the delegation.

REPORTS FROM COMMITTEES

Mr. McCANN from the Committee on Rules, reported as committed, House Resolution No. 28.

Mr. McCANN from the Committee on Rules, reported as amended, House Resolution No. 48.

STATEMENT BY SPEAKER

The SPEAKER. The Chair regrets his inability to convene the House at the appointed hour and we would earnestly request the members on both sides of the House and the floor leaders to work together to the end that we may meet at the appointed time and adjourn at the appointed time. There are various things that the Chair could do. The Chair is not the guardian of the conscience or the conduct of the members of this House and we would hope that the day will come when the Chair can convene the House at the appointed hour.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 128.

An Act amending the act of March 10 1949 (P L 30) entitled "Public School Code of 1949" changing assessment provisions relating to certain third class school districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 589, entitled:

An Act amending "The Game Law" approved June 3 1937 (P L 1225) changing certain penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 126, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 141, entitled:

An Act amending the act of September 29 1951 (P. L. 1645) entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings * * *" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 264, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333) increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Bill, page 3, by inserting after line 13: "Section 2. This act shall take affect the first Monday of January, 1962."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 307, entitled:

An Act amending the "Meat and Meat Food Products Law" approved May 28 1915 (P. L. 587) changing certain penalties and providing for license suspensions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 340, entitled:

A Supplement to the "Pennsylvania Labor Relations Act" approved June 1, 1937 (P. L. 1168) extending the provisions of the act to govern the rights, duties and obligations of nonprofit hospital and other health care employers and their employes * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 368, entitled:

An Act requiring that all policemen and other persons exercising police powers while directing traffic at night wear a luminous or reflective outer garment.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 430, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania Human Relations Commission in the Department of Labor and Industry and defining its functions powers and duties hereunder.

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendment:

Amend Sec. 3, page 3, line 8, by inserting after "Assembly": "except any religious or denominational educational institution as defined in this act."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were separately read and agreed to.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendments:

Amend Sec. 7, page 8, line 15, by inserting after "Any": "aggrieved person or anyone representing the aggrieved."

Amend Sec. 7, page 9, lines 8 to 13, by striking out "no publicity shall be given to any proceedings before" in line 8, all of lines 9 to 13, and inserting: "it shall not disclose what takes place during informal efforts at persuasion, conciliation or mediation, nor shall it offer in evidence in any proceedings the facts adduced in such informal efforts, nor shall publicity be given to any proceedings before the commission, and the identity of the educational institution shall not be disclosed except in cases of public hearings; provided that the commission may publish the terms of conciliation when a complaint has been adjusted and the results of surveys or studies conducted by the commission which pertain to matters of race, religion, color, ancestry or national origin."

They were agreed to.

The section was agreed to as amended.

The eighth, ninth and tenth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 482, entitled:

The Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) further regulating the power of the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals beneath Lake Erie.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 574, entitled:

An Act amending "The Game Law" approved June 3 1937 (P. L. 1225) adding and increasing certain penalties and conforming a section to show a previous repeal.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 583, entitled:

An Act amending the act of June 3 1937 (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing that proof of issuance of warrant survey or patent shall not be required incident to acquisition of land by the Pennsylvania Game Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 591, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26 1949 (P. L. 1828) providing for authorized investments in interest-bearing deposits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 631, entitled:

An Act amending "The Vehicle Code" approved April 29 1959 (P. L. 58) authorizing third class cities to install traffic signals on all highways within such cities without prior approval of the Secretary of Highways.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WHITTAKER offered the following amendments:

Amend Section 1, subsection (a) of Section 1110 on page 2, line 13, by bracketing out the words: "or cause to be erected and".

Amend, same section, same page, line 14 by inserting after the word "maintain", the words: "and operate".

Amend same section, same page, line 14 by bracketing out the word "all" and inserting in lieu thereof the words: "other than State".

Amend same section, same page, line 15 by adding at the end thereof, after the word "Highways" the following words: "as to hours of operation and type of control provided that such signals conform to all other provisions and warrants of this act and of the regulations made and published under the authority thereof".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. WHITTAKER offered the following amendments:

Amend title, Page 1, by bracketing out the word "all" in line 6 and inserting in lieu thereof the word "local".

Amend title, Page 1, by adding at the end thereof, after the word "Highways" the following words: "subject to uniform standards".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 639, entitled:

An Act amending the act of May 23 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" removing the Statute of Limitations in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

Mr. A. M. LEE offered the following amendments:

Amend Sec. 1 (Sec. 8), page 3, line 1, by inserting after "interest": "on taxable gross receipts".

Amend Sec. 1 (Sec. 8), page 3, line 2, by inserting after "which": "taxes".

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 672, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) imposing powers and duties on the Department of Public Welfare and deleting certain powers and duties from the Department of Public Assistance.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 843, entitled:

An Act amending the "Second Class County Code," approved July 28 1953 (P. L. 723) further regulating the retirement age of county employes.

The first section was read.

On the question.

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Second Class.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 856, entitled:

An Act amending the act of May 25 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" providing for payments to dependent parents.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 857, entitled:

An Act amending "The Administrative Code of 1929" approved April 9 1929 (P. L. 177) authorizing the Department of Public Welfare to promote local social welfare programs and to disburse Federal and State funds in connection therewith.

The first section was read.

On the question,

Will the House agree to the section?

Mr. STONE offered the following amendment:

Amend Sec. 1 (Sec. 2306), page 3, line 8 by striking out "for groups for" and inserting: "in fields in".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 869, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12 1951 (P. L. 533) regulating voluntary admission of minors to institutions and further regulating emergency commitments.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 879, entitled:

An Act reenacting and amending the act of May 15 1933 (P. L. 796) entitled as amended "An act providing for the preservation of the records or photographic film reproductions * * * of banks * * *" extending the provisions thereof to employes' mutual banking associations.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 970, entitled:

An Act amending the "Policemen's relief and Pension Fund Law" approved May 22, 1935 (P. L. 233) providing for certain payments to dependent parents when there is no widow or no surviving children.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 984, entitled:

A Supplement to the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities * * *" providing a period during which certain persons may join the pension fund created under the act.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1082, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the time for opening and closing polls.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 453, entitled:

An Act amending "The Admiinstrative Code of 1929" approved Auril 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of valuable minerals in State parks.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked ananimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, last two lines of Title, by striking out "valuable minerals" and inserting, "oil or gas."

Amend Sec. 1 (Sec. 1806), page 3, line 5, by striking out "valuable minerals," and inserting, "oil or gas."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time?

Is there objection?

The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

There being no objection

House bill No. 337, printer's No. 1158,
House bill No. 355, printer's No. 1223,
House bill No. 356, printer's No. 1224,
House bill No. 387, printer's No. 1225 and
House bill No. 455, printer's No. 1134

were passed over at the request of Mr. McCANN.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Eilberg for Mr. FRACELLA because of illness.

Mr. Eilberg for Mrs. MUNLEY because of illness.

Mr. Tompkins for Mr. WIEDNER for today.

Mr. Tompkins for Mr. STECKEL for the week because of illness.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 8, I request permission to call up the first bill for a vote. I ask that House bill No. 333, printer's No. 362, on page 8, bills on third reading, be the first bill for roll call.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 333, entitled:

An Act amending the "Dog Law of 1921" approved May

11, 1921 (P. L. 522) requiring a report from a laboratory approved by the Department of Agriculture when a claim covering death due to rabies is made.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Gailey,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Gallagher,	Leonard,	Riley,
Anderson, S. A.,	George,	Limper,	Rovansek,
Arlene,	Gibb,	Lippincott,	Royer,
Ashton,	Gibbons,	Long, Wm. Jas.,	Rubin,
Auker,	Goldstein, J. H.,	Long, Wm. Jos.,	Rudisill,
Bachman,	Goldstein, M. H.,	Lutty,	Rutherford,
Backenstoe,	Goodrich,	Magee,	Sakulsky,
Blair,	Gramlich,	Manbeck,	Scarcelli,
Boles,	Gray,	Markley,	Schaaf,
Bossert,	Gremminger,	Marsh,	Schuster,
Bower,	Gross,	Maxwell,	Seltzer,
Bowman,	Guesman,	May,	Shelton,
Breth,	Guthrie,	McCandless,	Sherman,
Buchanan,	Hamilton,	McCann,	Shupnik,
Bush,	Hankins,	McCormack,	Simmons,
Capano,	Hartley,	McDevitt,	Slack,
Capitolo,	Haudenshield,	McDonald,	Snare,
Cauley,	Heavey,	McInroy,	Stank,
Cianfrani,	Heffner,	McLaughlin,	Stimmel,
Cioffi,	Helm,	McNally,	Stiteler,
Clarke,	Henzel,	Meholchick,	Stone,
Comer,	Hocker,	Merry,	Strausser,
Cooley,	Holliday,	Mihm,	Sullivan, J. A.,
Crossin,	Holman,	Mills,	Taylor,
Curwood,	Horst,	Monroe,	Thompson,
Davis,	Isaacs,	Morley,	Tomascik,
Dennison,	Jenkins,	Mullen,	Tompkins,
Donaldson,	Jim,	Murphy,	Trusio,
Dougherty,	Johnson, A. W.,	Murray,	Ujobai,
Doughten,	Johnson, R. P.,	Musto,	Varner,
Down,	Jones,	Needham,	Verona,
Edwards,	Kamyk,	O'Dell,	Walsh,
Eilberg,	Keiser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	O'Donnell, J. P.,	Welsh,
Eshback,	Kernaghan,	Odorisio,	Wescott,
Eshleman,	Kessler,	Ogilive,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Pursley,	Zember,
Fox,	Lamb,	Reibman,	Zimmerman,
Fry,	Lawson,	Reidenbach,	Andrews, Speaker
Fulmer,	Lee, A. M.,		

NAYS—0

NOT VOTING—16

Bonner,	Gelfand,	Munley,	Sullivan, T. F.,
Branca,	Irvis,	Pashley,	Wall,
Dengler,	McKeever,	Price,	Weidner,
Frascella,	Miller,	Steckel,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 334, entitled:

An Act amending the "Dog Law of 1921" approved May 11, 1921 (P. L. 522) further regulating the transfer of dog and kennel licenses making it unlawful to fail to produce a license certificate or to fail to restrain dogs in certain cases and providing for the payment of damages in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gibb,	Limper,	Rubin,
Auker,	Gibbons,	Lippincott,	Rudisill,
Bachman,	Goldstein, J. H.,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goodrich,	Lutty,	Scarcelli,
Bonner,	Gramlich,	Magee,	Schaaf,
Bossert,	Gray,	Manbeck,	Schuster,
Bower,	Gremminger,	Markley,	Seltzer,
Bowman,	Gross,	Marsh,	Shelton,
Breth,	Guesman,	Maxwell,	Sherman,
Buchanan,	Guthrie,	McCandless,	Shupnik,
Bush,	Hamilton,	McCann,	Simmons,
Capano,	Hankins,	McCormack,	Slack,
Capitolo,	Hartley,	McDevitt,	Snare,
Cauley,	Haudenshield,	McDonald,	Stank,
Cianfrani,	Heavey,	McInroy,	Stimmel,
Cioffi,	Heffner,	McLaughlin,	Stiteler,
Clarke,	Helm,	McNally,	Stone,
Comer,	Henzel,	Meholchick,	Strausser,
Cooley,	Hocker,	Merry,	Sullivan, J. A.,
Crossin,	Holliday,	Mihm,	Taylor,
Curwood,	Holman,	Mills,	Thompson,
Davis,	Horst,	Monroe,	Tomascik,
Dennison,	Isaacs,	Morley,	Tompkins,
Donaldson,	Jenkins,	Mullen,	Trusio,
Dougherty,	Jim,	Murphy,	Ujobai,
Doughten,	Johnson, A. W.,	Murray,	Varner,
Down,	Johnson, R. P.,	Musto,	Verona,
Edwards,	Jones,	Needham,	Walsh,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wargo,
Elvey,	Keiser,	O'Donnell, J. P.,	Welsh,
Eshback,	Kelly,	Odorisio,	Wescott.
Eshleman,	Kernaghan,	Ogilive,	Whittaker,
Ewing,	King,	Parlante,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Reibman,	Zember,
Fox,	Lamb,	Reidenbach,	Andrews, Speaker
Fry,	Lawson,	Renwick,	

NAYS—6

Anderson, J. H.,	May,	Pursley,	Zimmerman,
Kessler,	O'Dell,		

NOT VOTING—17

Boles,	George,	Munley,	Sullivan, T. F.,
Branca,	Irvis,	Pashley,	Wall,
Dengler,	McKeever,	Price,	Weidner,
Frascella,	Miller,	Steckel,	Williams, E. S.,
Gelfand,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up House bill No. 468 on page 9 of the calendar.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 468, entitled:

An Act repealing section 8 act of July 5, 1957 (P. L.

479) entitled "An act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes * * * and making an appropriation" abolishing certain requirements.

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways.

The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department, independent administrative board or independent commission.

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Gailey.

Mr. GAILEY. Mr. Speaker, it was my understanding that some members of the minority wish to interrogate me about this bill. I would be glad to be so interrogated.

Mr. TOMPKINS. Mr. Speaker, I wish to interrogate on this bill if the gentleman will permit himself to be interrogated.

Mr. GAILEY. I have already volunteered.

Mr. TOMPKINS. Mr. Speaker, do I understand that the broad sweep of this bill takes in all boards, bureaus, and commissions in the State government?

Mr. GAILEY. To use the gentleman's own phraseology, the broad sweep of this bill does in fact take into account boards and commissions, as well as that land which may presently be vested in a department of our State government such as the Highway Department.

Mr. TOMPKINS. It does include the Highway Department?

Mr. GAILEY. It would, Mr. Speaker.

Mr. TOMPKINS. Does it include the Game Commission?

Mr. GAILEY. It would include the Game Commission.

Mr. TOMPKINS. Forestry department?

Mr. GAILEY. I am sorry, I did not hear the gentleman.

Mr. TOMPKINS. The Forestry department?

Mr. GAILEY. The Department of Forests and Waters? Yes, it would.

Mr. TOMPKINS. The Fish Commission?

Mr. GAILEY. It would include the Fish Commission.

Mr. TOMPKINS. What would be surplus land?

Mr. GAILEY. Well, as the bill states, Mr. Speaker, this is to be determined by the department or the commission or the board, as the case may be, which owns the land itself.

In the language of the bill it allows the transfer of jurisdiction and control of land and the improvements thereon, declared as surplus by its present owner, be it the Fish Commission, the Game Commission, the Department of Forests and Waters, or what have you. Once the department itself declares it as surplus, then it may be transferred to any other board, commission, or department that may have a use for this land.

Mr. TOMPKINS. Well, suppose the other departments have no use for it, then what do you do with it?

Mr. GAILEY. This is only in the event that there is a specific piece of land which another department or board may have or may indicate a desire to own or to use. It does not provide for a blanket declaration of surplusage, but, under our present law as I understand it, there is no way for one department or an independent board or commission to transfer title and jurisdiction for a piece of land to another independent board, commission, or department without an act of this body. This, in many cases, is an extremely cumbersome method. An example that occurs to me at the present time, and, as a matter of fact, it is one of the reasons that has brought about this bill, is that the Department of Highways presently owns some land which is being used as part of a right-of-way acquired for highway purposes, but which crosses over a stream. This will allow the Department of Highways, for instance, to transfer title to this piece of land to the Fish Commission for public fishing access areas.

I am sure the gentleman has read the bill and I know he knows that the bill has full provisons for recording these transfers so that such transfers are made a matter of public record. The additional safeguard which is within the bill is that of course the consent of the executive board is necessary before any such transfer would be allowed.

Mr. TOMPKINS. Mr. Speaker, it is true that perhaps you can get the department that has the ownership of the land to consent to a transfer, but what are you going to do with game lands that might be transferred to some other jurisdiction? Do you think that the Game Commission should be allowed to transfer lands to some other department if they declare them surplus without approval of the General Assembly, particularly when these lands are owned not by the Commonwealth general fund, but by a sportsmen's fund. It is a special commission under this bill. Why should we allow them to trade freely with items of that kind which, in my opinion, they have no right to do?

Mr. GAILEY. Mr. Speaker, in this particular area regarding the lands of the Game Commission, it is something with which I am not familiar. I know however that the gentleman from Clearfield is, and for the purpose of answering this question I would like to yield to the gentleman from Clearfield, Mr. Breth.

Mr. TOMPKINS. I am sorry, I did not hear the gentleman's answer.

Mr. GAILEY. I am yielding to the gentleman from Clearfield, Mr. Breth, for the purpose of answering this particular question.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. Breth.

Mr. BRETH. Mr. Speaker, I believe the answer to that question is very simple. A few years ago there was a very excellent site for a dam that was supposed to be built by Pittman-Robertson from game funds for water fowl. However, in looking over a location for the dam, which was mostly on game land, the Pittman-Robertson people referred the Game Commission to the fact that it was not suitable for waterfowl, but would make an

excellent fishing dam, and they recommended that the Game Commission turn it over to Dingle-Johnson's program under the Fish Commission.

Now, under this bill it would have been very simple for the Game Commission to transfer the land involved to the Fish Commission for management and for a great advantage in recreation and fishing to the people of Pennsylvania. That in itself shows the advantage of having this particular bill. You do not have to go through a long rigamarole to get an indicated advantage to the people. There would have been no objection at all from either the hunters or the fishermen as to a transfer of that nature.

Mr. TOMPKINS. Well, of course, that I do not know. I am merely raising the issues here. There is another issue that I would like to raise in connection with this. As I understand it, the proposed legislation at least will authorize the Highway Department particularly to acquire rights-of-way for future use and that means that they will hold them on a standby basis for future highway construction or use. Suppose they pick up some land of that kind and they have it for three or five years and they find out that they do not intend to run the road through that section, would that then be surplus land to the Highway Department?

Mr. GAILEY. Mr. Speaker, I understand that if in the future the Highway Department should acquire land—now you are not talking of an easement, you are speaking of an actual title to the real estate itself; is that correct? Do I understand the gentleman correctly? You are not speaking of the Highway Department acquiring easements over a piece of land; you are speaking of their obtaining a fee simple title to a tract of land; is that correct?

Mr. TOMPKINS. I am talking about acquiring land for purchase for future rights-of-way use, using it as a sort of reservoir to protect themselves against high prices when they want to run the road through there. Now, suppose they buy up the whole string of acreage for right-of-way use, or condemn some of it, as a matter of fact, and they do not run the highway through there, does that then become surplus land for the Highway Department?

Mr. GAILEY. Mr. Speaker, the determination of whether or not the land is surplus or not lies entirely within the province of the department, board, or commission in which title for the land is presently vested. Now, there is a safeguard, of course. In addition to the particular arm of government that chose the land determining it to be surplus, the executive board must also approve it. I suggest to the gentleman that it is entirely possible that if the Highway Department should acquire land to protect itself against a raise in prices and then subsequently determine that this land should not be used for the highway purposes, that if they did so, they very well may determine that this land may be surplus, and they could, if they wanted and if there were another department or agency to whom this would be suitable and it would be desirable for the people of this Commonwealth to own and to utilize for another purpose, it would be possible for them, with the approval of the executive board, to transfer title. On the other hand, there is no compulsion on the department to go through this procedure. If the Highway Department decided that this land was of no use to them, and no other agency of government could put it to suitable use, or an economical use, the department could, of course, sell the land at public sale, as is presently provided.

Mr. TOMPKINS. That is all, Mr. Speaker.

Mr. Speaker, the provisions of this bill are so broad that you are giving to the boards and bureaus the absolute control of the land ownership in the State of Pennsylvania on lands which had once been acquired by a bureau, board, or commission. I do not think that is right; I do not think it is proper. I do not think we should give such centralized and concentrated control to any board, including the executive board, regarding the disposition of Commonwealth land.

Mr. Speaker, I can visualize, perhaps, an occasion where it might for speedy action be of some advantage, but to generally have this General Assembly surrender all semblance of power and control over the lands which are owned by this Commonwealth I do not believe is right. I, for one, will not surrender that absolute control. I am against this bill.

MR. HELM IN THE CHAIR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Goldstein.

Mr. M. H. GOLDSTEIN. Mr. Speaker, will the gentleman from York, Mr. Gailey, consent to be interrogated?

The SPEAKER pro tempore. Will the gentleman from York, Mr. Gailey, permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, is there not a constitutional provision to the effect that highway funds must be used exclusively for highway purposes?

Mr. GAILEY. I believe that is correct, Mr. Speaker.

Mr. M. H. GOLDSTEIN. Mr. Speaker, if land is purchased with highway funds and the executive board is permitted to transfer, is this not in contravention of the constitutional prohibition?

Mr. GAILEY. The gentleman is quite correct. My prior statement to the hypothetical question put to me by Mr. Tompkins was in error. The gentleman has perceived this correctly. He is quite correct, and my answer to the gentleman from Cameron was not proper. When land is acquired by funds out of the motor license fund, it is my understanding that they may be used only for this purpose.

Mr. M. H. GOLDSTEIN. I thank the gentleman.

In view of the frank answer by the gentleman from York, the bill as it now appears is unconstitutional. We, therefore, should vote against it.

Mr. GAILEY. Mr. Speaker, the mere fact that in one instance the transfer of land of this nature may be unconstitutional does not render this bill itself unconstitutional. It merely says that the departments, or the various boards, or commissions, have the power to do this.

Obviously, where the Constitution would prohibit this, such as in the case of the Highway Department, then this bill would have no force and effect. It can only have effect in those areas where our Constitution would allow the various boards or commissions to take this course of action.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—98

Anderson, S. A.,	Gallagher,	Long, Wm. Jos.,	Reibman,
Arlene,	Gelfand,	Lutty,	Reidenbach,
Bachman,	Goodrich,	Maxwell,	Renwick,
Boies,	Gramlich,	McDevitt,	Riley,
Bonner,	Gray,	McDonald,	Rubin,
Breth,	Gremminger,	McLaughlin,	Rudisill,
Capano,	Guesman,	McNally,	Sakulsky,
Capitolo,	Hamilton,	Meholchick,	Scarcelli,
Cauley,	Hankins,	Mihm,	Schaaf,
Cianfrani,	Hartley,	Mills,	Schuster,
Cioffi,	Heavey,	Monroe,	Shelton,
Clarke,	Irvis,	Morley,	Sherman,
Comer,	Jenkins,	Mullen,	Shupnik,
Cooley,	Jim,	Murphy,	Stone,
Crossin,	Jones,	Murray,	Sullivan, J. A.,
Curwood,	Kamyk,	Musto,	Taylor,
Davis,	Kelly,	Needham,	Tomascik,
Dougherty,	Klein,	O'Donnell, J. A.,	Trusio,
Doughten,	Kornick,	O'Donnell, J. P.,	Verona,
Eilberg,	Kramer,	Parlante,	Walsh,
Filo,	Lamb,	Perry,	Wargo,
Fineman,	Lawson,	Polaski,	Welsh,
Flynn,	Leonard,	Polen,	Yetter,
Foerster,	Limper,	Prendergast,	Andrews,
Fry,	Long, Wm. Jas.,		Speaker

NAYS—90

Adams,	Fox,	King,	Pursley,
Anderson, J. H.,	Fulmer,	Kistler,	Royer,
Ashton,	Gailey,	Knecht,	Rutherford,
Auker,	Gibb,	Kooker,	Seltzer,
Backenstoe,	Gibbons,	Korns,	Simmons,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Slack,
Bossert,	Goldstein, M. H.,	Lippincott,	Snare,
Bower,	Gross,	Magee,	Stimmel,
Bowman,	Guthrie,	Manbeck,	Strausser,
Buchanan,	Haudenshield,	Markley,	Thompson,
Bush,	Heffner,	Marsh,	Tompkins,
Dengler,	Helm,	May,	Ujobai,
Dennison,	Henzel,	McCandless,	Varner,
Donaldson,	Hocker,	McCann,	Wescott,
Down,	Holliday,	McCormack,	Whittaker,
Edwards,	Holman,	McInroy,	Willaredt,
Elvey,	Horst,	Merry,	Williams, A. D.,
Eshback,	Isaacs,	O'Dell,	Wilt,
Eshleman,	Johnson, A. W.,	Odorisio,	Wood,
Ewing,	Johnson, R. P.,	Ogilive,	Worley,
Farabaugh,	Keiser,	Petrosky,	Zember,
Fetterolf,	Kernaghan,	Piper,	Zimmerman,
Foor,	Kessler,		

NOT VOTING—18

Branca,	Miller,	Stank,	Wall,
Frascella,	Munley,	Steckel,	Weidner,
George,	Pashley,	Stiteler,	Willard,
Lee, K. B.,	Price,	Sullivan, T. F.,	Williams, E. S.,
McKeever,	Rovansek,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. Tompkins for Mr. PRICE for the week due to illness.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House bill No. 507, printer's No. 550,

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 509, entitled:

An Act amending the act of June 8, 1911 (P. L. 712) entitled "An act relating to milk providing for the protection of the public health * * *" further providing for the sale of fluid derivatives of milk.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. FARABAUGH. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture and Dairy Industries.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 522, entitled:

An Act amending 'The Vehicle Code" approved April 29, 1959 (P. L. 58) increasing the time for reporting certain events; making it illegal to have in your possession certain documents; further providing for the statute of limitations in certain cases; making exceptions for vehicles with a bumper less than twelve inches from the ground * * *

On the question,

Will the House agree to the bill on third reading?

Mr. GALLAGHER asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 3 (Sec. 601), page 16, lines 13 and 14, by striking out "streetcar"

Amend Sec. 3 (Sec. 601), page 16, line 17, by striking out "streetcars"

Amend Sec. 3 (Sec. 601), page 16, line 19, by striking out "streetcar"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agreed to the bill on third reading as amended?

Mr. FINEMAN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, eighth line of Title, by striking out "assist in" and inserting "engage in, aid or abet".

Amend Sec. 5 (Sec. 801), page 20, line 10, by inserting after "and" "every motor bus, motor omnibus, commercial motor vehicle, trailer or semi-trailer.

Amend Sec. 7 (Sec. 1041), page 30, lines 6 and 7, by striking out "assist in the operation of said vehicle".

Amend Sec. 7 (Sec. 1041), page 30, line 7, by inserting after "contest" "engage in or aid or abet any such speed contest".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 560, entitled:

An Act prohibiting the erection and maintenance of certain advertising devices along highways on the National System of Interstate and Defense Highways providing for the acquisition of such devices and property use in connection with such devices by the Secretary of Highways and providing penalties for violations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Adams,	Fry,	Kornick,	Riley,
Anderson, J. H.,	Fulmer,	Kramer,	Rovansek,
Anderson, S. A.,	Gailey,	Lawson,	Royer,
Arlene,	Gallagher,	Lee, A. M.,	Rubin,
Ashton,	Gelfand,	Leonard,	Rudisill,
Bachman,	Gibb,	Limper,	Rutherford,
Backenstoe,	Gibbons,	Lippincott,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Scarcelli,
Bossert,	Goldstein, M. H.,	Lutty,	Schaaf,
Bower,	Goodrich,	Markley,	Schuster,
Bowman,	Gramlich,	Marsh,	Shelton,
Breth,	Gray,	Maxwell,	Sherman,
Buchanan,	Gremminger,	May,	Shupnik,
Bush,	Guesman,	McCandless,	Simmons,
Capano,	Guthrie,	McCann,	Slack,
Capitolo,	Hamilton,	McCormack,	Snare,
Cauley,	Hankins,	McDevitt,	Stimmel,
Cianfrani,	Hartley,	McLaughlin,	Stiteler,
Cioffi,	Haudenshield,	McNally,	Stone,
Clarke,	Heffner,	Mehoichick,	Strausser,
Comer,	Helm,	Merry,	Sullivan, J. A.,
Cooley,	Henzel,	Mihm,	Taylor,
Crossin,	Holliday,	Mills,	Thompson,
Curwood,	Holman,	Monroe,	Tomascik,
Davis,	Horst,	Morley,	Ujobai,
Dengler,	Irvis,	Mullen,	Varner,
Donaldson,	Isaacs,	Murray,	Verona,
Dougherty,	Jenkins,	Musto,	Walsh,
Doughten,	Jim,	Needham,	Wargo,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Welsh,
Edwards,	Johnson, R. P.,	Odorisio,	Wescott,
Eilberg,	Jones,	Parlante,	Whittaker,
Eshback,	Kamyk,	Perry,	Willard,
Eshleman,	Kelly,	Petrosky,	Willaredt,
Ewing,	Kernaghan,	Piper,	Williams, A. D.,
Fetterolf,	Kessler,	Polen,	Wilt,
Filo,	King,	Prendergast,	Wood,
Fineman,	Kistler,	Pursley,	Worley,
Flynn,	Klein,	Reibman,	Yetter,
Foerster,	Knecht,	Reidenbach,	Zember,
Foor,	Kooker,	Renwick,	Zimmerman,
Fox,			

NAYS—23

Auker,	Keiser,	McInroy,	Seltzer,
Dennison,	Korns,	Murphy,	Stank,
Elvey,	Long, Wm. Jos.,	O'Dell,	Tompkins,
Farabaugh,	Magee,	O'Donnell, J. P.,	Trusio,
Gross,	Manbeck,	Ogilive,	Andrews,
Hocker,	McDonald,	Polaski,	Speaker

NOT VOTING—18

Boies,	Heavey,	Munley,	Sullivan, T. F.,
Bonner,	Lamb,	Pashley,	Wall,
Branca,	Lee, K. B.,	Price,	Weidner,
Frascella,	McKeever,	Steckel,	Williams, E. S.,
George,	Miller,		

The majority required by the Constitution having voted in the affirmative, the question was determined in affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 573, printer's No. 618

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 575, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) further regulating and increasing the fee for permits for field trials.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 576, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) making it unlawful to assist in the taking killing or wounding of any game and providing penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—147

Anderson, J. H.,	Fulmer,	Kornick,	Rovansek,
Anderson, S. A.,	Gallagher,	Korns,	Royer,
Arlene,	Gelfand,	Kramer,	Rubin,
Ashton,	Gibb,	Lawson,	Rudisill,
Auker,	Gibbons,	Lee, A. M.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Leonard,	Sakulsky,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Scarcelli,
Boies,	Goodrich,	Long, Wm. Jos.,	Schuster,
Bossert,	Gramlich,	Magee,	Seltzer,
Bower,	Gray,	Manbeck,	Shelton,
Bowman,	Gremminger,	Markley,	Simmons,
Buchanan,	Guesman,	Marsh,	Slack,
Bush,	Guthrie,	Maxwell,	Snare,
Capano,	Hamilton,	May,	Stimmel,
Capitolo,	Hankins,	McCandless,	Stiteler,
Cauley,	Haudenshield,	McCann,	Stone,
Cianfrani,	Heavey,	McDonald,	Strausser,
Cioffi,	Heffner,	McInroy,	Sullivan, J. A.,
Clarke,	Helm,	McLaughlin,	Taylor,
Cooley,	Henzel,	McNally,	Thompson,
Davis,	Hocker,	Merry,	Tompkins,
Donaldson,	Holliday,	Mihm,	Trusio,
Dougherty,	Holman,	Mills,	Ujobai,

Doughten,	Horst,	Monroe,	Varner,
Eilberg,	Irvis,	Mullen,	Wescott,
Elvey,	Jim,	Murray,	Whittaker,
Eshback,	Johnson, A. W.,	O'Dell,	Willard,
Eshleman,	Johnson, R. P.,	O'Donnell, J. P.,	Willaredt,
Ewing,	Jones,	Ogilive,	Williams, A. D.,
Farabaugh,	Kamyk,	Parlante,	Wilt,
Fetterolf,	Keiser,	Perry,	Wood,
Fineman,	Kelly,	Petrosky,	Worley,
Flynn,	Kessler,	Prendergast,	Yetter,
Foerster,	King,	Pursley,	Zember,
Foor,	Kistler,	Reidenbach,	Zimmerman,
Fox,	Knecht,	Renwick,	Andrews,
Fry,	Kooker,	Riley,	Speaker

NAYS—42

Adams,	Hartley,	Meholchick,	Reibman,
Bachman,	Isaacs,	Morley,	Schaaf,
Breth,	Jenkins,	Murphy,	Sherman,
Crossin,	Kernaghan,	Musto,	Shupnik,
Curwood,	Klein,	Needham,	Stank,
Dengler,	Lamb,	O'Donnell, J. A.,	Tomascik,
Dennison,	Limper,	Odorisio,	Verona,
Edwards,	Lippincott,	Piper,	Walsh,
Filo,	Lutty,	Polaski,	Wargo,
Gailey,	McCormack,	Polen,	Welsh,
Gross,	McDevitt,		

NOT VOTING—17

Bonner,	George,	Munley,	Sullivan, T. F.,
Branca,	Lee, K. B.,	Pashley,	Wall,
Comer,	McKeever,	Price,	Weidner,
Down,	Miller,	Steckel,	Williams, E. S.,
Frascella,			

The majority required by the Constitution having voted in the affirmative, the question was determined in affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 578, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) changing provision relating to revocation of licenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Fry,	Korns,	Riley,
Anderson, J. H.,	Fulmer,	Kramer,	Rovansek,
Anderson, S. A.,	Gailey,	Lawson,	Royer,
Arlene,	Gallagher,	Lee, A. M.,	Rubin,
Ashton,	Gelfand,	Lee, K. B.,	Rudisill,
Auker,	George,	Leonard,	Rutherford,
Backenstoe,	Gibb,	Limper,	Sakulsky,
Blair,	Gibbons,	Long, Wm. Jas.,	Schaaf,
Boies,	Goldstein, J. H.,	Long, Wm. Jos.,	Schuster,
Bonner,	Goldstein, M. H.,	Lutty,	Seltzer,
Bossert,	Goodrich,	Magee,	Shelton,
Bower,	Gramlich,	Manbeck,	Sherman,
Bowman,	Gray,	Markley,	Shupnik,
Breth,	Gremminger,	Marsh,	Simmons,
Buchanan,	Gross,	Maxwell,	Slack,
Bush,	Guesman,	May,	Snare,
Capano,	Guthrie,	McCandless,	Stank,
Capitolo,	Hamilton,	McCann,	Stimmel,
Cauley,	Hankins,	McDevitt,	Stiteler,
Cianfrani,	Hartley,	McDonald,	Stone,
Cioffi,	Haudenshield,	McInroy,	Strausser,
Clarke,	Heavey,	McLaughlin,	Sullivan, J. A.,
Comer,	Heffner,	McNally,	Taylor,
Cooley,	Helm,	Merry,	Thompson,
Crossin,	Henzel,	Mihm,	Tompkins,
Curwood,	Hocker,	Mills,	Trusio,
Davis,	Holliday,	Monroe,	Ujobai,
Dengler,	Holman,	Morley,	Varner,
Dennison,	Horst,	Mullen,	Verona,
Donaldson,	Irvis,	Murphy,	Walsh,
Dougherty,	Jenkins,	Needham,	Wargo,
Doughten,	Jim,	O'Dell,	Welsh,
Down,	Johnson, A. W.,	O'Donnell, J. A.,	Wescott,
Edwards,	Johnson, R. P.,	O'Donnell, J. P.,	Whittaker,
Eilberg,	Jones,	Ogilive,	Willard,
Elvey,	Kamyk,	Parlante,	Willaredt,
Eshback,	Keiser,	Perry,	Williams, A. D.,
Eshleman,	Kelly,	Petrosky,	Wilt,
Ewing,	Kernaghan,	Piper,	Wood,
Farabaugh,	Kessler,	Polaski,	Worley,
Fetterolf,	King,	Polen,	Yetter,
Filo,	Kistler,	Prendergast,	Zember,
Flynn,	Klein,	Pursley,	Zimmerman,
Foerster,	Knecht,	Reidenbach,	Andrews,
Foor,	Kooker,	Renwick,	Speaker
Fox,	Kornick,		

NAYS—8

Bachman,	Lippincott,	Meholchick,	Odorisio,
Lamb,	McCormack,	Musto,	Tomascik,

NOT VOTING—17

Branca,	Miller,	Price,	Sullivan, T. F.,
Fineman,	Munley,	Reibman,	Wall,
Frascella,	Murray,	Scarcelli,	Weidner,
Isaacs,	Pashley,	Steckel,	Williams, E. S.,
McKeever,			

The majority required by the Constitution having voted in the affirmative, the question was determined in affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 581, enittled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) prohibiting the use of twenty-two or twenty-five calibre rimfire cartridges for killing big game destroying property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Adams,	Gailey,	Lawson,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Renwick,
Arlene,	Gelfand,	Lee, K. B.,	Riley,
Ashton,	George,	Leonard,	Rovansek,
Auker,	Gibb,	Limper,	Royer,
Backenstoe,	Gibbons,	Lippincott,	Rubin,
Blair,	Goldstein, M. H.,	Long, Wm. Jas.,	Rudisill,
Boies,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Bonner,	Gramlich,	Lutty,	Sakulsky,
Bowman,	Gray,	Manbeck,	Schaaf,
Buchanan,	Gremminger,	Markley,	Schuster,
Bush,	Guesman,	Marsh,	Seltzer,
Capano,	Guthrie,	Maxwell,	Shelton,
Capitolo,	Hamilton,	McCann,	Sherman,
Cauley,	Hankins,	McCormack,	Shupnik,
Cianfrani,	Hartley,	McDevitt,	Simmons,
Cioffi,	Haudenshield,	McDonald,	Slack,
Clarke,	Heavey,	McInroy,	Snare,
Comer,	Heffner,	McLaughlin,	Stank,
Cooley,	Helm,	McNally,	Stimmel,
Crossin,	Henzel,	Merry,	Stone,
Curwood,	Hocker,	Mihm,	Sullivan, J. A.,
Davis,	Holliday,	Mills,	Taylor,
Dengler,	Holman,	Monroe,	Thompson,
Dennison,	Horst,	Morley,	Trusio,
Donaldson,	Irvis,	Mullen,	Ujobai,

Dougherty,	Jenkins,	Murphy,	Varner,
Doughten,	Jim,	Murray,	Verona,
Down,	Jones,	Needham,	Walsh,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wargo,
Elvey,	Keiser,	O'Donnell, J. P.,	Welsh,
Eshback,	Kelly,	Odorisio,	Wescott,
Eshleman,	Kernaghan,	Ogilive,	Whittaker,
Ewing,	Kessler,	Parlante,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, A. D.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Kornick,	Polen,	Yetter,
Foerster,	Korns,	Prendergast,	Zember,
Fry,	Kramer,	Reibman,	Andrews,
Fulmer,	Lamb,		Speaker

NAYS—27

Anderson, J. H.,	Fox,	Magee,	Stiteler,
Bachman,	Goldstein, J. H.,	May,	Strausser,
Bossert,	Gross,	McCandless,	Tomascik,
Bower,	Isaacs,	Meholchick,	Tompkins,
Breth,	Johnson, A. W.,	Musto,	Worley,
Edwards,	Johnson, R. P.,	O'Dell,	Zimmerman,
Foor,	King,	Pursley,	

NOT VOTING—13

Branca,	Munley,	Scarcelli,	Wall,
Frascella,	Pashley,	Steckel,	Weidner,
McKeever,	Price,	Sullivan, T. F.,	Williams, E. S.,
Miller,			

The majority required by the Constitution having voted in the affirmative, the question was determined in affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. The next bill called up will be the last bill we will vote on today, but we want to amend some bills that are on the calendar and recommit some bills that are marked on other pages. There are a great number of committee announcements, and I ask that all the membership stay and record their committee meetings for tomorrow.

Mr. Speaker, I call up House bill No. 600.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 600, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) clarifying certain duties of the supervisors township superintendents and roadmasters.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fulmer,	Lamb,	Renwick,
Anderson, J. H.,	Galley,	Lawson,	Riley,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rovansek,
Ashton,	Gelfand,	Lee, K. B.,	Royer,
Auker,	George,	Leonard,	Rubin,
Bachman,	Gibb,	Limper,	Rudisill,
Backenstoe,	Gibbons,	Lippincott,	Rutherford,
Blair,	Goldstein, J. H.,	Long, Wm. Jas.,	Sakulsky,
Boles,	Goldstein, M. H.,	Long, Wm. Jos.,	Schaaf,
Bonner,	Goodrich,	Lutty,	Schuster,
Bossert,	Gramlich,	Magee,	Seltzer,
Bower,	Gray,	Manbeck,	Shelton,
Bowman,	Gremminger,	Markley,	Sherman,
Breth,	Gross,	Marsh,	Shupnik,
Buchanan,	Guesman,	May,	Simmons,
Bush,	Guthrie,	McCandless,	Slack,
Capano,	Hamilton,	McCann,	Snare,
Capitolo,	Hankins,	McCormack,	Stank,
Cauley,	Hartley,	McDevitt,	Stimmel,
Cianfrani,	Haudenshield,	McDonald,	Stiteler,
Cioffi,	Heavey,	McInroy,	Stone,
Clarke,	Heffner,	McLaughlin,	Strausser,
Comer,	Helm,	Meholchick,	Sullivan, J. A.,
Cooley,	Henzel,	Merry,	Taylor,
Crossin,	Hocker,	Mihm,	Thompson,
Curwood,	Holliday,	Mills,	Tomascik,
Davis,	Holman,	Monroe,	Tompkins,
Dengler,	Horst,	Morley,	Trusio,
Dennison,	Irvis,	Mullen,	Ujobai,
Donaldson,	Isaacs,	Murphy,	Varner,
Dougherty,	Jenkins,	Musto,	Verona,
Doughten,	Jim,	Needham,	Walsh,
Down,	Johnson, A. W.,	O'Dell,	Wargo,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Welsh,
Eilberg,	Jones,	O'Donnell, J. P.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilive,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Perry,	Williams, A. D.,
Farabaugh,	Kessler,	Petrosky,	Wilt,
Fetterolf,	King,	Piper,	Wood,
Filo,	Kistler,	Polaski,	Worley,
Fineman,	Klein,	Polen,	Yetter,
Flynn,	Knecht,	Prendergast,	Zember,
Foerster,	Kooker,	Pursley,	Zimmerman,
Foor,	Kornick,	Reibman,	Andrews,
Fox,	Korns,	Reidenbach,	Speaker
Fry,	Kramer,		

NAYS—0

NOT VOTING—17

Arlene,	McNally,	Pashley,	Sullivan, T. F.,
Branca,	Miller,	Price,	Wall,
Frascella,	Munley,	Scarcelli,	Weidner,
Maxwell,	Murray,	Steckel,	Williams, E. S.,
McKeever,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, I call up on page 16 of the calendar, House bill No. 752.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 752, entitled:

An Act amending the act of June 21, 1939 (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class * * *" placing a limitation on increases in assessments or valuations from one triennial assessment to the next.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Mr. McCANN. Mr. Speaker, I call up Senate bill No. 31 of page 18 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 31, entitled:

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 26, page 12, line 1, by inserting after "carriers" "common carriers by motor vehicle or contract carriers by motor vehicle."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. FINEMAN asked unanimous consent to offer an additional amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 13, page 6, lines 19 and 20, page 7, lines 1 to 6, by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all the bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ANNOUNCEMENT BY MAJORITY LEADER

Mr. McCANN. Mr. Speaker, this House will convene tomorrow at 11 o'clock and the official photograph will be taken here promptly at this time.

We will ask for a caucus from the floor of the House tomorrow after we have acted on the first- and second-reading calendar.

The following week's schedule will definitely be three days, Monday, Tuesday and Wednesday. On Tuesday of next week this House will convene at approximately 2:30 in the afternoon, having agreed to the luncheon of the Lord's Day Alliance at the Mosque, which will be at 12 o'clock noon.

The session will be Monday, Tuesday and Wednesday, and very likely the week after that, depending upon the number of bills and what will be acted upon, the House will be in position for a four-day session, Monday, Tuesday, Wednesday, and Thursday. That is the week after next.

I would like to state to the membership of this House concerning bills on which you have amendments, when you have amendments to a bill, or you believe you are going to have amendments to a bill, there is nothing wrong with getting the amendments prepared during the night. The Legislative Reference Bureau will prepare same then or during the day. We would like to move steadily during the next three weeks, and, if necessary, four weeks in April, to finish up a great portion of this legislative session's work.

I ask your cooperation in that request, and, of course, every time you have a set of amendments, I hope that you will give one copy to each of the floor leaders as soon as they are prepared.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair would like to request that all the members remain in their seats during the reading of the announcements, because we are going to adjourn this House out of respect for our deceased member.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HAMILTON asked and obtained unanimous consent to add additional sponsors to several bills to be introduced by him.

COMMITTEE MEETINGS

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Parlante, Chairman, Room 131-A, Wednesday, April 5, at 9:30 a.m.

CITIES-COUNTIES FIRST CLASS, Mr. Dougherty, Chairman, Room 521, Wednesday, April 5, at 10:30 a.m.

CITIES-THIRD CLASS, Mr. Walsh, Chairman, Room 131-C, Wednesday, April 5, at 10:30 a.m.

COUNTIES, Mr. Cioffi, Chairman, Room 131-C, Wednesday, April 5, at 10 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Wednesday, April 5, at 9:30 a.m.

ELECTIONS, Mr. Eilberg, chairman, Room 149, Wednesday, April 5, at 10:45 a.m.

GAME and CONSERVATION, Mr. Curwood, Chairman, Room 323, Wednesday, April 5, at 10:45 a.m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Wednesday, April 5, at 10:30 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Wednesday, April 5, at 10 a.m.

LABOR RELATIONS, Mr. Wargo, Chairman, Room 131-E, Wednesday, April 5, at 10:30 a.m.

LIQUOR CONTROL, Mr. Reidenbach, Chairman, Room 131-F, Wednesday, April 5, at 9 a.m.

MOTOR VEHICLES, Mr. Limper, Chairman, Room 521, Wednesday, April 5, at 10 a.m.

RAILROADS and RAILWAYS, Mr. Taylor, Chairman, Room 521, Wednesday, April 5, at 9:45 a.m.

TOWNSHIPS, Mr. Flynn, Chairman, Room 131-A, Wednesday, April 5, at 10 a.m.

WAYS and MEANS, Mr. Kamyk, Chairman, Room 131-E, Wednesday, April 5, at 10:30 a.m.

WELFARE, Mr. Stone, Chairman, Room 331, Wednesday, April 5, at 9 a.m.

ADJOURNMENT

Mr. WESCOTT. Mr. Speaker, I move that as a further mark of respect to the memory of the Honorable James Wynd, Jr., a deceased member, the House do now adjourn until Wednesday, April 5, 1961, at 11 a.m. e.s.t.

The motion was agreed to, and (at 5:58 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., WEDNESDAY, APRIL 5, 1961. No. 33.

SENATE

WEDNESDAY, APRIL 5, 1961.

The Senate met at 12:00 m., Eastern Standard Time.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

PRAYER

The Chaplain, Right Reverend Monsignor ROY C. KEFFER, of St. Theresa's Parish, New Cumberland, offered the following prayer.

In the name of the Father and of the Son and of the Holy Ghost, Amen.

O God, before Whom all hearts are open, from Whom no secret is hidden, purify, by the outpouring of Thy Holy Spirit, the deliberations of this Assembly. Make them see the good and gracious purpose working in all the tasks which confront them, so that they might clearly conform to Thy divine will, through Christ, our Lord. Amen.

In the Name of the Father and of the Son and of the Holy Ghost, Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. FLEMING asked and obtained leaves of absence for Messrs. SCOTT and EHRGOOD.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 333** and **334**, which were referred to the Committee on Agriculture.

He also presented for concurrent **HB 60**, which was referred to the Committee on Highways.

He also presented for concurrence **HB 576, 578** and **581**, which were referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 600**, which was referred to the Committee on Local Government.

REPORTS FROM COMMITTEES

Mr. MAHADY, from the Committee on Constitutional Changes and Federal Relations, reported, as committed, **SB 125** and **HB 63**.

Mr. WARE, from the Committee on Forests and Waters, Game and Fish, reported, as committed, **SB 114**.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 471**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," increasing the number of supervisors.

Which was committed to the Committee on Local Government.

Mr. VAN SANT presented to the Chair **SB 472**, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," requiring a copy of the application to be sent to the police or the sheriff where the buyer resides.

Which was committed to the Committee on Law and Order.

Messrs. MILLER, CONFAIR and YATRON presented to the Chair **SB 473**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," requiring distributors to allow dealers a discount for shrinkage, evaporation and spillage as a condition to receiving discounts under the provisions of this act.

Which was committed to the Committee on Finance.

They also presented to the Chair **SB 474**, entitled:

An Act amending the act of May 21, 1931 (P. L. 149), entitled, as amended, "The Liquid Fuels Tax Act," providing for a discount in the amount of tax because of evaporation, shrinkage and spillage of liquid fuels.

Which was committed to the Committee on Finance.

Messrs. LANE and McMENAMIN presented to the Chair **SB 475**, entitled:

An Act authorizing facsimile signatures and seals of certain public officials, imposing duties upon the Secretary of the Commonwealth; and providing penalties.

Which was committed to the Committee on State Government.

Messrs. RIPP and WEINER presented to the Chair **SB 476**, entitled:

An Act extending, in certain cases, the time within

which a civil action brought in a United States District Court in Pennsylvania and thereafter finally dismissed for any cause other than on its merits, may be brought in the appropriate Pennsylvania court.

Which was committed to the Committee on Judiciary General.

Messrs. WAGNER, ROONEY, KROMER and McMENAMIN presented to the Chair **SB 477,** entitled:

An Act amending the act of May 5, 1933 (P. L. 457), entitled "Building and Loan Code," further defining and limiting the rights, powers, duties and liabilities of such associations and shareholders; further defining terms, and authorizing additional types of collateral for mortgage loans.

Which was committed to the Committee on Banking.

Messrs. LANE, STEVENSON, MALLERY and HALUSKA presented to the Chair **SB 478,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," prohibiting departments from being headed by member of city council under mayor-council plan A.

Which was committed to the Committee on Local Government.

Messrs. LANE, STEVENSON, MALLERY and HAYS presented to the Chair **SB 479,** entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law," regulating the payment, sale price and interest of non-debt revenue bonds.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, LANE, MALLERY, SEYLER, HAYS and HALUSKA presented to the Chair **SB 480,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," further regulating the compensation of mayors, councilmen, controllers, treasurers and department heads.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, HALUSKA, MALLERY and HAYS presented to the Chair **SB 481,** entitled:

An Act providing for and fixing the fees and mileage for witnesses attending a coroner's inquest; imposing duties on coroners, and repealing inconsistent legislation.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 482,** entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," fixing the number of affirmative votes required in seven and nine member councils under the mayor-council plan A of government to effect certain street improvements and to change zoning ordinances.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 483,** entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," prescribing membership of board of commissioners of the sinking fund commission in cities which have adopted the mayor-council plan A.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 484,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," further regulating the preparation and adoption of budgets after adoption of Mayor-Council Plan A.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 455,** entitled:

An Act repealing subdivisions (q) and (r) of Article XI, act of May 1, 1933 (P. L. 103), entitled "The Second Class Township Code," abolishing the right of taxpayers to acquire the right to furnish all materials and labor necessary for opening, making and repairing township highways and bridges.

Which was committed to the Committee on Local Government.

They also presented to the Chair **SB 486,** entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled, as amended, "Local Tax Enabling Act," prescribing the effective date of taxes levied for the first time by any political subdivision, limiting appeals by taxpayers to such first tax levies.

Which was committed to the Committee on Local Government.

Messrs. YATRON, MAHADY, RIPP and SARRAF presented to the Chair **SB 487,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," removing the limitation on appropriations which may be made for agricultural extension work.

Which was committed to the Committee on Local Government.

Mr. FLEMING presented to the Chair **SB 488,** entitled:

An Act repealing the act of December 22, 1959 (P. L. 1978), entitled "State Harness Racing Law."

Which was committed to the Committee on Law and Order.

Messrs. SILVERT, DiSILVESTRO and STIEFEL presented to the Chair **SB 489,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

Which was committed to the Committee on Education.

SENATE RESOLUTIONS

CONGRATULATIONS OF THE SENATE EXTENDED TO MR. AND MRS. WILLIAM CUTAIAR, III ON THE BIRTH OF QUADRUPLETS

Messrs. WARE and BELL offered the following resolution **(Serial No. 30)**, which was read, considered and adopted:

In the Senate, April 5, 1961.

On March 15, 1961, there was born to Mr. and Mrs. William Cutaiar, III, of Malvern, Chester County, Penn-

sylvania, quadruplet girls. The parents are to be congratulated upon this happy event. The birth took place in Delaware County Memorial Hospital, Upper Darby. It is, indeed, a happy event that both mother and daughters are doing fine, and it is our sincerest wish that the girls grow up to be as beautiful as their mother, who won beauty contests.

Both Delaware and Chester Counties, as well as the entire Commonwealth of Pennsylvania, are extremely proud of this happy event; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania congratulate Mr. and Mrs. William Cutaiar, III, of Malvern, Chester County, Pennsylvania, on this very happy occurrence in their lives; and be it further

Resolved, That a copy of this resolution be sent to Mr. and Mrs. William Cutaiar, III, of Malvern, Chester County, Pennsylvania.

CONGRATULATIONS OF THE SENATE EXTENDED TO ALBRIGHT COLLEGE UPON RECENT VICTORIES IN BASKETBALL

Mr. YATRON offered the following resolution **(Serial No. 31)**, which was read, considered and adopted:

In the Senate, April 5, 1961.

The Middle Atlantic Conference College Division Championship in basketball was won this year by Albright College of Reading. They achieved this honor by defeating a strong Hofstra team by a score of 45 to 44. This honor has brought glory to the city of Reading as well as the whole Commonwealth. Albright's Coach Will Renken certainly deserves much of this honor and glory for it has been under his guiding hand that Albright has risen to new heights as a basketball power in the east; therefore be it

Resolved, That the Senate of Pennsylvania congratulate Coach Will Renken and Albright's great basketball team for the fine display of talent they have shown in achieving the honor bestowed upon them; and be it further

Resolved, That a copy of this resolution be sent to Coach Will Renken at Albright College, Reading, Pennsylvania.

CONGRATULATIONS OF THE SENATE EXTENDED TO WEST READING HIGH SCHOOL UPON RECENT VICTORIES IN BASKETBALL

Mr. YATRON offered the following resolution **(Serial No. 32)**, which was read, considered and adopted:

In the Senate, April 5, 1961.

West Reading High School is the Class C PIAA State champion for an unprecedented third consecutive time. They achieved this honor by defeating Williamsburg in the State finals before more than 3,000 fans at the Albright Field House in Reading. Dick Sherry, the Cowboys' able coach deserves much of the credit for the victory but with material like Ron Krick, the highest scorer in the State's schoolboy history, his task was made a little easier.

Congratulations are in order; therefore be it

Resolved, That the Senate of the General Assembly of the Commonwealth of Pennsylvania take this opportunity to congratulate West Reading High School on their victory in the Class C finals of the PIAA; and be it further

Resolved, That a copy of this resolution be sent to Coach Dick Sherry at West Reading High School, West Reading, Pennsylvania.

CONGRATULATIONS OF THE SENATE EXTENDED TO READING HIGH SCHOOL UPON RECENT VICTORIES IN BASKETBALL

Mr. YATRON offered the following resolution **(Serial No. 33)**, which was read, considered and adopted:

In the Senate, April 5, 1961.

Reading High School should be proud of their basketball team. The underdog team of Coach Peter Carril defeated Bethlehem High 49 to 48 to go to the Eastern finals only to be defeated by a powerful Nanticoke High School, who went on to win the class A State Championship. For Coach Carril, his victory over Bethlehem must have brought him great joy since it is his alma mater.

To go through a long season, and still participate in the playoffs, is an honor which only a small percentage of the high schools in the State can boast of; therefore be it

Resolved, That the Senate of Pennsylvania congratulate Reading High School upon their recent victories in basketball; and be it further

Resolved, That a copy of this resolution be forwarded to Peter Carril at Reading High School, Reading, Pennsylvania.

URGING THE GOVERNOR AND GENERAL STATE AUTHORITY TO RECONSIDER THE REMOVAL OF THE GOVERNOR'S MANSION FROM THE CITY OF HARRISBURG

Mr. TAYLOR offered the following resolution **(Serial No. 34)**, which was read as follows:

In the Senate, April 5, 1961.

One hundred and fifty years ago Harrisburg was designated by our General Assembly as the Capital City of the Commonwealth of Pennsylvania. Since this time Harrisburg has always been by rule, tradition and assumption the official seat and the home of the Governor.

Recently, considerable controversy seems to have arisen as to whether or not the home of the Governor, commonly called the "Governor's Mansion," should be removed from the City of Harrisburg. Some opinions favor enlarging and refurbishing the so-called "Governor's Summer Home" now located at least twenty miles distant from the Capital city at a place called Indiantown Gap on land that closely adjoins State owned land now under lease to the Federal Government for military reservation and training ground purposes, and which could conceivably, be militarized in event of great national emergency or war, and

All those who have been associated with the military in time of war, at home and abroad, believe that the Governor of our Commonwealth of Pennsylvania should retain a first responsibility to civil life, and should retain his official residence within the City of Harrisburg and among the civilian populace with, possibly, sojourns to his second residence, if he so desires, at the Indiantown Gap summer mansion; therefore be it

Resolved, That the Senate urge the Governor of the Commonwealth of Pennsylvania and the General State Authority to revise this thinking about removal of the official home from the City of Harrisburg, to a point of conformation with the planning and directive of the Members of the General Assembly of 1810 when they designated this Capital City as the seat of Pennsylvania's government, which includes the home of the government's Chief Executives for the period of time that includes his term of office to which he was elected by all the people of this Commonwealth; and be it further

Resolved, That a copy of the resolution be forwarded to the Governor and to the General State Authority.

Mr. WEINER. Mr. President, I ask that this resolution be laid on the table.

The PRESIDING OFFICER. At the request of the Majority Leader, the resolution will be laid on the table.

BILL INTRODUCED AND REFERRED

Messrs. SHAFER, KROMER, HAYS and BERGER, by unanimous consent, presented to the Chair **SB 490**, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," exempting Youth for Christ Organizations from the payment of registration and title fees.

Which was committed to the Committee on Highways.

ANNOUNCEMENT OF POSTPONEMENT OF TAKING OF SENATE PHOTOGRAPH

The PRESIDING OFFICER. The Majority Floor Leader has asked the Chair to make the following announcement:

Due to the fact that enough Members of the Senate are not present today to have the official picture of the Senate taken,—naturally, each Member desires to be present for this event—it has been postponed until next Tuesday, April 11, at 2:00 p.m. The Chair urges every Member to try to be present for the taking of the official picture of the Senate.

RECESS

Mr. WEINER. Mr. President, I request a twenty minute recess of the Senate for the purpose of holding a meeting, to be held in the Governor's Office, with the leadership on both sides.

The PRESIDING OFFICER. Are there any objections? The Chair hears no objections, and declares a twenty minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

BILL INTRODUCED AND REFERRED

Messrs. LANE, STEVENSON, MALLERY and HAYS, by unanimous consent, presented to the Chair **SB 491**, entitled:

An Act amending the act of June 25, 1941 (P. L. 159), entitled "Municipal Borrowing Law," changing the definition of assessed valuation.

Which was committed to the Committee on Local Government.

CALENDAR

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

HB 37—Read at length the third time and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 42—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

HB 71, 73, 74, SB 78 and **HB 95**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 104—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Kalman,	Murray,	Stiefel,
Berger,	Keller,	Pechan,	Stroup,
Camiel,	Kessler,	Propert,	Taylor,
Chapman,	Kromer,	Ripp,	Van Sant,
Confair,	Lane,	Rooney,	Wade,
Devlin,	Madigan,	Sarraf,	Wagner,
DiSilvestro,	Mahady,	Sesler,	Ware, III,
Donolow,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Hawbaker,	Miller,	Staisey,	Haluska,
Hays,	Mullin,	Stevenson,	Presiding Officer

NAYS—1

McMenamin,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

SB 134—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor.
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

SB 138—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. SEYLER. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Bell,	Keller,	Murray,	Stiefel,
Berger,	Kessler,	Pechan,	Stroup,
Camiel,	Lane,	Propert,	Taylor,
Chapman,	Madigan,	Ripp,	Van Sant,
Confair,	Mahady,	Rooney,	Wade,
Devlin,	Mallery,	Sarraf,	Wagner,
DiSilvestro,	McCreesh,	Sesler,	Ware, III,
Donolow,	McGinnis,	Shafer,	Weiner,
Flack,	McMenamin,	Silvert,	Wolfe,
Fleming,	Miller,	Staisey,	Yatron,
Hawbaker,	Mullin,	Stevenson,	Haluska,
Kalman,			Presiding Officer

NAYS—3

Hays,	Kromer,	Seyler,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

SB 190—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL POSTPONED

SB 200—Mr. LANE. Mr. President, I move that Senate Bill No. 200 be placed on the Third Reading Postponed Calendar.

Mr. SEYLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. LANE. Mr. President, Senate Bill No. 200, in my opinion, is in proper condition for final passage. However, we are experiencing a little difficulty with Senate Bill No. 201 and Senate Bill No. 88. Since all three bills are related to each other, legislatively, I have moved that Senate Bill No. 200, Printer's No. 411, be placed on the Third Reading Postponed Calendar.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER

SB 209—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON THIRD READING AMENDED

SB 273—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Messrs. LANE and WEINER, by unanimous consent, offered the following amendment:

> Amend Sec. 4, page 3, line 12, by inserting after "Governor": by and with the advice and consent of two-thirds of all the members of the Senate.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. LANE.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 292—Read at length the third time and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer.	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 310—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 313—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
Kalman,	Mullin,	Stevenson,	Presiding Officer

NAYS—1

Bell,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 314—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 332—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SB 372—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 450—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska,
			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 461—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Yatron,
Hawbaker,	McMenamin,	Silvert,	Wolfe,
Hays,	Miller,	Staisey,	Haluska, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 569—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Chapman,	Kromer,	Propert,	Taylor,
Confair,	Lane,	Ripp,	Van Sant,
Devlin,	Madigan,	Rooney,	Wade,
DiSilvestro,	Mahady,	Sarraf,	Wagner,
Donolow,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Staisey,	Haluska, Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 30—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL POSTPONED

SB 88—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE. Mr. President, regarding the motion I am about to make with reference to this bill, I would like to explain to the Members of the Senate that Senate Bill No. 88, Printer's No. 485, would consolidate the institutional districts of the various counties with the General Fund.

Yesterday, I offered some corrective amendments which are now inserted in the bill. I hope that the Membership of the Senate will review this legislation in detail and discuss the legislation with their county solicitors.

We feel that the legislation is in good order. However, there is one question involved, Mr. President, which must be determined. As you probably know, there is a borrowing capacity of two per cent on your assessed valuation for the General Fund in the counties. There is also a borrowing capacity of two per cent of the assessed valuation of your institution district

These are constitutional provisions. This borrowing can be made without a referendum. Should there be a referendum, of course, you can then go up to as far as seven per cent.

We had the good fortune to have Mr. Bullis, who represents the Bureau of Municipal Affairs, attend our Local Government Commission Meeting, which was presided over by the Honorable George B. Stevenson. Mr. Bullis informed us that he had secured an opinion from Mrs. Alpern, the Attorney General, with reference to this two per cent borrowing capacity. What is needed—and the ligislation was introduced today—is that we must amend the Municipal Borrowing Act of 1941, changing the language to show that the two per cent shall be applicable to market value and not to the assessed value.

Therefore, until such time as this legislation is passed, —I am speaking primarily of the amendment to the Municipal Borrowing Act of 1941—we feel it is wise to place Senate Bill No. 88, Printer's No. 485, on the Second Reading Postponed Calendar.

Mr. President, in order to make the record clear, I have a copy of the Attorney General's Opinion, which I would like to have inserted in the record for the perusal of all the Members of the Senate. Of course, this will also help the House, should this legislation get to the House of Representatives.

Therefore, Mr. President, I now move that Senate Bill No. 88, Printer's No. 485, be placed on the Second Reading Postponed Calendar and that a copy of the Attorney General's Opinion be spread upon the record.

Mr. RIPP. Mr. President. I second the motion.

The motion was agreed to.

The PRESIDING OFFICER. Without objection, at the request of the gentleman from Washington, Senator Lane, the Opinion of the Attorney General will be spread upon the record.

March 1, 1961.

Interpretation of "Assessed Valuation" in Article I, Section 102 of the Municipal Borrowing Law of 1941

Genevieve Blatt
Secretary, Department of Internal Affairs

Anne X. Alpern
Attorney General
Department of Justice

You have requested my opinion as to the interpretation of the phrase "assessed valuation" as used in Article I, Section 102 of the Municipal Borrowing Law, the Act of June 25, 1941, P. L. 159, as amended, 53 P.S. Section 6102. Municipal borrowing, under this Act, is limited to a certain

percentage of "assessed valuation," Article II, Section 201, 53 P.S. Section 6201.

Section 102, the definition section of the Act, reads as follows:

"'Assessed Valuation,' the assessed valuation of all property taxable in the municipality for the purposes of the municipality, as last determined by the board, bureau or persons charged by law with the duty of determining the valuation of such property for tax purposes."

This language is clear and unambiguous, and means just what it says. "Assessed valuation" is assessed valuation of taxable property as determined by the appropriate board, etc., of the municipality for tax purposes. This phrase cannot be interpreted to mean "market value" in the context of this act.

I add this thought. If it is desired to increase municipal borrowing capacity, there are only two ways in which this can be done legally. One is for the municipality to increase assessments (it is well known that assessments now average less than 50% of market value), and reduce the tax rate proportionately, if present tax return is to be maintained). The other method is to amend Section 102—using "market value" or some percentage thereof as the base for municipal borrowing.

BILL ON SECOND READING

SB 93—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 94—Mr. McMENAMIN. Mr. President, I request that Senate Bill No. 94 go over in its order, and in the event it passes second reading, that the vote by which it is passed be reconsidered for the reason that it was substantially amended yesterday and we are just now receiving copies of the amended bill.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILL ON SECOND READING AMENDED

SB 99—The first section was read and agreed to. The second section was read.

On the question,

Will the Senate agree to the section?

Mr. MULLIN offered the following amendments:

Amend Sec. 2 (Sec. 604.1), page 3, lines 15 to 20; page 4, lines 1 to 3, by striking out "In addition to the other provisions of this" in line 15, all of lines 16 to 20, page 3 all of lines 1 and 2 and "time" in line 3, page 4.

Amend Sec. 2 (Sec. 604.1), page 4, line 9, by striking out "seventeen (17)" and inserting: sixteen (16).

Amend Sec. 2 (Sec. 604.1), page 4, lines 11 to 15, by striking out "and who has" in line 11, all of lines 12 to 14 "or who has not been convicted of any violation of this act" in line 15.

Amend Sec. 2 (Sec. 604.1), page 4, lines 17, 18 and 19, by striking out "(1) an affidavit of a parent or person in loco" in line 17, all of line 18 "the issuance of such license and (2)" in line 19.

Amend Sec. 2 (Sec. 604.1), page 5, lines 3 to 8, by striking out all of lines 3 to 7 "(D)" in line 8 and inserting in lieu thereof: (c).

Amend Sec. 2 (Sec. 604.1), page 5, line 12, by striking out "(E)" and inserting: (d).

Amend Sec. 2 (Sec. 604.1), page 5, line 13, by striking out "A JUNIOR" and inserting: an.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MULLIN offered the following amendment:

Amend Title, page 1, last line of Title, by inserting after "privileges": regulating the operation of vehicles.

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. MULLIN.

BILLS OVER IN ORDER

SB 105, HB 132, SB 173 and **186**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL POSTPONED

SB 201—Upon motion of Mr. LANE, seconded by Mr. HAYS, and agreed to, the bill was placed on the Second Reading Postponed Calendar.

BILLS OVER IN ORDER

SB 212 and **213**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 291—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend Sec. 1 (Sec. 501), page 6, line 5, by striking out the brackets before and after "shall."

Amend Sec. 1 (Sec. 501), page 6, line 6, by striking out "may."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

Without objection, the bill, as amended was passed over in its order at the request of Mr. BERGER.

BILLS OVER IN ORDER

SB 294, 299, 301 and **302**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 303, 304, and **SB 309**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 336—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 388—Read at length the second time and agreed to, Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 419, HB 570, 635 and **636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 114, 125** and **HB 63.**

BILL INTRODUCED AND REFERRED

Messrs. MULLIN and McCREESH, by unanimous consent, presented to the Chair **SB 492,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for the payment of a sum of money in lieu of suspensions.

Which was committed to the Committee on Highways.

PETITIONS AND REMONSTRANCES

Mr. SILVERT. Mr. President, about two weeks ago, on Monday, March 20, I sponsored a bill with Senator Ehrgood as cosponsor. The purpose of this bill was to establish a Pennsylvania Higher Education Assistance Authority. I made a few remarks in connection with the introduction of this bill, and I stated that this would establish an Authority and meet a great need in the State of Pennsylvania.

This authority would lend money to students attending college. We all know that tuition has been going up and it becomes almost an impossibility for the average family today to send a boy through college and pay those high tuitions. This would be one of the ways of helping students in college.

I also stated that the funds for this Authority would come primarily from corporations and wealthy individuals who would like to help higher education. I did mention that the only expense to the State of Pennsylvania would be the sum of $250,000 to get this Authority started, and from there on not another single contribution would have to be made by the State.

Two days later, one of our well-known columnists in the city of Philadelphia, who writes for The Philadelphia Inquirer, made this comment:

> "Senator Silvert, in a sort of off-hand way, carried the implication a quarter of a million bucks was no more than a citizen would use up in the course of a night on the town.
> ". . . treated $250,000 as if it were scratch feed for the birds."

Mr. President, I certainly subscribe to the theory that a man, even though he is a columnist, is entitled to his opinion. However, when he fails to make a single comment in this article as to the bill or the purpose for which this $250,000 was suggested, then I say that the public is led to believe that here is a Senator offering $250,000, not knowing what it is going to be used for. I think that is not quite fair.

My feelings have been somewhat assuaged because I received a copy of a letter written to this columnist by Mr. Alan G. Kirk, II, Assistant Dean of the Pennsylvania Law School. Mr. President, I want to read this letter into the record, and I am glad you are listening, Senator Wagner:

"Mr. John M. Cummings
"Philadelphia Inquirer
"400 North Broad Street
"Philadelphia 1, Pennsylvania

"Dear Mr. Cummings:

"On March 22, you state in your column that Senator Silvert has treated $250,000 'as if it were scratch feed for the birds.' While you do not state what it is that the Senator is recommending the money for, I suspect that you are referring to his proposal to establish a revolving loan plan for college students along the lines of the plans now in force in New Jersey, New York, Connecticut and Massachusetts.

"These plans are of tremendous aid to students who face increasingly higher tuitions. In New York, for example, the State Authority simply insures private loans made by the banks of that State to residents of the State, no matter where they attend college. In Connecticut, I believe, the State merely has established an Authority to insure and expedite the loaning of money by corporations, foundations and individuals to college students. I believe that Senator Silvert is thinking more along the lines of the Connecticut plan, although I would personally favor the New York idea.

"In any event, it is hard for me to see how anybody could raise any objections to an investment of this sort. I would be happy to forward to you literature on the plans of some of our sister States.

"Very truly yours,
"Alan G. Kirk, II
"Assistant Dean
"Pennsylvania Law School

Mr. President, with this offered into the record, my talk is finished. Thank you very much.

Mr. WEINER. Mr. President, I would like to make just a brief statement.

Mr. President, there has been a great deal of talk about the Governor's Education Committee and many of us have been asked to give our reaction. I was asked early on Monday my reaction to it, and it appeared in a paper from the Philadelphia area. It stated that my position was that the Members here on this side of the aisle were in favor of the general proposition that we had heard about in the newspapers because we did not have the report at that time, and apparently the newspapers had very accurate stories on what it contained.

My position was—and I had not talked to all of the Members on this side, but I had the general sense of their thinking—that they would vote for any measures that would provide additional taxes. However, they would not do so unless there were a substantial number of votes—and by substantial, we meant more than one or two—on the other side of the aisle. This has to be strictly or truly a bipartisan approach to the problem, not only to the tax measures but also to the general housekeeping measures that are being asked for.

In one of the newspapers in the other end of the State, I was quoted as saying there would be no new taxes at this Session for the schools. That, in part, is true, but I do not think the statement goes far enough. It may be that the man who reported this might have been having difficulty with me in the sense that I had not perhaps truly expressed myself.

Therefore, I would like to do so now in order to set the record straight. There will be no new taxes in this

Session for school purposes unless they are truly bipartisan. By that I mean, there has to be at least ten or more votes on the other side of the aisle to produce this measure. There also has to be that amount of votes to produce any of the other measures, because I do not think in the area of schools they are either Republican or Democratic. I think that the school problem in this State truly is a problem that affects every person who lives in this State; those who are presently here and those who are unborn. It will affect hundreds of thousands of youngsters who may never have an opportunity to go to school or who are not even desiring an opportunity. It will also affect those who are gifted and who do not have the opportunity due to the lack of finances. It may also affect those who have the ability to handle the problem but come from such a cultural background that they are being denied this opportunity.

I do not think that that is a Democratic or Republican problem. I think it is a problem for all of us to pitch in and do something about. In order to do so, according to the report, it will require additional revenue and additional money to be advanced in these different causes.

I think that the people on this side of the aisle feel they would like to help in this measure and are interested in it. However, they will not do it alone because, as you well realize, Mr. President, we cannot pass any program here without some help from the other side. This is one of the areas which I think is our responsibility. I do not think that the total burden should be upon us because I think one of the basic problems that everyone has is that when you carry a burden, you also should benefit from it. If we are going to provide a benefit, I think this burden should be shared by one and all.

The reason for my taking the time of the Senate to do this is to set the record absolutely clear on what our position is here on this side of the aisle.

Mr. BERGER. Mr. President, I listened with interest to the statement just made by the Majority Leader and it reminded me of an old childhood saying, when we were out playing, that we should not cry before we are hurt. The gentleman seems to have anticipated certain things which are by no means on the horizon.

Mr. President, I do not believe that anybody has, as yet, had the opportunity to read the full text of the report of the Governor's Committee on Education. It was just presented here this morning. However, I realize there were a few serious leaks on that which got into the newspapers before the report was released.

Mr. President, we are ready to recognize any responsibility, whatsoever, relating to the support of education in the Commonwealth of Pennsylvania, and always have been. I can well recall, Mr. President, many, many times in this Senate—I am quite certain, as a matter of fact, that the Presiding Officer was a Member of the Senate at that time—when we, on this side, advanced certain tax measures and found that there were very few and, frequently, no votes whatever over there in support of them. However, when we were given the appropriation bills, my, my, my, how the votes would pour in.

Mr. President, I would suggest that until after the Governor addresses the Joint Session, on Monday, this discussion is premature. I am sure that the Majority Leader realizes it is premature before he suggests, let us say, that there be at least ten votes on this side to any tax programs which they may propose on that side. We are not prepared to say anything. I certainly would not presume to say, on behalf of my colleagues, just how many votes for any tax program would be forthcoming. I certainly would want to watch and see just what the proposal might be before we made any commitments. I am sure the Majority Leader would not want us to.

Mr. WEINER. Mr. President, I just want to say, in closing, that the proposals,—I have not had an opportunity to read the Report—which appeared in the newspapers and which appear to be accurate, are so sweeping and so far-reaching. Many of them even go far beyond measures which have been put in by many of the far-looking or liberal Members of this Body. I think it would require the sentiment of all the Members of the Legislature, as well as the sentiment of a large majority of the people of this Commonwealth, before we can get into this sweeping reform-type of program about which they are speaking.

There is nothing magic about ten votes. We will take twelve, if that will be helpful, or even more. I think we should almost be unanimous in our approach to this problem, before any of us can do anything about it. There is not an area in the Commonwealth which is not affected or which will not feel the impact of this recommendation.

Mr. LANE. Mr. President, I have not read the report of the Governor's Committee on Education, which was just released today. However, I did review in detail some of the writings by the various newspapermen. The thought has come to my mind that probably we here in Harrisburg, both in the House and the Senate, have more or less brushed under the rug this problem of education and higher education. As a matter of fact, I am very strongly in favor of Senator Silvert's proposal and I hope something comes from it. Of course, it is going to take money.

I believe that those of us who have been here for quite some time recall, years ago, when we planned at one time to have a constitutional amendment set up, whereby we would have the funds to take care of education in Pennsylvania. We are now confronted with what I think is a major problem in the field of education. The Governor's Committee, I assume, has done a fairly decent job, although I understand there are some dissenting reports with reference to this Committee. However, Mr. President, I do not believe that here in Harrisburg we are ever going to lick the problem of education, and the financing of education, until we write into the Constitution an amendment, allocating certain funds of the Federal Government for education. I recall, the first time we passed the sales tax bill, that the moneys were supposed to be earmarked for education. However, they landed in the General Fund. Unless we do those things and take a forthright position, we are always going to have this major problem.

I have heard some talk about adjourning sine die some time in June. I do not think that is going to be possible. Once we receive these bills, it is going to entail a considerable amount of debate. When we get into a tax program, you know what that means, Mr. President. That also will take some time.

I feel that we should clean up the job at this Session. Let us try to clean it up once and for all. Let us try to

pass a constitutional amendment, earmarking certain funds for education in Pennsylvania.

In closing, Mr. President, I might also add, in speaking of southwestern Pennsylvania, that I do not believe the home owners in western Pennsylvania can stand much more in taxes, especially the levies on real estate. They have almost arrived at the saturation point. The time will come when it will be impossible to live in your own home, if these taxes increase. Therefor, we are going to have to do something. If we can secure Federal aid, let us accept it. However, once and for all, I think we should clean up and not sweep the dust under the rug again.

I have been here since 1942, and ever since I have been a Member of the Legislature, we have had the problem on education. I feel it is just about time that we resolve it once and for all time.

STATEMENT BY THE CHAIR

The PRESIDING OFFICER. Before we go to the next order of business, the Chair wishes to take this opportunity to thank the Majority Floor Leader and all the Members, on both sides, for the courtesy extended to me. This is my first experience in the Chair, after twenty-three years of service. Believe me, I cherish the thought. It will be a memory for me, and you have been very kind and cooperative. I want to thank the leaders and all you gentlemen for your fine cooperation.

HOUSE MESSAGE

HOUSE RESOLUTION FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House, which was read as follows:

EXTENDING SINCERE WISHES TO THE CITIZENS OF CHAMBERSBURG AND FRANKLIN COUNTY FOR A SUCCESSFUL AND MEMORABLE CELEBRATION ON APRIL 12, 1961

In the House of Representatives, April 5, 1961.

April 12, 1961 marks the one hundredth anniversary of the attack by the Rebels on Fort Sumpter, the beginning of the American Civil War. On that day in 1861, a meeting was held in Chambersburg, the county seat of Franklin County, at which several hundred citizens discussed what could be done to aid the Union cause. Six days later, on April 19, 1861, Chambers Artillery, led by Captain P. L. Housem, First Litutenant John Doebler, Second Lieutenant Matthew Gillan and Third Lieutenant George Miles, left for Harrisburg, and this unit was among the first to arrive as volunteers for the defense of the Union.

Chambersburg and Franklin County played a significant role in the Civil War. It was in the square at Chambersburg that General Robert E. Lee, astride his white horse, made the fateful decision to go East instead of North into Harrisburg, which decision directed his forces headlong into the Union Forces and led to his defeat in the Battle of Gettysburg. Chambersburg was invaded by the Southern Forces on three separate occasions, and in July 1864, a year after the Battle of Gettysburg, had its courthouse put to the torch, thus gaining the ironic distinction of being the only town North of the Mason-Dixon Line to be burned by the Confederate Army.

An April 12, 1961, a town meeting is to be held in the courthouse in Chambersburg, Franklin County, to commemorate and simulate the happenings on that day one hundred years ago. The General Assembly of the Commonwealth of Pennsylvania recognizes the deep significance of this meeting and of its place in the history of our Commonwealth; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby commends the citizens of Chambersburg and Franklin County upon holding a meeting similar to that held on April 12, 1861, and extends to them its most sincere wishes for a successful and memorable celebration; and be it further

Resolved, That a certified copy of this resolution be personally delivered to said meeting on April 12, 1961, by the Honorable Enos H. Horst and the Honorable Elmer B. Hawbaker of the County of Franklin.

On the question,

Will the Senate concur in the resolution?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION

Mr. WEINER. Mr. President, I move that the Senate do concur in the resolution just read by the Clerk.

Mr. HAWBAKER. Mr. President, I second the motion.

The motion was agreed to and the resolution was concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

The PRESIDENT pro tempore (Anthony J. DiSilvestro) in the Chair.

BILLS SIGNED

The President pro tempore (Anthony J. DiSilvestro) in the presence of the Senate signed the following bills: **HB 224, 240** and **302.**

The PRESIDING OFFICER (John J. Haluska) in the Chair.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate.

MONDAY, APRIL 10, 1961

Republican Caucus .....1:00 p.m.
Democratic Caucus .....1:00 p.m.

NOTICE

The Judiciary General Committee will hold a Public Hearing at 11:00 a.m., Tuesday, April 11th in Room 535, on the Court Administrator Bill. (Senate Bill No. 441).

SPECIAL ANNOUNCEMENT

The official picture of the Senate will be taken Tuesday, April 11th at 2:00 p.m. All Members are urged to be present.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, April 10, 1961, at 2:30 p.m.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 2:53 p.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 5, 1961

The House met at 11 a. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Almighty God, our Eternal Father, it is with deep gratitude and sincere convictions that we come before Thee. We recognize the glorious heritage which is ours and the manifold blessings which Thou are continually bestowing upon us. But, O God, we humbly pray that Thou wilt make us conscious of the glorious opportunity we have in handing down to future generations not only the heritage which we have received, but enable us to work earnestly to improve thereon; so that the leaders of tomorrow may look with pride and challenge to the pilots of today. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, April 4, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Messrs. HARTLEY and DOUGHTEN.

HOUSE BILL No. 1114.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), removing the authority of the secretary to suspend the operator's license or learner's permit of a person for conviction in another state if such conviction was obtained by use of radiomicrowave equipment prior to the authorization by law for the use of such equipment for timing speed in this Commonwealth.

Referred to the Committee on Motor Vehicles.

By Messrs. ROVANSEK, SHUPNIK, BUCHANAN and K. B. LEE. HOUSE BILL No. 1115.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the retention of seniority upon a merger, jointure or union of districts.

Referred to the Committee on Education.

By Messrs. HOLLIDAY, HAMILTON, VARNER and MILLS. HOUSE BILL No. 1116.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), authorizing indebtedness of school districts and insured dtposits to be used in lieu of bonds or securities which are required to be deposited by school depositories.

Referred to the Committee on Education.

By Messrs. DOUGHERTY, HARTLEY, STANK and DENNISON. HOUSE BILL No. 1117.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the overtaking and passing of other vehicles on the right side thereof.

Referred to the Committee on Motor Vehicles.

By Messrs. WILLAREDT and FLYNN.

HOUSE BILL No. 1118.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the regulation and licensing of pawnbrokers, hucksters, peddlers, vendors and public auctions and auctioneers.

Referred to the Committee on Education.

By Messrs. ROVANSEK, MEHOLCHICK, DENNISON and VARNER. HOUSE BILL No. 1119.

An Act amending the act of May 29, 1945 (P. L. 1132), entitled, "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth; ***" removing compensation provisions for first air and mine rescue workers.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK, CROSSIN, VARNER and DENNISON. HOUSE BILL No. 1120.

An Act amending the act of April 25, 1945 (P. L. 289), entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; ***" removing salary provisions for electrical inspectors.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK, NEEDHAM, EWING and DENNISON. HOUSE BILL No. 1121.

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

Referred to the Committee on Mines and Mineral Industries.

By Messrs. PRENDERGAST, FARABAUGH and McDEVITT. HOUSE BILL No. 1122.

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), increasing the annual license fees on milk dealers.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. PRENDERGAST, FARABAUGH and McDEVITT. HOUSE BILL No. 1123.

An Act amending the "Milk Control Law," approved April 28, 1937 (P. L. 417), granting immunity from prosecution to persons who testify before the commission.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, A. D. WILLIAMS, J. H. ANDERSON and PRENDERGAST.

HOUSE BILL No. 1124.

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), changing the limitation on appropriations which may be made for agricultural extension work.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. FARABAUGH, A. D. WILLIAMS, J. H. ANDERSON and PRENDERGAST.

HOUSE BILL No. 1125.

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723), increasing the limitations which may be made for agricultural extension work.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. LIPPINCOTT, GIBBONS, STONE, and MURPHY. HOUSE BILL No. 1126.

An Act amending the act of September 8, 1959 (P. L. 846), entitled "An act providing for the destruction of certain records and papers upon petition in counties of the third and fourth classes," providing that certain papers may be destroyed without reproducing the same.

Referred to the Committee on Counties.

By Messrs. NEEDHAM, REIDENBACH and BUCHANAN. HOUSE BILL No. 1127.

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), extending credit for service with the American Red Cross and other service organizations.

Referred to the Committee on Appropriations.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1128.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for two additional supervisors in townships having a population of more than ten thousand.

Referred to the Committee on Townships.

By Messrs. DONALDSON, GIBB and WILT.

HOUSE BILL No. 1129.

An Act amendnig the "Local Health Administration Law," approved August 24, 1951 (P. L. 1304), changing the number of signatures required on a petition to dissolve or withdraw from certain departments of health; changing the form on the question to be submitted to electors, and limiting the frequency of the submission of the question to the electors.

Referred to the Committee on Rules.

By Messrs. GIBB, WILT, DONALDSON and LUTTY.

HOUSE BILL No. 1130.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to lease, under certain conditions, real property now under the jurisdiction of the Department of Public Welfare, and located at the Dixmont State Hospital, Allegheny County.

Referred to the Committee on State Government.

By Messrs. GIBB, WILT, DONALDSON and LUTTY.

HOUSE BILL No. 1131.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 98.918 acres more or less of land situate in Kilbuck Township, Allegheny County.

Referred to the Committee on State Government.

By Messrs. MURRAY, JENKINS and GUESMAN.

HOUSE BILL No. 1132.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing annual leave for employes with over ten or twenty years of service.

Referred to the Committee on State Government.

By Messrs. MURRAY, GUESMAN and JENKINS.

HOUSE BILL No. 1133.

An Act amendnig "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating acceptance of bids for certain contracts.

Referred to the Committee on Boroughs.

By Messrs. MURRAY, GUESMAN and JENKINS.

HOUSE BILL No. 1134.

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206) further regulating the awarding of certain contracts upon competitive bids.

Referred to the Committee on Townships.

By Messrs. FINEMAN and GRAMLICH.

HOUSE BILL No. 1135.

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk, Venango County, Pennsylvania, with the approval of the Governor.

Referred to the Committee on State Government.

By Messrs. FINEMAN, STITELER and KORNS.

HOUSE BILL No. 1136.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3 acres more or less of land situate in Somerset Township, Somerset County.

Referred to the Committee on State Government.

By Messrs. SCHAAF, BLAIR, O'DELL, and POLASKI.

HOUSE BILL No. 1137.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Public Welfare, to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township, Erie County.

Referred to the Committee on State Government.

By Messrs. KRAMER, LAMB, RUTHERFORD and ESHLEMAN. HOUSE BILL No. 1138.

An Act amending the "State Tax Equalization Board Law," approved June 27, 1947 (P. L. 1046), requiring that objections to certified findings or conclusions of board shall be filed by October first of year the same are certified.

Referred to the Committee on State Government.

By Mr. FRY. HOUSE BILL No. 1139.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Norristown, Montgomery County, Pennsylvania, for use of Norristown State Hospital.

Referred to the Committee on State Government.

By Messrs. MURRAY, KRAMER, JENKINS and GUESMAN. HOUSE BILL No. 1140.

An Act amending "The Borough Code," approved May

4, 1927 (P. L. 519), further regulating division of boroughs into wards and the abolition of wards.

Referred to the Committee on Boroughs.

By Messrs. FRASCELLA and COMER.
HOUSE BILL No. 1141.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 59), further providing for the establishing of prima facie evidence by the use of registration numbers.

Referred to the Committee on Motor Vehicles.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1142.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103) authorizing the reassessment of after built property in townships, and imposing liability for township taxes upon the owners thereof.

Referred to the Committee on Townships.

By Mr. A. D. WILLIAMS. HOUSE BILL No. 1143.

An Act amending the act of June 28, 1895 (P. L. 408), entitled, as amended, "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' ***" imposing penalties for failure of insurance companies or their agents to set forth the exact city, borough, town or township in which insured property is located.

Referred to the Committee on Insurance.

By Messrs. HAMILTON, MILLS, SAKULSKY and WILLAREDT. HOUSE BILL No. 1144.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the appointment of additional clerks at polling places in counties of the third class.

Referred to the Committee on Elections.

By Messrs. STANK, RENWICK, and EILBERG.
HOUSE BILL No. 1145.

An Act repealing the act of June 30, 1947 (P. L. 1154), entitled as amended "An act to regulate the manufacture, sale, transportation, possession, use and advertising of oleo-margarine, butterine and other similar porducts, *** and to prescribe certain powers and duties of the Department of Agriculture.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. LAMB, EILBERG, SCHAAF and BRETH.
HOUSE BILL No. 1146.

An Act amending the act of May 16, 1919 (P. L. 193), entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms, and for the regulation, supervision of public dances and balls in cities of the first, second, and third class," increasing license fees.

Referred to the Committee on State Government.

By Messrs. HORST, ELVEY, GROSS, GAILEY and WOOD. HOUSE BILL No. 1147.

An Act directing the republication of "Pennsylvania and the Civil War: A Handbook," making an appropriation for this purpose, and providing for the distribution of this publication.

Referred to the Committee on Appropriations.

By Messrs. GAILEY, FINEMAN and A. M. LEE.
HOUSE BILL No. 1148.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), restricting the powers of game wardens and others in the enforcement of the act.

Referred to the Committee on Game and Conservation.

By Messrs. FINEMAN and MAY.
HOUSE BILL No. 1149.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

Referred to the Committee on State Government.

By Messrs. HAMILTON, KORNICK, WILT, POLASKI and WESCOTT. HOUSE BILL No. 1150.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the exercise of eminent domain.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WILT, POLASKI and WESCOTT. HOUSE BILL No. 1151.

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), further regulating the improvement of streets and highways, and authorizing such improvements with or without petition of property owners.

Referred to the Committee on Townships.

By Messrs. HAMILTON, KORNICK, WILT, POLASKI and WESCOTT. HOUSE BILL No. 1152.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating assessments for improving streets or highways.

Referred to the Committee on Boroughs.

By Mr. WORLEY (By Request).
HOUSE BILL No. 1153.

An act amending the "World War II Veterans' Compensation Act," approved June 11, 1947 (P. L. 565), authorizing additional persons to receive compensation and extending the time in which application for compensation may be made.

Referred to the Committee on Military Affairs.

By Messrs. SHERMAN, GELFAND, A. D. WILLIAMS, and EILBERG. HOUSE BILL No. 1154.

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

Referred to the Committee on Cities—Counties First Class.

By Messrs. MURPHY and FLYNN.
HOUSE BILL No. 1155.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), allowing fourth class counties to make levies on the previous assessments or delay levies based on the new assessments in certain cases.

Referred to the Committee on Counties.

By Mr. WORLEY (By Request).
HOUSE BILL No. 1156.

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for special elections as a result of fraudulent voting in certain cases.

Referred to the Committee on Elections.

By Mr. WORLEY (By Request).
HOUSE BILL No. 1157.

An Act amending "The Permanent Registration Act for Cities of the Second Class, Cities of the Second Class A, Cities of the Third Class, Boroughs, Towns and Townships," approved April 29, 1937 (P. L. 487), permitting persons to register before an alderman, justice of the peace or notary public.

Referred to the Committee on State Government.

By Messrs. LAMB and STONE.
HOUSE BILL No. 1158.

An Act declaring voidable certain agreements by persons who have received tortious injuries, when the agreements were entered into not more than fifteen days after the injury.

Referred to the Committee on Judiciary.

By Mr. MURPHY. HOUSE BILL No. 1159.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further providing for the payment of expenses for school directors.

Referred to the Committee on Education.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 1160.

An Act amending the "Urban Redevelopment Law," approved May 24, 1945 (P. L. 991), extending the provisions of the act to include certain boroughs except in counties of the second class.

Referred to the Committee on Boroughs.

By Messrs. HAMILTON, KORNICK, WILT, WESCOTT and POLASKI. HOUSE BILL No. 1161.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing transfers between the State Employes' Retirement System and the Municipal Employes' Retirement System.

Referred to the Committee on Appropriations.

By Messrs. EILBERG, McCANN, Mrs. KOOKER and Mr. A. W. JOHNSON. HOUSE BILL No. 1162.

An Act amending "The C.P.A. Law," approved May 26, 1947 (P. L. 318), further regulating the certification and public practice of certified public accountants.

Referred to the Committee on State Government.

By Messrs. HAMILTON, KORNICK, ODORISIO and PURSLEY. HOUSE BILL No. 1163.

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring that policies of fire insurance issued by stock and mutual insurance companies, associations, and exchanges contain standard policy provisions herein prescribed.

Referred to the Committee on Insurance.

By Messrs. DAVIS, VARNER, GRAMLICH and J. H. GOLDSTEIN. HOUSE BILL No. 1164.

An Act granting to persons who have custody of certain minors the paramount right to the custody of the minor and providing for the removal of such custody.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MARSH. RESOLUTION No. 49.

In the House of Representatives, April 4th 1961.

The use of radar equipment in the apprehension of persons who violate the speed laws, relating to motor vehicles of this State, has caused considerable concern throughout the Commonwealth. This concern stems from the fact that there is considerable doubt about radar as an evidencing device as to rate of speed under certain conditions. It is likewise felt by a very large number of people that a speed of fifty miles per hour on open and good highways is not high enough.

It is felt by the House of Representatives that the rate of speed on highways, where radar equipment is being used in the determination of the rate of speed of motor vehicles, should be increased to fifty-five miles per hour. This would eliminate most of the objections and criticism to the use of radar equipment in the detection of persons charged with violating the motor vehicle speed laws of this State, therefor be it

Resolved, That the House of Representatives respectfully request the Governor and the Traffic Safety Commissioner of the Bureau of Traffic Safety to reconsider the speed limit of fifty miles per hour on highways where radar equipment is being used in the apprehension of persons violating the motor vehicle speed laws of this State and make the speed limit on such highways fifty-five miles per hour; and be it further

Resolved, That the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania and Mr. O. D. Shipley, Traffic Safety Commissioner of the Bureau of Traffic Safety be sent copies of this resolution.

Referred to the Committee on Rules.

By Mr. CIANFRANI and Mrs. JONES.
RESOLUTION No. 50.

In the House of Representatives, April 4, 1961.

Whereas, the Independence Hall Mall is now nearly a completed project of the Commonwealth of Pennsylvania; and

Whereas, the Federal Mall East of Independence Hall is also nearing completion; and

Whereas, the Redevelopment Authority Law, which has helped give new life to so many important sections of the Commonwealth of Pennsylvania is a direct outgrowth of the Independence Hall Mall idea; and

Whereas, historic Society Hill and the Independence Neighborhood of old Philadelphia are being rebuilt, modernized and redeveloped, but will maintain a substantial portion of buildings of the late eighteenth and early nineteenth centuries, so that such area will have the largest concentration of continuously occupied structures of early American architecture in the United States of America; and

Whereas, the millions of dollars expended in the Redevelopment program in and around old Philadelphia, are bringing into being many, many more millions of dollars of new structures and millions of dollars in revenue to the governments involved; and

Whereas, all of this activity was stimulated and started by petitions of the residents of Philadelphia's Fifth Ward, prepared by a former member of the House of Representatives, the Honorable Isidor Ostroff, and circulated by his committee made up of Harry Faden, Jacob Tracer, Eugene Kane, Louis Ordile, Lena Singer, Harry Cralnick, Barney Brooke, Harry Katz, Sabina Singer, Harry Schmuckler, Dorothy Schaeffer, I. L. Stern, Albert Gerofsky, Henry LeBlond and many others; and

Whereas, such petitions were forwarded to Congressman Leon Sacks, who first introduced in the Congress of the United States a bill prepared by the Honorable Isidor Ostroff for the creation of the Independence Hall Mall, which bill was introduced in subsequent Congresses by the successors of Congressmen Sack, Gallagher, Bradley, Cardie Scott and Byrne; and

Whereas, the said Isidor Ostroff cooperated with Honorable Edwin O. Lewis and the Independence Hall Association in many appearances before this and the National Legislature, and worked anonymously with Judge Lewis to bring about the realization of this patriotic transformation of Old Philadelphia during which he had the "soubriquet" of "chief errand boy" and liaison; and

Whereas, it is fitting and proper that the Legislature of Pennsylvania should record for posterity the unsung selfless devotion with which our former colleague worked with any and all who would make possible the proper enshrinement of our nation's most cherished historical structures, and the best setting for America's most historic mile square; therefore be it

Resolved, That the Legislature of Pennsylvania extends its congratulations and felicitations to the Honorable Isidor Ostroff on the transformation of the area in the vicinity of Independence Hall into a site of beauty and a fitting setting for the enshrinement of our nation's most hallowed historic structures, and the preservation of so many authentic early American structures, and our gratification that his dedicated persistency in the face of ridicule and skepticism made possible the realization of his "dream" for a better Philadelphia; and be it further

Resolved, That a copy of this resolution be sent to the Isidor Ostroff.

Referred to the Committee on Rules.

ANNOUNCEMENT

The SPEAKER. This is the morning appointed for taking of the picture of this magnificent Assembly.

The Chair recognizes the majority leader.

Mr. McCANN. I am going to request the chief clerk to have the bell rung as though it were a roll call and ask all the members to come in, as the photographer is ready. Then we can get this over with, because we have a lot of other work to do.

The SPEAKER. The bell has been rung. It might be well to ring it again.

Mr. McCANN. Will the chief clerk ring the bell again, so all the members will come in and take their seats and we can take the picture.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, it has been requested by quite a few members that we ask the membership to please remove the high stacks of books and items that they may have on their desks which will hide the members from being in the photograph.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. FOOR. Mr. Speaker, on March 20 three of us who are freshman legislators were discussing the problems which confront us in trying to read and understand all the bills that are presented in the House. We were much surprised the next morning, upon getting our mail, to read your "Dispelling the Fog," wherein you somewhat had the same idea we had, that an explanation of each of the bills be attached to the bill when it is printed so each of us can have an understandable explanation of the bill.

I would like to ask now, in your respected opinion, what can be done so this legislative body can make this a reality?

The SPEAKER. This legislative body can create such committees as it desires and can make such appropriations as it desires. Consultation with the respective floor leaders as to action which will be acceptable to the respective caucuses is a matter for the leadership of the House to decide, whether they want to do something along that line. I think a conference initially with the floor leaders, and then perhaps the floor leaders will want to talk to their caucuses and, if they decide to do it, then you can create a committee to do it and give them the money with which to do it.

Mr. FOOR. Mr. Speaker, I feel certain that would be helpful not only to the freshmen members of the legislature, but to all members of the legislature. I suspect that sometimes there is a difference in the understanding of a bill between the minority side of the House and the majority side of the House. Certainly, the person, or persons, who put a bill in the hopper ought to know what they want to accomplish with the bill and could give us that message with it.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

The photographer requests no smoking because it creates a haze that obscures the beauty of the landscape.

The Chair now turns command of the floor temporarily over to the photographer.

(Photographs were taken by the photographer.)

SPONSORSHIP OF BILL WITHDRAWN

Mr. YETTER. Mr. Speaker, I wish to have my name removed from a bill that was introduced yesterday.

The SPEAKER. The gentleman from Monroe desires his name removed as a sponsor from House bill 1145. The bill has not been printed and the name will be removed.

REPORTS FROM COMMITTEE

Mr. A. M. LEE from the Committee on Education, reported as amended, House bill No. 148, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for an assistant secretary of the board of school directors.

Mr. FRY from the Committee on Townships, reported as amended, House bill No. 154, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for an assistant township secretary.

Mr. ODORISIO from the Committee on Townships, reported as amended, House bill No. 157, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206), providing for an assistant township secretary.

Mr. FINEMAN from the Committee on Judiciary, reported as amended, House bill No. 524, entitled:

An Act authorizing the taking and use of notes by jurors during any trial.

Mr. SHERMAN from the Committee on Education, reported as amended, House bill No. 640, entitled:

An Act repealing section 2511, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949" relating to payments on account of closed schools.

Mr. TAYLOR from the Committee on Liquor Control, reported as amended, House bill No. 1083, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance by the board of identification cards and changing penalties.

Mr. RENWICK from the Committee on Motor Vehicles, reported as committed, House bill No. 8, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

Mr. HOLLIDAY from the Committee on Counties, reported as committed, House bill No. 323, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), specifically exempting from taxation all property used for public highways.

Mr. ARLENE from the Committee on Railroads and Railways, reported as committed, House bill No. 362, entitled:

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks, imposing duties on the Public Utility Commission and providing penalties.

Mr. SHELTON from the Committee on Railroads and Railways, reported as committed, House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives, trains and other self-propelled engines or machines with competent employes; providing for the minimum number and qualifications of men so employed and providing penalties.

Mr. PURSLEY from the Committee on Counties, reported as committed, House bill No. 413, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; * * *," providing for and regulating appeals from valuations and assessments of real property the first year any county makes a complete reassessment of real property in conjunction with a permanent system of records.

Mr. ROVANSEK from the Committee on Counties, reported as committed, House bill No. 420, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), authorizing county commissioners to exercise certain additional powers.

Mr. SCARCELLI from the Committee on Liquor Control, reported as committed, House bill No. 554, entitled:

An Act repealing subsection (b) of section 461 of the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting an increase in the number of licenses in any municipality located in a resort area.

Mr. CLARKE from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 592, entitled:

An Act amending the "Principal and Income Act of 1947" approved July 3, 1947 (P. L. 1283), providing for the disposition of capital gains dividends and the increment in value of certain United States Treasury bills, clarifying certain stock dividends.

Mr. HORST from the Committee on Townships, reported as committed, House bill No. 744, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing the establishment and maintenance of certain places used and maintained for the collection, storage and disposal of certain goods and materials to be licensed.

Mr. RUBIN from the Committee on Liquor Control, reported as committed, House bill No. 832, entitled:

An Act amending the 'Liquor Code," approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks, banking institutions, trust companies and similar depositories; penalizing the issuance of worthless checks by certain licensees; and requiring reports of such checks to the board.

Mr. MILLER from the Committee on Welfare, reported as committed, House bill No. 841, entitled:

An Act amending the Public Assistance Law," approved June 24, 1937 (P. L. 2051), changing the property limitations relating to pensions to blind persons.

Mr. WILLIAM JOSEPH LONG from the Committee on Welfare, reported as committed, House bill No. 876, entitled:

An Act amending "The Administrative Code of 1929," (P. L. 177), limiting the Department of Public Welfare's power in purchasing services.

Mr. GALLAGHER from the Committee on Railroads and Railways, reported as committed, House bill No. 888, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes, * * *.

Mr. OGILVIE from the Committee on Ways and Means, reported as committed, House bill No. 936, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742) exempting from the imposition of this tax conveyances in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale.

Mr. TAYLOR from the Committee on Motor Vehicles, reported as committed, House bill No. 940, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing that operators' license cards be mailed directly to applicants.

Mr. FILO from the Committee on Motor Vehicles, reported as committed, House bill No. 949, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), further regulating the issuance of registration plates by requiring that all registration plates be mailed to the applicant.

Mr. J. A. SULLIVAN from the Committee on Cities—Counties First Class, reported as committed, House bill No. 953, entitled:

An Act amending the act of November 21, 1959 (P. L. 1583), entitled "An act providing that in cities and school districts of the first class real estate taxes, water rent and sewer rent claims or judgments not filed or revived

within the time specified by law shall be reinstated * * * providing that the provisions of this act shall extend to real estate tax, water rent and sewer rent claims or judgments filed or revived hereafter.

Mr. TAYLOR from the Committee on Liquor Control, reported as committed, House bill No. 969, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) authorizing issuance of temporary permits for the retail sale of liquor at trade shows and conventions in cities of the first class.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 973, entitled:

An Act amending the "Estate Tax Apportionment Act of 1951," approved August 24, 1951 (P. L. 1405), authorizing the court to assess certain expenses against nontestamentary property or interests.

Mr. MURPHY from the Committee on Judiciary, reported as committed, House bill No. 974, entitled:

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163), clarifying provisions relating to verdicts which are advisory only.

Mr. J. A. SULLIVAN from the Committee on Cities—Counties First Class, reported as committed, House bill No. 975, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes * * * and permitting penalties to be imposed and enforced," eliminating State license fee provisions and making changes to conform to existing law.

Mr. AUKER from the Committee on Judiciary, reported as committed, House bill No. 979, entitled:

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

Mr. LEONARD from the Committee on Labor Relations, reported as committed, House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services; providing for regular pay days; conferring powers and duties upon the Department of Labor and Industry, including powers and duties with respect to the civil collection of wages; providing civil and criminal penalties for violations of the act; providing for their collection and disposition and providing for additional civil damages.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

Mr. LAMB from the Committee on Judiciary, reported as committed, House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

Mr. FLYNN from the Committee on Liquor Control, reported as committed, House bill No. 990, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prescribing the prices at which malt and brewed beverages may be sold by manufacturers, distributors and importing distributors, and fixing penalties.

Mr. ISAACS from the Committee on Judiciary, reported as committed, House bill No. 995, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by clarifying and redefining the crime of prison breach.

Mr. DENGLER from the Committee on Education, reported as committed, House bill No. 1005, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

Mr. FRY from the Committee on Game and Conservation, reported as committed, House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act" approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated, unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1045, entitled:

An Act amending the act of June 12, 1923 (P. L. 692) entitled as amended, "An act fixing the salary of city commissioners of Philadelphia, formerly known as county commissioners in counties of the first class," increasing annual salaries of city commissioners of Philadelphia.

Mr. RUBIN from the Committee on Liquor Control, reported as committed, House bill No. 1048, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the procedure for the revocation and suspension of licenses.

Mr. CAPITOLO from the Committee on Liquor Control, reported as committed, House bill No. 1049, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90) exempting airport restaurants on State owned or operated airports from quota law.

Mr. MANBECK from the Committee on Liquor Control, reported as committed, House bill No. 1084, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

Mr. CAPANO from the Committee on Welfare, reported as committed, House bill No. 1086, entitled:

An Act amending the "Public Assistance Act" approved June 24, 1937 (P. L. 2051) making editorial changes removing certain functions vested in the State Board of Public Assistance; providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

Mr. SAKULSKY from the Committee on Insurance, reported as committed, House bill No. 1098, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

Mr. WILLAREDT from the Committee on Insurance, reported as committed, House bill 1099, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

Mr. HORST from the Committee on Insurance, reported as committed, House bill No. 1100, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of, or property or operations located in, states in which such insurers are not authorized to do business.

Mr. ODORISIO from the Committee on Insurance, reported as committed, House bill No. 1101, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioners.

Mr. DOUGHTEN from the Committee on Insurance, reported as committed, House bill No. 1102, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 8, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P L 58), providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 323, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), specifically exempting from taxation all property used for public highways.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 362, entitled:

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks imposing duties on the Public Utility Commission and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives, trains and other self-propelled engines or machines with competent employes; providing for the minimum number and qualifications of men so employed and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 413, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; * * *," providing for and regulating appeals from valuations and assessments of real property in conjunction with a permanent system of records.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 420, entitled:

An Act amending "The County Code," approved August 9, 1959 (P. L. 323), authorizing county commissioners to exercise certain additional powers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 554, entitled:

An Act repealing subsection (b) of section 461 of the "Liquor Code," approved April 12, 1951 (P. L. 90), prohibiting an increase in the number of licenses in any municipality located in a resort area.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 592, entitled:

An Act amending the "Principal and Income Act of 1947" approved July 3, 1947 (P. L. 1283) providing for the disposition of capita gains dividends and the increment in value of certain United States Treasury bills, clarifying certain stock dividends.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 744, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206) authorizing the establishment and maintenance of certain places used and

maintained for the collection, storage and disposal of certain goods and materials to be licensed.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 832, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks, banking institutions, trust companies and similar depositories; penalizing the issuance of worthless checks by certain licensees; and requiring reports of such checks to the board.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 841, entitled:

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), changing the property limitations relating to pensions to blind persons.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 876, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), limiting the Department of Public Welfare's power in purchasing services.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 888, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes, ***.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 936, entitled:

An Act amending "The Realty Transfer Tax Act," approved December 27, 1951 (P. L. 1742), exempting from the imposition of this tax conveyances in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 940, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing that operators' license cards be mailed directly to applicants.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 949, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the issuance of registration plates by requiring that all registration plates be mailed to the applicant.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 953, entitled:

An Act amending the act of November 21, 1959 (P. L. 1583), entitled "An act providing that in cities and school districts of the first class real estate taxes, water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated *** providing that the provisions of this act shall extend to real estate tax, water rent and sewer rent claims or judgments filed or revived hereafter.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 969, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of temporary permits for the retail sale of liquor at trade shows and conventions in cities of the first class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 973, entitled:

An Act amending the "Etate Tax Apportionment Act of 1951," approved August 24, 1951 (P. L. 1405), authorizing the court to assess certain expenses against non-testamentary property or interests.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 974, entitled:

An Act amending the "Orphans' Court Act of 1951," approved August 10, 1951 (P. L. 1163), clarifying provisions relating to verdicts which are advisory only.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 975, entitled:

An Act amending the act of August 5, 1932 (P. L. 45), entitled "An act empowering cities of the first and second class to levy, assess and collect or to provide for the levying, assessment and collection of certain additional taxes *** and permitting penalties to be imposed and enforced," eliminating State license fee provisions and making changes to conform to existing law.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 979, entitled:

An Act amending the "Incompetents' Estates Act of 1955," approved February 28, 1956 (P. L. 1154), including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services; providing for regular pay days; conferring powers and duties upon the Department of Labor and Industry, including powers and duties with respect to the civil collection of wages; providing civil and criminal penalties for violations of the act; providing for their collection and disposition and providing for additional civil damages.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 990, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), prescribing the prices at which malt and brewer beverages may be sold by manufacturers, distbibutors and importing distributors, and fixing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 995, entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by clarifying and redefining the crime of prison breach.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1005, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act," approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated, unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1045, entitled:

An Act amending the act of June 12, 1923 (P. L. 692), entitled as amended, "An act fixing the salary of city commissioners of Philadelphia, formerly known as county commissioners in counties of the first class," increasing annual salaries of city commissioners of Philadelphia.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1048, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the procedure for the revocation and suspension of licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1049, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), exempting airport restaurants on State owned or operated airports from quota law.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1084, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1086, entitled:

An Act amending the "Public Assistance Act," approved

June 24, 1937 (P. L. 2051), making editorial changes removing certain functions vested in the State Board of Public Assistance; providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1098, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one," approved May 17, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1099, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1100, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of, or property of operations located in, states in which such insurers are not authorized to do business.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1101, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies, contracts or certificates of insurance by the Insurance Commissioner.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1102, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), requiring all mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

And said bill having been read at length the first time,
Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mr. McNALLY from the Committee on Motor Vehicles, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 123, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), increasing jurisdiction of aldermen and justices of the peace in civil actions arising from use of vehicles.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to state to the respective sergeants at arms that the Chair has no desire to, nor will he, police this House. If the sergeants at arms are unacquainted with the proper procedure, we suggest they consult the chief clerk. It is very simple. Members of the House back of the rail talking to each other are privileged people on privileged territory. If a member of the House wants to consult with his constituents he should go to the conference room and the sergeant at arms should so request that he go to the conference room at the request of the Speaker, not at the request of the sergeant at arms. We will have this thing policed. I am getting tired of policing it myself.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 392, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 470, entitled:

An Act amending the act of December 14, 1863 (1864 P. L. 1127), entitled "An act relating to the liens of common carriers and others," reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 589, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), changing certain penalties.

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 594, entitled:

An Act amending "The Vehicle Code" approved April

29, 1959 (P. L. 58), further providing for the bringing of informations in cities of the first and second class.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House bill No. 624, entitled:

An Act amending the "Public Utility Law" approved May 28, 1937 (P. L. 1053), authorizing certain services by public utilities operating taxicabs.

The first section was read.
On the question,
Will the House agree to the section?
Mr. J. A. SULLIVAN offered the following amendment:

Amend Sec. 1 (Sec. 421), page 4, lines 11 to 15, by striking out "and discharge at any place any passenger picked up at any railroad" in line 11, all of lines 12 to 15, and inserting passengers at any railroad station or airport whenever it has lawfully transported a passenger thereto, or to pick up passengers in any political subdivision whenever it has lawfully transported a passenger thereto, and to discharge such passengers at any place within the area in which it is otherwise authorized to pick up passengers.

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for third reading.

BILLS CALLED OUT OF ORDER

Mr. McCANN. Mr. Speaker, I ask permission to amend two bills on third reading at this time. I ask that we turn to page 6 of the calendar, and I call up House bill 507 for the gentleman from Allegheny to amend it.

This is the bill in which an error of one word was found yesterday. "Which" should be "while."

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 507, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

On the question,
Will the House agree to the bill on third reading?
Mr. KAMYK asked unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 14.4), page 3, line 9, by inserting brackets before and after "which" and inserting immediately thereafter: while.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, on page 8, I call up House bill 662, printer's No. 718, for the purpose of amendment.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 662, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class ***" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

On the question,
Will the House agree to the bill on third reading?
Mr. KAMYK asked unanimous consent to offer an amendment at this time.
The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 12.4), page 3, line 5, by inserting brackets before and after "which" and inserting immediately thereafter: while.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

TOWER CITY HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. The Chair notes the presence in the balcony of 55 members of the senior class of the Porter Township Tower City High School, who are here with their advisors, Mr. Glen Bendigo and Mr. Richard Kaufman. They are the guests of the gentlemen from Schuylkill, Mr. Knecht and Mr. Heffner.

RESOLUTIONS

Mr. McCANN. Mr. Speaker, I would ask the Chair to consider some privileged resolutions which I believe have been cleared and could be adopted before caucus.

CONCURRENT RESOLUTION

COMMENDATION

Mr. HORST offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

April 12, 1961, marks the one hundredth anniversary of the attack by the Rebels on Fort Sumpter, the beginning of the American Civil War. On that day in 1861 a meeting was held in Chambersburg, the county seat of Franklin County, at which several hundred citizens discussed what could be done to aid the Union cause. Six days later, on April 19, 1861, Chambers Artillery, led by Captain P. L. Housem, First Lieutenant John Doebler, Second Lieutenant Matthew Gillan and Third Lieutenant George Miles, left for Harrisburg, and this unit was among the first to arrive as volunteers for the defense of the Union.

Chambersburg and Franklin County played a significant role in the Civil War. It was in the square at Chambersburg that General Robert E. Lee, astride his white horse, made the fateful decision to go East instead of North into Harrisburg, which decision directed his forces headlong into the Union Forces and led to his defeat in the Battle of Gettysburg. Chambersburg was invaded by the Southern Forces on three separate occasions, and in July, 1864, a year after the Battle of Gettysburg, had its court house put to the torch thus gaining the ironic distinction of being the only town North of the Mason-Dixon Line to be burned by the Confederate Army.

On April 12, 1961, a town meeting is to be held in the court house in Chambersburg, Franklin County, to commemorate and simulate the happenings on that day one hundred years ago. The General Assembly of the Commonwealth of Pennsylvania recognizes the deep significance of this meeting and of its place in the history of our Commonwealth; therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby commends the citizens of Chambersburg and Franklin County upon holding a meeting similar to that held on April 12, 1861, and extends to them its most sincere wishes for a successful and memorable celebration; and be it further

Resolved, That a certified copy of this resolution be personally delivered to said meeting on April 12, 1961, by the Honorable Enos H. Horst and the Honorable Elmer D. Hawbaker of County of Franklin.

Ordered, that the clerk present the same to the Senate for its concurrence.

RESOLUTION

CONGRATULATIONS

Messrs. J. P. O'DONNELL and MULLEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

John Bartram High School first opened its doors in February, 1939. The school was named after the famous American Botanist John Bartram. John Bartram resided in the area immediately surrounding the present location of the school. Bartram High School is located at 67th & Elmwood Avenue in Southwest Philadelphia. Approximately 13,000 students have been graduated from John Bartram High School. The present enrollment at Bartram numbers a little over 3,000 and the facultry numbers about 150.

Bartram is a comprehensive high school. There is a course offered for every type of student. Some of the courses offered are: Academic, Music, Art, Commercial, Industrial Arts, Trade Preparatory, General, Child Development, and Home Economics.

Many activities are available and all the student has to do is make a choice. Some of these activities are: Student Association, Corridor Guards, Future Teachers of America, Ushers' Club, Treasury Aides, Projectionists, Stage Crew, Vice Principals' Aides, Choir, Band, Orchestra, Memorial Color Guard, Band Color Guard, Cheerleaders, Majorettes, Dramatic Club, Jay Bee. (School Paper), Honor Society, and many others.

Bartram also offers a varied sports program. All types of sports are offered to the young men and women at Bartram. The year 1960-61 proved a successful one at Bartram. The 1960 Baseball Team won the City Championship. The 1960 Bowling Team won the Public High Championship. The 1960-61 Basketball Team won the Public High Championship. This team's final record was 19 wins and 4 losses. Included in this record was the West Chester Christmas Tournament Championship. The last baseball championship won at Bartram was in 1943 and the last basketball championship won at Bartram was in 1947; therefore be it

Resolved, That the members of the House of Representatives congratulate the faculty and student body of John Bartram High School on their many and varied successes and extend our thanks to them for the magnificent job they are doing in preparing our future leaders and be it further

Resolved, That we congratulate all of those concerned with the sports achievements of John Bartram, particularly Coach Anthony Coma and Co-Captains Boyd O'Neal and Robert Lohse; and be it further

Resolved, That a copy of this resolution be forwarded to the principal of John Bartram High School at 67 & Elmwood Avenue, Philadelphia, Pennsylvania.

RESOLUTION

TRIBUTE TO THADDEUS STEVENS

Mr. WORLEY offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 5, 1961.

April 4, 1961, marked the anniversary of the birth of Thaddeus Stevens, one of the most outstanding former citizens of our Commonwealth. Thaddeus Stevens, a former member of this House of Representatives from Adams County, and whose picture now appears in the Hall of the House, was the founder of our Public School System; therefore be it

Resolved, That the House of Representatives hereby pays tribute to that great patriot and very great Pennsylvanian, and to his honored memory, and herewith acknowledges the debt which all who have enjoyed our free Public School System owe to this man.

RESOLUTION

CONDOLENCE

Messrs. WESCOTT, K. B. LEE, REIDENBACH, ESHBACK, E. S. WILLIAMS, GEORGE, SELTZER, HELM, HOCKER and GOODRICH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1961.

It is with considerable regret that we are so soon again called upon to express our condolences at the passing away of one of our members. Representative James Wynd, Jr., from Tunkhannock, Wyoming County, died Tuesday, March 28, 1961, in Harrisburg. He is survived by his widow, Elizabeth Steele Wynd, and a daughter Judith.

The passing of James Wynd, Jr., removes from our midst a conscientious public servant and a very good friend of many of his colleagues here in the House of Representatives; Jim was well known throughout the State. From 1944 to 1952 he was the Sheriff of Wyoming

County. He also served as the President of the Sheriff's Association and at the time of his death he was the Secretary-Treasurer of the association. There is no question that the 67 Sheriffs of Pennsylvania as well as all those who knew him will miss Jim. The man who replaces Jim will have to strive hard to achieve the stature of his predecessor; therefore, be it

Resolved, That the House of Representatives hereby express its sadness at the passing away of James Wynd, Jr., and commends him as a conscientious public servant. Further, that we here extend condolences to his widow, Mrs. Elizabeth Steele Wynd, Jr., and his daughter Judith; and be it further

Resolved, That a copy of this resolution be sent to the widow and daughter, whose address is Tunkhannock, R. D. 3, Wyoming County.

BILL ON THIRD READING POSTPONED

TIME EXTENDED ON BILL

Mr .McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 417, printer's No. 782, on page 15 of today's calendar, bills on third reading postponed.

COMMUNICATION

REQUEST FOR WRIT OF SPECIAL ELECTION

The SPEAKER laid before the House a communication requesting a writ of Special Election, which was read as follows:

REPUBLICAN STATE COMMITTEE
OF PENNSYLVANIA
112 State Street
Harrisburg

April 5, 1961

Honorable Hiram G. Andrews
Speaker of the House
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Mr. Speaker:

This letter is in reference to the Assembly vacancy created by the untimely death of the Honorable James Wynd, Jr., who represented Wyoming County.

It is my feeling as well as those of Republican leaders concerned, that the date of May 16, 1961 would be appropriate for holding this Special Election. We hope that this date meets with your approval.

With appreciation for the past considerations you have extended us, I am

Sincerely yours,
GEORGE I. BLOOM.

The SPEAKER. The Speaker's writ will be issued forthwith in compliance with the request of the Republican State Chairman.

DEMOCRAT AND REPUBLICAN CAUCUSES

Mr. McCANN. Mr. Speaker, at this point there is going to be a request for the Appropriations Committee to hold a meeting. We are going to ask for respective caucuses of one hour, and we are going to ask for thirty minutes for lunch. At that time I am going to ask that all the House members bring with them their calendars to the caucus. The caucus will start immediately on final-passage and third-reading-calendar bills today.

Mr. Speaker, to many who have asked, it would seem from our timing here today that very likely, if we reconvene at 1:30, or no later than 1:45, that we will be finished somewhere between 3:30 and 4 o'clock.

So, Mr. Speaker, the chairman of the Committee on Appropriations desires to hold an Appropriations Committee hearing in room 245-246 immediately when I make the motion to recess. I will ask the Republican floor leader, Mr. Johnson, if the time is agreeable to him and his caucus, to take one hour for caucus, thirty minutes for lunch, reconvening at a quarter of two.

Mr. A. W. JOHNSON. Mr. Speaker, we concur in that. We would like to caucus now for one hour and then go to lunch for one-half hour, and I would ask the members to bring their calendars and bring the explanation of bills which was handed to them yesterday.

Mr. McCANN. Mr. Speaker, I request that this House do now recess for a period of one and one-half hours for the purpose of respective caucuses and lunch. I ask that the members come to the caucus room first and lunch at the end of caucus. Appropriations Committee meeting immediately in room 245-246.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess for one and one-half hours.

The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PERMISSION TO ADDRESS HOUSE

Mr. M. H. GOLDSTEIN asked and obtained unanimous consent to address the House.

Mr. Speaker, what has been predicted in connection with the operation of harness racing in Pennsylvania today became reality. Politics control harness racing in Pennsylvania.

Those of us who were opposed to this bill in principle had the belief and hope that with the designation of L. B. Sheppard as chairman of the Harness Racing Commission we would have a sound, strong commission desirous of giving us the best type of harness racing. Our hopes today were disillusioned. As authority I give you the statement of the chairman of the Harness Racing Commission, who is disheartened over what has occurred today, when the franchises in this State were handed out to political powers on a political basis.

Let me read to you, in part, from his statement released today:

> "To me it is unthinkable, because it is not in the best interests of this State, the people of the State, the patrons of racing and the sport itself where two political groups are awarded all the worthwhile racing in Pennsylvania and virtually controlled by one man. I am quite sure that Pennsylvania can look forward to nothing but second-rate racing in which I am not at all interested."

Then Mr. Sheppard continues:

> "I do not like the precedent set here today. Time may well prove that the favored individuals themselves, as well as the general public, have been sold down the river in the interests of short-sighted, practical politics."

I invite every member of the House, and particularly I would like to have the majority leader, listen to me read the statement by Mr. Sheppard as released today and also to read the editorial in the Harrisburg Patriot covering this subject matter.

When this bill was discussed and debated throughout the State, I found many people in western Pennsylvania who were in favor of harness racing, but they said they were going to vote against it, and they did so, because of one vital reason, the fear of politicians gaining control of the tracks, and this fear, I say again, has been realized.

We took care of the big politicians today. Are we going to take care of the smaller politicians by awarding them the booze concessions, the catering concessions, and the parking concessions?

If the majority leader believes in good government, in sound government, I ask him to look up House bill No. 905, cosponsored by myself and three other Republicans on this side, Representatives Willard from Mercer, Gramlich from Venango, and Keiser from Dauphin, which takes care of the problem which was created today. It provides that no politician, no party official, no public official, directly or indirectly, shall have the right to have any personal interest in a race track or concession.

I predict, as I predicted a year ago, that you will have scandals in the State of Pennsylvania like you have had in the State of New York and, apparently, they are going to have them in the State of Maryland, if this House bill 905 is not released to the floor and passed.

Do you think it is sound government that two or three years from now we will discover that some public official, perhaps a legislator, perhaps a Republican legislator, will be discovered to have held stock—not me, of course, I hope—or owned stock in a race track. That is what happened in New York; that is what happened in every other State.

I call to your attention that this particular provision for franchise is a licensing provision which must be renewed every year. Therefore, you are going to have bipartisan action. You are going to try to protect Republicans and Democrats because you never know when, perhaps, the Republicans will come back. I want to protect our Repubicans in the future from being caught in the ownership of stock.

It is absolutely unsound, it is against the public interest, for a monopoly to be created in the State and for the people who control the State to grant monopolistic favors to their political friends.

This particular bill is in the Rules Committee, controlled by the majority leader—not controlled, but I would say they listen to his advice from time to time. Therefore, I request him to have a meeting of the Rules Committee next week to release House bill 905 upon the floor of the House and let Democrats and Republicans debate this bill and do the same thing as they did in New York, after the politicians got control of the tracks, they ripped them out. That is the kind of legislation we need. Let us rip them all out.

Thank you.

Mr. McCANN. Mr. Speaker, I, of course, do not have the statement the gentleman is speaking about, but I am sure he has it there and I am sure that it is, without a doubt, very accurate. But I would like to say to the gentleman from Allegheny County, it depends on who calls who what, for some people use the word "politician" and some say "public servant," but both serve in the same capacity. I assume that the gentleman is an advocate of good government, which I believe all of us are. Yet I could say that he is a politician, or I could say that he is a public servant. I believe we are both, and I am absolutely sure he is both a very shrewed politician and probably an excellent public servant. I do not believe, nor will I ever believe, that either he or I, as a politician or a public servant, is ever a second-rate citizen, for we have, and I hope we shall always have, the rights that each has that we are not denied anything because we are public servants or politicians, nor do we get anything because we are either. Therefore, the terms "politician" and "public servant" are only the descriptions by which you define it yourself. I believe both represent good government. I am confident we do here in the House, and I have always, advocated good government.

Mr. M. H. GOLDSTEIN. The comments I made and the observations I spread upon the Journal are those of an outstanding newspaper of this Commonwealth and the observations of the chairman of the Harness Racing Commission. There is nothing wrong about being a politician, and there is something wrong sometimes about being a statesman, because a statesman has been defined as a dead politician. Therefore, I want to be a politician.

I would call to Mr. McCann's particular attention again that I am following in the footsteps of the distinguished President of the United States, J. F. Kennedy, who is trying in Washington to prevent conflict of interest.

When we are given the right to create something, do we also have the right to own it? I think if you will examine the public utilities law you will find a provision that State officials have no right to own any controlling interest in utilities, particularly the members of the Public Utility Commission. So, if what Mr. McCann says is true, if you have a distinguished transportation expert become a member of the PUC and a very good franchise comes up, then he says that the member of the PUC shall have the right to give the franchise to himself or to his wife?

I am quite certain that the distinguished majority leader does not believe in what he has stated. We are not trying to down-grade politicians. We are trying to upgrade them, and I am waiting for the bill that comes to this House that will state that a member of the Legislature, be he a lawyer or otherwise, shall not have the right to do business with the State of Pennsylvania. It is not proper for lawyers to do so, and I intend to vote for such a bill, and I am not making myself a second-rate citizen.

What I am pleading with Mr. McCann to do is this: Release House bill 905 and make every politician in Pennsylvania a first-rate citizen.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack rise?

Mr. McCORMACK. Mr. Speaker, I would like to briefly make a few remarks in reference to what the gentleman from Allegheny has said.

The SPEAKER. The Chair hears no objection.

Mr. McCORMACK. Mr. Speaker, I, too, as the majority leader did, resent the implications contained in the remarks of the distinguished gentleman from Allegheny County. There seems to be an inference created that a politician is some sinister individual whose primary and sole purpose is to deceive and defraud the public.

With respect to this Harness Racing Commission and the reported franchises that were allotted, about which I did not as yet read in the newspapers, I would like to take issue with him and say that probably the gentleman to whom he is particularly referring is Jim Clarke, the finance chairman of the Democratic city committee. I know Jim Clarke personally, and I am sure that most other members of the legislature know him, and I, for one, want to say I think that if the corporation he has an interest in is awarded the franchise in Philadelphia or Bucks County that track will be maintained at a very high level of operation.

I think you will recall that a few short years ago when the Philadelphia Eagles were not supported by the fans in Philadelphia, it was Jim Clarke, who is a politician, and Frank McNamee, fire commissioner of Philadelphia, who is also a politician, who instilled enough interest in a group of wealthy individuals to finance and control the Philadelphia Eagles. As a result of their endeavors we now have an outstanding professional football team in the city of Philadelphia, which is supported by the fans wholeheartedly and which has just won the national championship. There is no question at all but that the corporation maintains them at the highest level of integrity.

I want, too, to cite the record of the late beloved John B. Kelly, who, to my mind, was one of the greatest politicians we ever had in the city of Philadelphia. You are, I am sure, familiar with the fact that it was John B. Kelly who pioneered the race tracks in the State of New Jersey. He had a very big interest in the race tracks there and I do not think there was ever any suggestion that they conducted the tracks in a manner which would indicate that the people were defrauded.

It seems to me that you cannot equate harness racing with public utilities because the sole reason for the existence of the Public Utility Commission is because these are the necessary things that the people need. The people are going to pay money because they need them. But when you come to a harness track, you are not going to get the support of the people and it requires outstanding individuals who are able to raise millions of dollars to get this thing on the road, to get it started, and it is the type of men like Jim Clarke and Art Rooney, to name just a few, who have the wherewithal, who have the connections, to raise that kind of money.

I think it is unfair for anyone at this stage of the game to get on the floor or in any manner criticize these gentlemen for their interest in promoting harness racing. I think they have a right to do that. There is nothing in the law against it, and until it can be demonstrated to he contrary that these men are not acting in the best interests of all of the people of the Commonwealth of Pennsylvania, we should go along with them.

I think Mr. Sheppard has a lot to learn about politicians. I think what he said today in his statement might not necessarily be the ultimate or be beyond dispute as to the facts. I think we ought to give these men a chance, and I, for one, would be very happy to purchase stock in a race track—I think there is nothing wrong with it—and I am sure a lot of the other members of the legislature would.

So I think the criticism by the gentleman from Allegheny is unjustified in this particular instance and I think that, unless we hear some facts to the contrary, we have a right to support these outstanding politicians.

The SPEAKER. Does the gentleman from Erie, Mr. Schaaf, desire to be recognized?

Mr. SCHAAF. Mr. Speaker, if I could have the unanimous consent and the attention of the House, I would like to make a few remarks on this same subject.

The SPEAKER. The other gentlemen have been accorded unanimous consent and I am sure that the House could not refuse the gentleman from Erie permission to speak.

Mr. SCHAAF. Mr. Speaker, I have the recollection of voting in favor of this legislation in 1959. The county which I represent voted in a referendum against the creation of a track. I have great respect for the wisdom of our colleague from Allegheny County, Mr. Goldstein. He is an excellent legislator, in my opinion, and an excellent pinochle player, I might say. But he is, at one and the same time, an extremely astute politician. While I may be sympathetic to the views which he expressed here this afternoon, while I may be sympathic to the position of Mr. Sheppard, I sincerely resent the fact that he speaks on a piece of legislation which bears only Republican sponsorship, the inference being that we on this side of the aisle do not coincide in our thinking with Mr. Goldstein. To that, Mr. Speaker, I take very vigorous exception.

QUESTION OF PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman rise?

Mr. LEONARD. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LEONARD. Mr. Speaker, would it be proper to proceed with the business of the House instead of losing all this time playing politics?

The SPEAKER. It would be entirely proper.

The Chair desires to call the attention, once again, of the House to the fact that the Chair has urged that there be a time appointed each week at some session at which members would be privileged to say what is on their minds concerning matters not then pending before the House. The leaders have never deemed it wise to make that sort of an arrangement. The Chair still believes that we would save time and operate to better purpose if each week would have a period set aside at which members were privileged to speak concerning matters not then pending before the House.

BILLS INTRODUCED AND REFERRED

By Messrs. DOUGHERTY, EILBERG, FINEMAN and HANKINS. HOUSE BILL No. 1165.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events, under certain conditions.

Referred to the Committee on Liquor Control.

By Messrs. WALL and FINEMAN. HOUSE BILL No. 1166.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire

ninety acres of land, more or less in Canaan Township, Wayne County for use of Farview State Hospital.

Referred to the Committee on State Government.

By Messrs. NEEDHAM, EILBERG, KAMYK, OGILVIE and A. W. JOHNSON. HOUSE BILL No. 1167.

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

Referred to the Committee on Military Affairs.

By Messrs. MUSTO, GREMMINGER, DOUGHERTY and EILBERG. HOUSE BILL No. 1168.

A Joint Resolution proposing an amendment to article two, section seventeen of the Constitution of the Commonwealth of Pennsylvania changing the ratio for apportioning representatives in the General Assembly.

Referred to the Committee on Legislative Apportionment.

By Messrs. STONE, LAMB, Mrs. S. A. ANDERSON and Mr. AUKER. HOUSE BILL No. 1169.

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth;" * * * further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

Referred to the Committee on State Government.

By Messrs. GALLAGHER, SHUPNIK, PRENDERGAST and GREMMINGER. HOUSE BILL No. 1170.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the continuation of certain supplemental payments to school districts which have changed in classification from third class to second class.

Referred to the Committee on Education.

By Mr. GALLAGHER. HOUSE BILL No. 1171.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Referred to the Committee on Congressional Apportionment.

By Messrs. STONE, LAMB, MILLER, UJOBAI, Mrs. MARKLEY and Mrs. ANDERSON. HOUSE BILL No. 1172.

An Act amending the act of September 26, 1951, (P. L. 1536) entitled "An act providing for the licensure and regulation of commercial boarding homes for the aged; * * *" redefining certain terms; imposing powers and duties on the Dept. of Public Welfare and providing for provisional licenses.

Referred to the Committee on Professional Licensure.

By Messrs. CLARKE, KAMYK, SCHAAF, and PRENDERGAST. HOUSE BILL No. 1173.

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), clarifying the definition of documents and transactions; providing for determination of deficiencies, redetermination, reviews and appeals therefrom; imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

Referred to the Committee on Judiciary.

By Messrs. WELSH, J. P. O'DONNELL, LEONARD and MORLEY. HOUSE BILL No. 1174.

An Act relating to public works contracts; providing for prevailing wages; imposing duties upon the Secretary of Labor and Industry; providing remedies, penalties and repealing existing laws.

Referred to the Committee on Labor Relations.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. EILBERG asked and obtained permission for the Committee on Elections to meet during the session of the House.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. FILO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 75.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," requiring operators to depress their headlights when following or overtaking another vehicle and providing penalties.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 84.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended "Local Tax Enabling Law," changing the overall limit of tax revenues for certain taxing districts.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 100.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," by making persons over sixteen years of age subject to certain penal provisions of the act.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 103.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," creating the crime of homicide by motor vehicle or tractors making it illegal to cause the death of another by motor vehicle or tractor and providing penalties.

Referred to the Committee on Judiciary.

SENATE BILL No. 208.

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing for ownership of a motor vehicle trailer or semi-trailer by joint tenants

and requiring the Secretary of Revenue to indicate such ownership upon the certificate of title.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 293.

An Act amending the act of May 15, 1874 (P. L. 186), entitled "An act declaring what offices are incompatible," making the office of mayor of third class cities and members of the legislature incompatible.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 296.

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," authorizing prothonotaries and clerks of the courts of quarter sessions and oyer and terminer to appoint solicitors.

Referred to the Committee on Counties.

SENATE BILL No. 297.

An Act amending the act of June 25, 1947 (P. L. 956), entitled "An act to ascertain and appoint the fees to be received by the Clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh, and eighth classes," increasing certain fees and making certain editorial corrections.

Referred to the Committee on Counties.

SENATE BILL No. 303.

An Act amending the act of July 28, 1953 (P. L. 723), entitled "Second Class County Code," authorizing the Civil Service Commission to certify persons for appointments as police from examinations held within a two year period.

Referred to the Committee on Cities—Counties Second and Second Class A.

LANCASTER GOVERNMENT GROUP WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a delegation of the Lancaster County group, youth government group. They are sponsored by the Junior Chamber of Commerce of Lancaster. They are the guests of the gentlemen from Lancaster, the Messrs. Wood, Royer, Rutherford and Eshleman.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 224.

An Act amending the act of June 19, 1941 (P. L. 143), entitled "An act designating certain days of each year as Arbor Days and Bird Days one of which days shall be the ninth day of April *** and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers," further providing for the designation of Arbor Day and Conservation Week.

HOUSE BILL No. 240.

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

HOUSE BILL No. 302.

An Act amending the "Pennsylvania Fertilizer Law of 1956," approved May 29, 1956 (P. L. 1795), providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis.

With the information that the Senate has passed the same without amendment.

RESOLUTION

REQUESTING INVESTIGATION OF WATER SUPPLY

Messrs. HOLLIDAY, AUKER and MILLER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the clerk as follows:

In the House of Representatives, April 5, 1961.

Complaint has been made that the domestic water supply of Bellwood Borough in Blair County has been polluted and rendered inimical and injurious to the public health and objectionable for public water supply purposes through the discharge of acid mine drainage into streams feeding the water supply; therefore be it

Resolved, That the House of Representatives call upon the Sanitary Water Board of the Department of Health to investigate these charges and to enforce the laws of the Commonwealth in reference thereto; and be it further

Resolved, That a certified copy of this resolution be transmitted to the Secretary of Health as Chairman of the Sanitary Water Board.

On the question,

Will the House adopt the resolution?

Mr. HOLLIDAY. Mr. Speaker, on Friday, March 24, 1961, I received a call asking me to meet with a group of citizens and members of the Bellwood Sportsmen's Association to look into the alleged contamination of Bell's Run which has its head waters at the top of the Allegheny Mountains in the vicinity of Lloydsville. The flow from this watershed which lies in Cambria and Blair Counties comes from numerous springs and small streams that feed into the main stream which supplies the water for two large reserviors, one suplying the Altoona Shops of the Pennsylvania Railroad, which is now owned by the General Water Authority, which purchased it from the Blair Gap Water Supply Company, a subsidiary of the Pennsylvania Railroad Company. The second reservoir is owned by the borough of Bellwood and supplies the water for the inhabitants of that borough.

Mr. Speaker, for several years there has been a running debate or argument carried on by the citizens of Bellwood, the members of the Bellwood Sportmens' Association and the State Sanitary Water Board. The Sportsmens' Association and various citizens of the borough have contended that the stream was contaminated by seepage from a stripping operation located at the head waters of Shaw Run, a stream feeding into Bell's Run and thence into the reserviors. Various tests over the years have been made by independent chemical companies employed by the Sportsmen's Association. Also, tests have been made by members of the Bellwood Borough Council and by the State Sanitary Water Board Inspector, but to date nothing conclusive has been established from any of these tests which seems to meet with the approval or satisfy all of the interested parties.

As requested, I arranged to meet with members of the Bellwood Sportsmen's Association and some citizens

from the borough on Monday afternoon, March 27. At this meeting was Mr. Claude Baughman, the county fish warden, Mr. Claude Richards of the Conservation Committee of the Department of Forests and Waters and representatives of the "Altoona Mirror" and the "Hollidaysburg Register." Mr. Baughman, the county fish warden, advised those present that on Thursday, March 23, he had received a shipment of over 1,200 trout fish with instructions to place them in Bell's Run, which he did. I believe all were trout of legal size. The next morning, Friday, March 24, Mr. Baughman again visited the area where he had planted these fish and found that practically everyone of them had died within the twenty-four-hour period. He personally stated that they had counted over 800 dead fish and had taken some from the water and kept them to show us. Pictures were taken of these dead fish by the newspaper representatives.

While the exact cause of death of the fish was not immediately established, it was, however, the considered opinion of most of the investigating group that as a result of tests of the water made by Fish Warden Baughman, the high rate of acidity in the stream, particularly in Shaw Run and Bell's Run, was the chief factor in the high rate of mortality of the fish.

The PH or acidity tests were made by Warden Baughman with the Taylor testing equipment, which I believe is furnished by the State for fish wardens to test the various streams. These tests showed a PH reading of 4.8 in Bell's Run at a point a few hundred feet below the spillway of the two reservoirs at the place in the stream where the fish were planted last week.

State standards consider that a PH normal level should be between 6.7 and 6.8 percent. Further on-the-spot tests were made Monday afternoon by Wardens Baughman and Richards at various points above the reservoir.

A test was made a short distance from the site of the old Rhododendron Park at Lloydsville which is located about a quarter of a mile from the Blandburg Highway, along the old railroad right-of-way. Here the water was running from the operation where coal and clay had been strip mined. The test here showed 3.6 PH and it was pointed out that some time in the past someone had dumped a load of lime which had been placed in a position where it could be shovelled into the tributary stream to assist in lowering acidity in the main Bell Run stream.

Another test was made Monday afternoon at the base of a large stripping operation where the PH reading was 3.2. Back of where this test was made was the strip mine operation extending for approximately a mile from which coal and clay had been removed. This operation was partially filled with water. Below where the test was made it was evident that the stripping operator had constructed a small catch basin to hold the seepage from the stripping operation, hoping it might possibly help settle and filter the water before going into the main stream tributary.

At another place where a test was made it was pointed out to those present that the bed of the stream seemed to be covered with a red or rust coating and that much of the vegetation, both in he stream and along its edges, was either dead or dying. Warden Baughman said that readings taken earlier in the week at the junction of this stream before flowing into the reservoirs showed a PH reading of 4.6. The final reading taken Monday afternoon was at the Bellwood Sportsmen's Dam which lies below both reservoirs. This test showed a PH reading of 4.6.

It was at this dam that many of the dead fish were found and the members of the investigating committee could still see dead ones lying on the bottom of this dam.

The situation pertaining to the Bellwood water supply and Bell's Run stream goes back several years when stripping operations were first begun at the top of the mountain.

Only last fall a delegation of housewives and other residents of the borough of Bellwood appeared before borough council, protesting the red sediment in the borough lines which damaged clothing and plumbing fixtures.

At that time letters were dispatched by council to the Department of Forests and Waters and to the General Water Authority owners of the two reservoirs, seeking assistance in clearing up the streams.

The results of tests made at that time were reported to have substantiated the above complaints. Bellwood Council, following the complaints of the residents, had a complete test made by the Hall Laboratories of water samples taken of two locations in the borough and one at the Bellwood reservoir. The readings taken last August show a PH reading of 5.9 at the reservoir.

At no time, either at the present or any other time did exhaustive tests show anything in the water that would be injurious to human health. It did show traces of iron and calcium.

I do not claim that the water in this stream or the reservoir is at this time injurious or harmful for human consumption. However, I do claim, Mr. Speaker, that the fact that 1,200 fish were placed in this stream Thursday, March 23, and that they were all dead within 24 hours is proof conclusive that fish can no longer live in this stream. The fact remains that it was simply a waste of a couple thousands of dollars of the taxpayers' money to put fish in this stream under the present water condition. We have been advised that it cost the State approximately $1.25 to $1.50 each to raise these fish.

During our investigation on Monday, March 27, several pictures were taken of the dead fish, the portion of the stripping operation and the taking of the water tests which I have in my possession and which are available to anyone desiring to see them.

I have lived around this area for a long time and during all those years Bell's Run was considered one of the finest trout streams in that part of the State. However, the day of fishing in Bell's Run is a thing of the past and those who enjoy this sport will have to look elsewhere for their fishing enjoyment as, to date, the problem of clearing up this stream is nowhere in sight.

I strongly urge that immediate steps should be taken to find out the source of the trouble and to eliminate the contamination as quickly as possible so that this stream can again regain its fame as a beautiful trout stream.

In January 1957, my predecessor, the Honorable Daniel Erb, introduced in this House a resolution calling for an investigation to be made by the legislature into the pollution of Bell's Run. From what I can find out this resolution never got out of committee.

Therefore, Mr. Speaker, I would like to introduce a resolution identical with that which Mr. Erb offered in

1957, and I would like very much to have it given serious consideration by the members of the House.

On the question, recurring,

Will the House adopt the resolution?

It was adopted.

RESOLUTION

CONDOLENCE

Messrs. POLASKI, O'DELL, BLAIR and SCHAAF offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1961.

On March 30, 1961, Dr. Elmer Hess, a past president of the American Medical Association and a world famed physician and surgeon died at the age of 71. Dr. Hess, was famous as aurologist and as the founder of the Hess Urology Clinic at St. Vincent Hospital, Erie, Pennsylvania.

Dr. Hess not only distinguished himself in the field of surgery but he was also active in military affairs, politics, health and social welfare and last but not least, athletics.

His vision was as broad as the universe and whatever he undertook to do he did to perfection with honesty, sincerity and deep rooted conviction. Because of his outspokenness a national magazine once referred to him as "the doctor who sticks his neck out."

Dr. Hess was a former president of the Pennsylvania State Medical Society and the American Urological Association. He has been a member of the governing committee of the Gorgas Memorial Institute, a trustee of the Pan-American Medical Association and president of its urological section and a member of the Pennsylvania State Board of Medical Education and Licensure.

Dr. Elmer Hess has received the highest honors from various nationally and internationally recognized organizations and he numbered among his closeset friends former president Eisenhower and "Mamie" Eisenhower.

The people of Erie and the entire Commonwealth of Pennsylvania are justifiable proud to have had the good fortune to have Dr. Hess as a citizen and we know that his passing will leave a vacuum in the community which can never be filled with the degree of perfection that everyone who knew Dr. Hess attributed to him; therefore be it

Resolved, That the House of Reprensentatives extend its deepest sympathy to Dr. Elmer Hess's wife Edna and to his two daughters who survive him upon the passing of her beloved husband and their devoted father; and be it further

Resolved, That a copy of this resolution be forwarded to Mrs. Edna Africa Hess at 4819 Highview Boulevard, Erie, Pennsylvania.

RESOLUTION

Mr McCANN offered a resolution which was filed with the clerk under the rules.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 460

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 460, printer's No. 499, entitled:

"An Act repealing section 5.1 of the 'Local Health Administration Law', approved August 24, 1951 (P. L. 1304) relating to the dissolution of and withdrawal from certain departments of health."

was defeated on Final Passage Wednesday, March 22, 1961, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polen vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

INTERROGATION

Mr. A. W. JOHNSON. Mr. Speaker, I realize that these are bills that have previously been defeated and that you are bringing them back to life. Do you have any specific plans with respect to these bills, or do you plan to try to pass them without amending them or giving them some special treatment other than in their original form?

Mr. McCANN. Mr. Speaker, I cannot answer that. It is my understanding that amendments are going to be offered to both these bills by various groups. This was discussed in Rules Committee before and after the bill had fallen.

Mr. A. W. JOHNSON. Thank you. I just wanted the members to know, if the bills are going to be brought back, that an attempt will be made to amend them to make them satisfactory to the membership. Is that correct?

Mr. McCANN. Mr. Speaker, they are to be placed on the final passage postponed calendar, not to be voted on unless they are brought back on the calendar and then amendments offered, although I am not sure that all the amendments will be accepted.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 484

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 484, printer's No. 527, entitled:

"An Act amending the 'Administrative Code of 1929' approved April 9, 1929, (P. L. 177) authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department independent administrative board or commission to the jurisdiction and control of another administrative department independent administrative board or independent commission."

was defeated on final passage Tuesday, April 4, 1961, be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann, vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Petrosky, vote on the final passage of this bill?

Mr. PETROSKY. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

RESOLUTION

CONDOLENCE

Messrs. K. B. LEE, BOWER, WOOD, ROYER, HOCKER, and HELM offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives, April 5, 1961.

The Honorable Walter Baumunk, a former member of this House of Representatives from Sullivan County from his election in 1944, through 1954, died on March 25, 1961, of a heart attack.

Mr. Baumunk was prominent in the lumber business in Sullivan County, and served as a country commissioner of that country from 1935 to 1943, and chairman of the board of county commissioners for a period of eight years.

His long public service was distinguished by his devotion to duty, and his record will long stand as an example to be emulated by those who follow him in a career in government service; therefore, be it

Resolved, That this House of Representatives expresses its deep and profound regret at the passing of its former member, and the many present members who knew him personally express their grief and sorrow at the death of a devoted and respected colleague.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires at this time to call to the attention of the House that there is an order of the day in which resolutions should be considered. Of course, it is only by unanimous consent that the resolutions are considered out of order. Unless otherwise instructed by the House, the Speaker in the future will insist that resolutions be introduced under the regular order on resolutions which has a place in the order of business and which, in his opinion, should be observed. However, it is within the discretion of the House to do as it likes and the House has the privilege at any time, of course, to instruct the Speaker as to how he should conduct the proceedings of this House.

REPORTS FROM COMMITTEE

Mr. J. A. SULLIVAN from the Committee on Elections, reported as amended, House bill No. 31, entitled:

An Act amending "The First Class City Permanent Registration Act", approved March 30, 1937 (P. L. 115), changing provisions for proof of citizenship for certain persons previously registered.

Mr. EDWARDS from the Committee on Elections, reported as amended, House bill No. 55, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), requiring county election boards to submit addtional reports with respect to registered electors and making the reports available.

Mr. CURWOOD from the Committee on Game and Conservation, reported as amended, House bill No. 579, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225) regulating special waterfowl management areas.

Mr. CURWOOD from the Committee on Game and Conservation, reported as amended, House bill No. 586, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) eliminating the necessity of advertising in newspapers to change open seasons for shooting on special waterfowl management areas established by the Game Commission.

Mr. MAGEE from the Committee on Cities—Third Class, reported as amended, Senate bill No. 188, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to election of city charter commissioners.

Mr. GRAY from the Committee on Elections, reported as committed, House bill No. 146, entitled:

An Act amending the "Pennsylvania Loyalty Act," approved for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Auctioneer's Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as amended, House bill No. 216, entitled:

An Act to define license and regulate resident and nonresident auctioneers and apprentice auctioneers in this Commonwealth and revising consolidating and making the law uniform thereto creating the State Auctioneers Commission * * * and providing penalties.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels * * * and repealing all acts or parts of acts inconsistent with this act" providing for submission of plans and specifications of the mechanical system in buildings and providing for a fee therefore.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 983, entitled:

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 1006, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), authorizing the purchase of preferred and common stock for investment purposes.

Mr. WILLAREDT from the Committee on Appropriations, reported as committed, House bill No. 1007, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing the purchase of preferred and common stock for investment purposes.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1105, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the form of applications, certifications and declarations for absentee ballots, the time within which applications for such ballots must be received, and the canvassing of such ballots.

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of the official primary ballot.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 146, entitled:

An Act amending the "Pennsylvania Loyalty Act," approved December 22, 1951 (P. L. 1726), providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 983, entitled:

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1006, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 350), authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1007, entitled:

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1105, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), further regulating the form of applications, certifications and declarations for absentee ballots, the time within which applications for such ballots must be received, and the canvassing of such ballots.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333), further regulating the form of the official primary ballot.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILL RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Professional Licensure, House bill No. 1162, entitled:

An Act amending "The C. P. A. Law," approved May 26, 1947 (P. L. 318), further regulating the certification and public practice of certified public accountants.

The SPEAKER. The bill is re-referred to the Committee on Professional Licensure.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. MUSTO asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair notes the presence in the House of two former distinguished members from Philadelphia, Messrs. Corrigan and Amarando. If they are present, will they please rise?

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 126, entitled:

An Act establishing procedures for the administration and adjudication of civil cases by justices of the peace magistrates and aldermen and repealing certain prior acts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Fulmer,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gailey,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Rubin,
Ashton,	George,	Lippincott,	Rudisill,
Auker,	Gibb,	Long, Wm. Jas.,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Lutty,	Scarcelli,
Blair,	Goldstein, M. H.,	Magee,	Schaaf,
Boies,	Gramlich,	Manbeck,	Schuster,
Bonner,	Gray,	Markley,	Seltzer,
Bossert,	Gremminger,	Marsh,	Shelton,
Bower,	Gross,	Maxwell,	Sherman,
Bowman,	Guesman,	McCandless,	Shupnik,
Branca,	Hamilton,	McCann,	Simmons,
Breth,	Hankins,	McCormack,	Slack,
Buchanan,	Hartley,	McDevitt,	Snare,
Bush,	Haudenshield,	McDonald,	Stank,
Capano,	Heavey,	McInroy,	Stimmel,
Capitolo,	Heffner,	McNally,	Stiteler,
Cianfrani,	Helm,	Meholchick,	Stone,
Cioffi,	Henzel,	Merry,	Strausser,
Clarke,	Hocker,	Mihm,	Sullivan, J. A.,
Comer,	Holliday,	Miller,	Taylor,
Crossin,	Holman,	Monroe,	Thompson,
Curwood,	Horst,	Morley,	Tomascik,
Davis,	Irvis,	Mullen,	Trusio,
Dengler,	Isaacs,	Murphy,	Ujobai,
Dennison,	Jenkins,	Murray,	Varner,
Donaldson,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	Needham,	Walsh,
Doughten,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. P.,	Weidner,
Edwards,	Keiser,	Odorisio,	Welsh,
Eilberg,	Kelly,	Ogilive,	Whittaker,
Elvey,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Perry,	Willaredt,
Eshleman,	King,	Petrosky,	Wilt,
Ewing,	Kistler,	Piper,	Wood,
Farabaugh,	Klein,	Polaski,	Worley,
Fetterolf,	Knecht,	Polen,	Yetter,
Filo,	Kooker,	Prendergast,	Zember,
Fineman,	Kornick,	Pursley,	Zimmerman,
Foerster,	Korns,	Reibman,	Andrews,
Fox,	Lamb,	Reidenbach,	Speaker
Fry,	Lawson,		

NAYS—10

Cauley,	Kamyk,	O'Donnell, J. A.,	Wescott,
Foor,	Kramer,	Tompkins,	Williams, A. D.,
Goodrich,	McLaughlin,		

NOT VOTING—15

Cooley,	May,	Pashley,	Sullivan, T. F.,
Flynn,	McKeever,	Price,	Wall,
Frascella,	Mills,	Royer,	Williams, E. S.,
Guthrie,	Munley,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 141, printer's No. 1155

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 197, entitled:

An Act relative to Commonwealth printing establishing conditions upon which contracts will be awarded and prescribing remedies and penalties for noncompliance with such conditions.

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Adams,	Fulmer,	Long, Wm. Jos.,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lutty,	Renwick,
Arlene,	Gelfand,	Manbeck,	Riley,
Auker,	Gray,	Marsh,	Rovansek,
Bachman,	Gremminger,	Maxwell,	Rubin,
Boies,	Gross,	McCann,	Rudisill,
Bonner,	Guesman,	McCormack,	Sakulsky,
Bower,	Hamilton,	McDevitt,	Scarcelli,
Branca,	Hankins,	McDonald,	Schaaf,
Breth,	Hartley,	McLaughlin,	Schuster,
Capano,	Heavey,	McNally,	Shelton,
Capitolo,	Heffner,	Meholchick,	Sherman,
Cauley,	Irvis,	Mihm,	Shupnik,
Cianfrani,	Isaacs,	Miller,	Snare,
Cioffi,	Jenkins,	Monroe,	Stank,
Comer,	Jim,	Morley,	Stone,
Crossin,	Jones,	Mullen,	Sullivan, J. A.,
Curwood,	Kamyk,	Murphy,	Taylor,
Dougherty,	Kelly,	Musto,	Tomascik,
Doughten,	Kessler,	Needham,	Trusio,
Down,	Klein,	O'Donnell, J. A.,	Verona,
Eilberg,	Kooker,	O'Donnell, J. P.,	Walsh,
Farabaugh,	Kramer,	Parlante,	Wargo,
Filo,	Lamb,	Perry,	Welsh,
Fineman,	Lawson,	Petrosky,	Williams, A. D.,
Flynn,	Lee, A. M.,	Polaski,	Worley,
Foerster,	Leonard,	Polen,	Yetter,
Fox,	Limper,	Prendergast,	Andrews,
Fry,	Long, Wm. Jas.,	Reibman,	Speaker

NAYS—71

Anderson, J. H.,	Gailey,	King,	Slack,
Ashton,	George,	Kistler,	Stimmel,
Backenstoe,	Gibb,	Korns,	Stiteler,
Blair,	Gibbons,	Lee, K. B.,	Strausser,
Bossert,	Goldstein, J. H.,	Lippincott,	Thompson,
Bowman,	Goodrich,	Magee,	Tompkins,
Buchanan,	Gramlich,	Markley,	Ujobai,
Bush,	Haudenshield,	McCandless,	Varner,
Davis,	Helm,	McInroy,	Weidner,
Dengler,	Henzel,	Merry,	Wescott,
Donaldson,	Hocker,	O'Dell,	Whittaker,
Edwards,	Holliday,	Odorisio,	Willard,
Elvey,	Holman,	Ogilive,	Willaredt,
Eshback,	Horst,	Piper,	Wilt,
Eshleman,	Johnson, A. W.,	Pursley,	Wood,
Ewing,	Johnson, R. P.,	Rutherford,	Zember,
Fetterolf,	Keiser,	Seltzer,	Zimmerman,
Foor,	Kernaghan,	Simmons,	

NOT VOTING—20

Clarke,	Guthrie,	Mills,	Royer,
Cooley,	Knecht,	Munley,	Steckel,
Dennison,	Kornick,	Murray,	Sullivan, T. F.,
Frascella,	May,	Pashley,	Wall,
Goldstein, M. H.,	McKeever,	Price,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 264, printer's No. 1301

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and con-

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 307, entitled:

An Act amending the "Meat and Meat Food products

Law" approved May 28, 1915 (P. L. 587) changing certain penalties and providing for license suspensions.

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adams,	Fulmer,	Lawson,	Rovansek,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Rubin,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rudisill,
Arlene,	Gelfand,	Leonard,	Rutherford,
Ashton,	George,	Limper,	Sakulsky,
Auker,	Gibb,	Long, Wm. Jas.,	Scarcelli,
Bachman,	Gibbons,	Lutty,	Schaaf,
Backenstoe,	Goldstein, J. H.,	Magee,	Schuster,
Blair,	Goodrich,	Manbeck,	Seltzer,
Boles,	Gramlich,	Markley,	Shelton,
Bossert,	Gray,	Marsh,	Sherman,
Bower,	Gremminger,	Maxwell,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Breth,	Hamilton,	McCormack,	Snare,
Buchanan,	Hankins,	McDevitt,	Stank,
Bush,	Hartley,	McInroy,	Stimmel,
Capano,	Haudenshield,	McLaughlin,	Stiteler,
Capitolo,	Heavey,	McNally,	Stone,
Cauley,	Heffner,	Meholchick,	Strausser,
Cianfrani,	Helm,	Merry,	Sullivan, J. A.,
Cioffi,	Henzel,	Mihm,	Taylor,
Clarke,	Hocker,	Miller,	Thompson,
Comer,	Holliday,	Monroe,	Tomascik,
Crossin,	Holman,	Morley,	Tompkins,
Curwood,	Horst,	Mullen,	Ujobai,
Davis,	Irvis,	Murray,	Varner,
Dengler,	Isaacs,	Musto,	Verona,
Dennison,	Jim,	Needham,	Walsh,
Donaldson,	Johnson, A. W.,	O'Dell,	Wargo,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Down,	Kamyk,	O'Donnell, J. P.,	Welsh,
Edwards,	Keiser,	Odorisio,	Wescott,
Eilberg,	Kelly,	Ogilvie,	Whittaker,
Elvey,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Petrosky,	Willaredt,
Eshleman,	King,	Piper,	Williams, A. D.,
Ewing,	Kistler,	Polaski,	Wilt,
Farabaugh,	Klein,	Polen,	Wood,
Fetterolf,	Knecht,	Prendergast,	Worley,
Filo,	Kooker,	Pursley,	Yetter,
Flynn,	Kornick,	Reidenbach,	Zember,
Foor,	Korns,	Renwick,	Zimmerman,
Fox,	Kramer,	Riley,	Andrews,
Fry,	Lamb,		Speaker

NAYS—12

Bonner,	Foerster,	Lippincott,	Murphy,
Doughten,	Goldstein, M. H.,	Long, Wm. Jos.,	Perry,
Fineman,	Jones,	McDonald,	Reibman,

NOT VOTING—16

Cooley,	May,	Pashley,	Sullivan, T. F.,
Frascella,	McKeever,	Price,	Trusio,
Guthrie,	Mills,	Royer,	Wall,
Jenkins,	Munley,	Steckel,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. HELM IN THE CHAIR

BILLS PASSED OVER

There being no objection

House bill No. 308, printer's no. 337

House bill No. 340, printer's No. 369, and

House bill No. 428, printer's No. 1023

were passed over at the request of the SPEAKER pro tempore.

Mr. TOMPKINS. Mr. Speaker, I am not ready on House bill No. 430. I would like to have this bill passed over until we have a chance to get it worked out. I just got the amendments about three minutes ago. I have not had a chance to look at them, to study them, to study the bill, or anything else.

Mr. McCANN. The gentleman means for it to go over temporarily?

Mr. TOMPKINS. Over for the week. Give us a chance to look at this.

The SPEAKER pro tempore. The Chair recogngizes the gentleman from Greene, Mr. McCann, the majority leader.

Mr. McCANN. Mr. Speaker, I will pass 430 over temporarily to give him an opportunity to check it over.

BILLS PASSED OVER

There being no objection

House bill No. 430, printer's no. 1302

was passed over temporarily at the request of Mr. McCANN.

There being no objection

House bill No. 454, printer's No. 493, and

House bill No. 573, printer's No. 618

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 574, entitled:

An Act amending " The Game Law" approved June 3, 1937 (P. L. 1225) adding and increasing certain penalties and conforming a section to show a previous repeal.

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Adams,	Fry,	Klein,	Reidenbach,
Anderson, J. H.,	Fulmer,	Kooker,	Riley,
Anderson, S. A.,	Gailey,	Korns,	Rubin,
Arlene,	George,	Lee, K. B.,	Rudisill,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Sakulsky,
Auker,	Goodrich,	Limper,	Scarcelli,
Blair,	Gramlich,	Long, Wm. Jas.,	Schaaf,
Bossert,	Gray,	Magee,	Seltzer,
Bowman,	Gross,	Manbeck,	Simmons,
Branca,	Guesman,	Marsh,	Snare,
Breth,	Hamilton,	McCandless,	Stank,
Buchanan,	Hankins,	McCann,	Stiteler,
Bush,	Haudenshield,	McCormack,	Stone,
Capitolo,	Heavey,	McDevitt,	Strausser,
Cianfrani,	Heffner,	McInroy,	Sullivan, J. A.,
Cioffi,	Helm,	McNally,	Taylor,
Comer,	Henzel,	Merry,	Varner,
Davis,	Hocker,	Mihm,	Verona,
Dengler,	Holliday,	Miller,	Weidner,
Dennison,	Holman,	Monroe,	Welsh,
Dougherty,	Horst,	Mullen,	Wescott,
Doughten,	Isaacs,	O'Dell,	Whittaker,
Down,	Jim,	O'Donnell, J. P.,	Willard,
Edwards,	Johnson, A. W.,	Odorisio,	Willaredt,
Eilberg,	Johnson, R. P.,	Ogilvie,	Williams, A. D.,
Elvey,	Jones,	Parlante,	Wood,
Eshback,	Keiser,	Perry,	Worley,
Eshleman,	Kelly,	Petrosky,	Yetter,
Farabaugh,	Kernaghan,	Piper,	Zember,
Fetterolf,	Kessler,	Polen,	Zimmerman,
Foor,	King,	Pursley,	Andrews,
Fox,	Kistler,		Speaker

NAYS—60

Bachman,	Gallagher,	Long, Wm. Jos.,	Rovansek,
Backenstoe,	Gibb,	Lutty,	Rutherford,
Boies,	Gibbons,	Markley,	Shelton,
Bonner,	Goldstein, M. H.,	McDonald,	Sherman,
Capano,	Gremminger,	McLaughlin,	Shupnik,
Cauley,	Hartley,	Meholchick,	Slack,
Clarke,	Irvis,	Morley,	Stimmel,
Crossin,	Jenkins,	Murphy,	Thompson,
Curwood,	Kamyk,	Musto,	Tomascik,
Donaldson,	Kornick,	Needham,	Tompkins,
Ewing,	Kramer,	O'Donnell, J. A.,	Trusio,
Filo,	Lamb,	Polaski,	Ujobai,
Fineman,	Lawson,	Prendergast,	Walsh,
Flynn,	Leonard,	Reibman,	Wargo,
Foerster,	Lippincott,	Renwick,	Wilt,

NOT VOTING—20

Bower,	Knecht,	Munley,	Schuster,
Cooley,	Maxwell,	Murray,	Steckel,
Frascella,	May,	Pashley,	Sullivan, T. F.,
Gelfand,	McKeever,	Price,	Wall,
Guthrie,	Mills,	Royer,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 583, printer's No. 1161

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 591, entitled:

An Act amending the "Fiduciaries Investment Act of 1949" approved May 26, 1949 (P. L. 1828) providing for authorized investments in interest-bearing deposits.

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Gailey,	Lee, A. M.,	Riley,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Lutty,	Schaaf,
Boies,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bowman,	Gremminger,	Marsh,	Sherman,
Branca,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Capitolo,	Haudenshield,	McDonald,	Stimmel,
Cauley,	Heavey,	McInroy,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Mihm,	Taylor,
Crossin,	Holliday,	Miller,	Thompson,
Curwood,	Holman,	Monroe,	Tomascik,
Davis,	Horst,	Morley,	Tompkins,
Dengler,	Irvis,	Mullen,	Trusio,
Dennison,	Isaacs,	Murphy,	Ujobai,
Donaldson,	Jenkins,	Murray,	Varner,
Dougherty,	Jim,	Musto,	Verona,
Doughten,	Johnson, A. W.,	Needham,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Wescott,
Eshback,	Kelly,	Ogilive,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Farabaugh,	King,	Petrosky,	Williams, A. D.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Prendergast,	Yetter,
Foerster,	Kornick,	Pursley,	Zember,
Foor,	Korns,	Reibman,	Zimmerman,
Fox,	Kramer,	Reidenbach,	Andrews,
Fry,	Lamb,	Renwick,	Speaker
Fulmer,	Lawson,		

NAYS—0

NOT VOTING—17

Blair,	May,	Munley,	Steckel,
Bower,	McKeever,	Pashley,	Sullivan, T. F.,
Cooley,	Merry,	Price,	Wall,
Frascella,	Mills,	Royer,	Williams, E. S.,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 631, printer's No. 1305

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 632, enittled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

And said bill have been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—97

Anderson, S. A.,	Gallagher,	Lutty,	Riley,
Arlene,	Gelfand,	Maxwell,	Rovansek,
Bachman,	George,	McDevitt,	Rubin,
Boies,	Gray,	McDonald,	Rudisill,
Bonner,	Gremminger,	McLaughlin,	Sakulsky,
Branca,	Guesman,	McNally,	Scarcelli,
Breth,	Hamilton,	Meholchick,	Schaaf,
Capano,	Hankins,	Mihm,	Schuster,
Capitolo,	Hartley,	Monroe,	Shelton,
Cauley,	Heavey,	Morley,	Sherman,
Cianfrani,	Irvis,	Mullen,	Shupnik,
Cioffi,	Jenkins,	Murray,	Stank,
Clarke,	Jim,	Musto,	Stone,
Crossin,	Jones,	Needham,	Sullivan, J. A.,
Curwood,	Kamyk,	O'Donnell, J. A.,	Taylor,
Dougherty,	Kelly,	O'Donnell, J. P.,	Tomascik,
Doughten,	Klein,	Parlante,	Trusio,
Eshback,	Kornick,	Perry,	Verona,
Farabaugh,	Kramer,	Polaski,	Walsh,
Filo,	Lamb,	Polen,	Wargo,

Fineman,	Lawson,	Prendergast,	Welsh,
Flynn,	Leonard,	Reibman,	Yetter,
Foerster,	Limper,	Reidenbach,	Andrews,
Fry,	Long, Wm. Jas.,	Renwick,	Speaker
Gailey,	Long, Wm. Jos.,		

NAYS—96

Adams,	Fox,	Kistler,	Royer,
Anderson, J. H.,	Fulmer,	Knecht,	Rutherford,
Ashton,	Gibb,	Kooker,	Seltzer,
Auker,	Gibbons,	Korns,	Simmons,
Backenstoe,	Goldstein, J. H.,	Lee, A. M.,	Slack,
Blair,	Goldstein, M. H.,	Lee, K. B.,	Snare,
Bossert,	Goodrich,	Lippincott,	Stimmel,
Bower,	Gramlich,	Magee,	Stiteler,
Bowman,	Gross,	Manbeck,	Strausser,
Buchanan,	Haudenshield,	Markley,	Thompson,
Bush,	Heffner,	Marsh,	Tompkins,
Comer,	Helm,	McCandless,	Ujobai,
Davis,	Henzel,	McCann,	Varner,
Dengler,	Hocker,	McCormack,	Weidner,
Dennison,	Holliday,	McInroy,	Wescott,
Donaldson,	Holman,	Merry,	Whittaker,
Down,	Horst,	Miller,	Willard,
Edwards,	Isaacs,	Murphy,	Willaredt,
Eilberg,	Johnson, A. W.,	O'Dell,	Williams, A. D.,
Elvey,	Johnson, R. P.,	Odorisio,	Wilt,
Eshleman,	Keiser,	Ogilive,	Wood,
Ewing,	Kernaghan,	Petrosky,	Worley,
Fetterolf,	Kessler,	Piper,	Zember,
Foor,	King,	Pursley,	Zimmerman,

NOT VOTING—13

Cooley,	McKeever,	Pashley,	Sullivan, T. F.,
Frascella,	Mills,	Price,	Wall,
Guthrie,	Munley,	Steckel,	Williams, E. S.,
May,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I have not had an opportunity to check that roll call, but I assume, and I am most pleased to note, that the Republican Party does not expect to win the next governorship and does not in any way intend to support the incoming governor. Therefore, we are pleased to note their position.

BILL PASSED OVER

There being no objection

House bill No. 639, printer's No. 1306

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 649, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class * * *" further regulating payment of regular employes in order to be credited for service for pension.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Lawson,	Riley,
Anderson, J. H.,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Royer,
Arlene,	Gelfand,	Leonard,	Rubin,
Ashton,	George,	Limper,	Rudisill,
Auker,	Gibb,	Lippincott,	Rutherford,
Bachman,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Blair,	Goldstein, M. H.,	Lutty,	Schaaf,
Boles,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Bowman,	Gross,	Maxwell,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Breth,	Hamilton,	McCann,	Slack,
Buchanan,	Hankins,	McCormack,	Snare,
Bush,	Hartley,	McDevitt,	Stank,
Capano,	Haudenshield,	McDonald,	Stimmel,
Capitolo,	Heavey,	McInroy,	Stiteler,
Cauley,	Heffner,	McLaughlin,	Stone,
Cianfrani,	Helm,	McNally,	Strausser,
Cioffi,	Henzel,	Mehalchick,	Sullivan, J. A.,
Clarke,	Hocker,	Merry,	Taylor,
Comer,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tomascik,
Curwood,	Horst,	Monroe,	Tompkins,
Davis,	Irvis,	Morley,	Trusio,
Dengler,	Isaacs,	Mullen,	Ujobai,
Dennison,	Jenkins,	Murphy,	Varner,
Donaldson,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	Needham,	Walsh,
Doughten,	Johnson, R. P.,	O'Dell,	Wargo,
Down,	Jones,	O'Donnell, J. A.,	Weidner,
Edwards,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eilberg,	Keiser,	Odorisio,	Whittaker,
Elvey,	Kelly,	Ogilive,	Willard,
Eshback,	Kernaghan,	Parlante,	Willaredt,
Eshleman,	Kessler,	Perry,	Williams, A. D.,
Ewing,	King,	Petrosky,	Wilt,
Farabaugh,	Kistler,	Piper,	Wood,
Fetterolf,	Klein,	Polaski,	Worley,
Filo,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Prendergast,	Zember,
Foerster,	Kornick,	Pursley,	Zimmerman,
Foor,	Korns,	Reibman,	Andrews,
Fox,	Kramer,	Reidenbach,	Speaker
Fry,	Lamb,	Renwick,	

NAYS—0

NOT VOTING—16

Cooley,	May,	Murray,	Sullivan, T. F.,
Fineman,	McKeever,	Pashley,	Wall,
Frascella,	Mills,	Price,	Welsh,
Guthrie,	Munley,	Steckel,	Williams, E. S.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson, the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, you pulled this bill a little fast for me. I wanted to make a brief reply to what the majority leader had to say about the defeat of that last bill.

First, I notice that the majority leader has a tendency whenever he gets licked on a bill to make what he thinks is a subtle remark about it, and in a way I do not think he should do it. I think the time to do it is when we debate the bill. But, be that as it may, as to whether we will win the governorship or not, let me say this: I believe when the record of this session is written, when what we are doing this session hits the people of this State tax-wise, when motorists are losing their

licenses, some of them at the rate of 1,100 or 1,000 a week, a two-cent gas tax, and when all these things hit the people of this State I believe we will walk right into the gubernatorial election next year and win hands down.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 678, entitled:

An Act amending the act of July 7, 1955 (P. L. 258) entitled "An act providing for anthracite mine drainage contingent on Federal aid and making an appropriation" extending the provisions of the act to authorize the sealing of abandoned coal mines and filling voids in abandoned coal mines and making money heretofore appropriated available for those purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Adams,	Gailey,	Lippincott,	Rovansek,
Anderson, J. H.,	Gallagher,	Long, Wm. Jas.,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jos.,	Rubin,
Arlene,	Gibb,	Lutty,	Rudisill,
Ashton,	Goldstein, J. H.,	Magee,	Rutherford,
Auker,	Goldstein, M. H.,	Manbeck,	Sakulsky,
Bachman,	Goodrich,	Markley,	Scarcelli,
Blair,	Gramlich,	Marsh,	Schaaf,
Boies,	Gray,	Maxwell,	Schuster,
Bonner,	Gremminger,	McCandless,	Seltzer,
Bossert,	Guesman,	McCann,	Shelton,
Bower,	Hamilton,	McCormack,	Sherman,
Branca,	Hankins,	McDevitt,	Shupnik,
Breth,	Hartley,	McDonald,	Simmons,
Buchanan,	Haudenshield,	McInroy,	Slack,
Bush,	Heavey,	McLaughlin,	Snare,
Capano,	Heffner,	McNally,	Stank,
Capitolo,	Helm,	Meholchick,	Stimmel,
Cauley,	Henzel,	Merry,	Stiteler,
Cianfrani,	Holliday,	Mihm,	Stone,
Cioffi,	Holman,	Miller,	Sullivan, J. A.,
Clarke,	Horst,	Monroe,	Taylor,
Crossin,	Irvis,	Morley,	Thompson,
Curwood,	Isaacs,	Mullen,	Tomascik,
Davis,	Jenkins,	Murphy,	Trusio,
Dengler,	Jim,	Murray,	Ujobai,
Dennison,	Johnson, A. W.,	Musto,	Varner,
Donaldson,	Johnson, R. P.,	Needham,	Verona,
Dougherty,	Jones,	O'Dell,	Walsh,
Doughten,	Kamyk,	O'Donnell, J. A.,	Wargo,
Down,	Keiser,	O'Donnell, J. P.,	Weidner,
Edwards,	Kelly,	Odorisio,	Welsh,
Eilberg,	Kernaghan,	Ogilive,	Wescott,
Elvey,	Kessler,	Parlante,	Whittaker,
Eshback,	King,	Perry,	Willard,
Eshleman,	Kistler,	Petrosky,	Willaredt,
Ewing,	Klein,	Piper,	Williams, A. D.,
Farabaugh,	Kooker,	Polaski,	Wilt,
Filo,	Kornick,	Polen,	Wood,
Fineman,	Kramer,	Prendergast,	Worley,
Flynn,	Lamb,	Pursley,	Yetter,
Foerster,	Lawson,	Reibman,	Zember,
Foor,	Lee, A. M.,	Reidenbach,	Zimmerman,
Fox,	Lee, K. B.,	Renwick,	Andrews,
Fry,	Leonard,	Riley,	Speaker
Fulmer,			

NAYS—9

Backenstoe,	Gibbons,	Hocker,	Strausser,
Fetterolf,	Gross,	Korns,	Tompkins,
George,			

NOT VOTING—17

Bowman,	Knecht,	Mills,	Steckel,
Comer,	Limper,	Munley,	Sullivan, T. F.,
Cooley,	May,	Pashley,	Wall,
Frascella,	McKeever,	Price,	Williams, E. S.,
Guthrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. BOWMAN. Mr. Speaker, I rise merely to advise the Chair that I voted for this bill, but I am not recorded as voting.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

BILLS PASSED OVER

There being no objection

House bill No. 681, printer's No. 746

House bill No. 682, printer's No. 747 and

House bill No. 683, printer's No. 748

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 690, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing clerks of orphans' courts to join with registers of wills for the purpose of State associations and authorizing payments by the county pertaining to their annual meetings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Adams,	Fulmer,	Lee, K. B.,	Renwick,
Anderson, J. H.,	Gailey,	Leonard,	Riley,
Anderson, S. A.,	Gallagher,	Limper,	Rovansek,
Arlene,	Gelfand,	Lippincott,	Royer,
Ashton,	George,	Long, Wm. Jas.,	Rubin,
Auker,	Gibb,	Long, Wm. Jos.,	Rudisill,
Bachman,	Gibbons,	Lutty,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Magee,	Sakulsky,
Blair,	Gramlich,	Manbeck,	Scarcelli,
Boies,	Gray,	Markley,	Schaaf,
Bonner,	Gremminger,	Marsh,	Schuster,
Bossert,	Guesman,	Maxwell,	Seltzer,
Bower,	Hamilton,	McCandless,	Shelton,
Bowman,	Hankins,	McCann,	Sherman,
Branca,	Hartley,	McCormack,	Shupnik,
Breth,	Haudenshield,	McDevitt,	Simmons,
Buchanan,	Heavey,	McDonald,	Slack,
Bush,	Heffner,	McInroy,	Snare,
Capano,	Helm,	McLaughlin,	Stank,
Capitolo,	Henzel,	McNally,	Stimmel,
Cauley,	Hocker,	Meholchick,	Stiteler,
Cianfrani,	Holliday,	Merry,	Stone,
Cioffi,	Holman,	Mihm,	Strausser,
Clarke,	Horst,	Miller,	Sullivan, J. A.,
Crossin,	Isaacs,	Monroe,	Taylor,
Curwood,	Irvis,	Morley,	Thompson,
Davis,	Jenkins,	Mullen,	Tomascik,
Dengler,	Jim,	Murphy,	Tompkins,
Dennison,	Johnson, A. W.,	Murray,	Trusio,
Donaldson,	Johnson, R. P.,	Musto,	Ujobai,
Dougherty,	Jones,	Needham,	Varner,
Doughten,	Kamyk,	O'Dell,	Verona,
Down,	Keiser,	O'Donnell, J. A.,	Walsh,
Edwards,	Kelly,	O'Donnell, J. P.,	Wargo,
Eilberg,	Kernaghan,	Odorisio,	Weidner,
Elvey,	Kessler,	Ogilvie,	Welsh,
Eshback,	King,	Parlante,	Wescott,
Eshleman,	Kistler,	Perry,	Whittaker,
Ewing,	Klein,	Petrosky,	Willard,
Farabaugh,	Knecht,	Piper,	Willaredt,
Fetterolf,	Kooker,	Polaski,	Williams, A. D.,
Fineman,	Kornick,	Polen,	Wood,

Flynn,	Korns,	Prendergast,	Worley,
Foerster,	Kramer,	Pursley,	Yetter,
Foor,	Lamb,	Reibman,	Zember,
Fox,	Lawson,	Reidenbach,	Zimmerman,
Fry,	Lee, A. M.,		

NAYS—4

Goldstein, M. H.,	Goodrich,	Gross,	Wilt,

NOT VOTING—16

Comer,	Guthrie,	Munley,	Sullivan, T. F.,
Cooley,	May,	Pashley,	Wall,
Filo,	McKeever,	Price,	Williams, E. S.,
Frascella,	Mills,	Steckel,	Andrews, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 694, printer's No. 759, and

House bill No. 695, printer's No. 760

were passed over at the request of the SPEAKER pro tempore.

Mr. McCANN. Mr. Speaker, I call up on page 6 of the calendar, House bill No. 430, which was passed over temporarily.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 430, entitled:

An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race religion color ancestry or national origin prohibiting such discriminatory practices providing for procedure and enforcement providing for judicial review providing for administration by the Pennsylvania Human Relations Commission in the Department of Labor and Industry and defining its functions powers and duties hereunder.

On the question,

Will the House agree to the bill on third reading?

MOTION TO POSTPONE

Mr. TOMPKINS. Mr. Speaker, I move that this bill be placed on the third-reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I rise to oppose the motion. The amendments for the bill are here. I held the bill over until it could be prepared. I speak only on the motion, opposing the motion, and I ask that the membership vote against the motion to place House bill No. 430 on the third-reading postponed calendar.

The SPEAKER pro tempore. For what purpose does the gentleman from Cameron, Mr. Tompkins, rise?

Mr. TOMPKINS. Mr. Speaker, I want to debate the motion.

The SPEAKER pro tempore. The Chair withdraws its decision as to the calling of the roll, to give the gentleman the opportunity to debate the motion.

Mr. TOMPKINS. Mr. Speaker, this bill, yesterday, was amended. At the time it was amended I served notice on the opposite side that we were going to further amend this bill. I requested the amendments last night, and they told me that they could not do anything until they got the new printer's number today to be able to write the amendments into the new printer's number.

I just got these amendments ten or fifteen minutes ago, and there are two pages of them. I have not had an opportunity to look at them. I do not know whether they accomplish what we are trying to accomplish by way of these amendments. This bill has been on the previous sessions. I cannot appreciate the haste of wanting to rush this thing without giving some opportunity to properly study it. A lot of other bills have been passed over for the purpose of allowing additional amendments to the bills. Why it is necessary to shove this bill and to make haste, a steamroller, out of this bill, I cannot understand.

Mr. McCANN. Mr. Speaker, the only question before the House is the motion that was made. If we want to start debating about the amendments, the gentleman is correct. He told me about the amendments he was going to prepare. I am sure they are prepared to do exactly what he asked the Legislative Reference Bureau to do.

There is no question that he would have an opportunity to check the amendments. Bills are passed over when the amendments are not received. We are not debating that. We are going to debate the amendments today.

Mr. TOMPKINS. Mr. Speaker, with two pages of amendments I think it is a matter of courtesy, when we are at this stage in today's session, that we be granted the privilege of being able to study these amendments and compare them with the bill. For that reason I ask that they vote to put this bill on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. TOMPKINS and LIPPINCOTT and were as follows:

YEAS—90

Adams,	Fox,	King,	Rutherford,
Anderson, J. H.,	Fulmer,	Kistler,	Seltzer,
Ashton,	George,	Knecht,	Simmons,
Auker,	Gibb,	Kooker,	Slack,
Backenstoe,	Gibbons,	Korns,	Snare,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Bossert,	Goodrich,	Lee, K. B.,	Stiteler,
Bower,	Gramlich,	Lippincott,	Strausser,
Bowman,	Gross,	Magee,	Thompson,
Buchanan,	Haudenshield,	Manbeck,	Tompkins,
Bush,	Heffner,	Markley,	Ujobai,
Davis,	Helm,	Marsh,	Varner,
Dengler,	Henzel,	McCandless,	Weidner,
Dennison,	Hocker,	McInroy,	Whittaker,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Odorisio,	Wilt,
Eshback,	Johnson, A. W.,	Ogilvie,	Wood,
Eshleman,	Johnson, R. P.,	Piper,	Worley,
Ewing,	Keiser,	Pursley,	Zember,
Fetterolf,	Kernaghan,	Royer,	Zimmerman,
Foor,	Kessler,		

NAYS—101

Anderson, S. A.,	Gelfand,	McCann,	Renwick,
Arlene,	Gray,	McCormack,	Riley,
Bachman,	Gremminger,	McDevitt,	Rovansek,
Boles,	Guesman,	McDonald,	Rubin,
Bonner,	Hamilton,	McLaughlin,	Rudisill,
Branca,	Hankins,	McNally,	Sakulsky,
Breth,	Hartley,	Meholchick,	Scarcelli,
Capano,	Heavey,	Mihm,	Schaaf,
Capitolo,	Irvis,	Monroe,	Schuster,

Cauley,	Jenkins,	Morley,	Shelton,
Cianfrani,	Jim,	Mullen,	Sherman,
Cioffi,	Jones,	Murphy,	Shupnik,
Clarke,	Kamyk,	Murray,	Stank,
Crossin,	Kelly,	Musto,	Stone,
Curwood,	Klein,	Needham,	Sullivan, J. A.,
Dougherty,	Kornick,	O'Donnell, J. A.,	Taylor,
Doughten,	Kramer,	O'Donnell, J. P.,	Tomascik,
Ellberg,	Lamb,	Parlante,	Trusio,
Farabaugh,	Lawson,	Perry,	Verona,
Filo,	Leonard,	Petrosky,	Walsh,
Fineman,	Limper,	Polaski,	Wargo,
Flynn,	Long, Wm. Jas.,	Polen,	Welsh,
Foerster,	Long, Wm. Jos.,	Prendergast,	Wescott,
Fry,	Lutty,	Reibman,	Yetter,
Gailey,	Maxwell,	Reidenbach,	Andrews,
Gallagher,			Speaker

NOT VOTING—15

Comer,	Guthrie,	Munley,	Sullivan, T. F.
Cooley,	May,	Pashley,	Wall,
Frascella,	McKeever,	Price,	Williams, E. S.,
Goldstein, M. H.,	Mills,	Steckel,	

So the question was determined in the negative and the motion was not greed to.

Mr. FILO. Mr. Speaker, if a member is in his seat, is he not required to vote on the bill?

The SPEAKER pro tempore. The gentleman votes under the rules.

Mr. FILO. Mr. Speaker, there is a member sitting in his seat and he did not vote on this legislation. I believe according to the rules he must vote one way or the other.

The SPEAKER pro tempore. The Chair would inform the gentleman that the objection comes too late. The Chair had already ordered the roll to be taken.

Members are required to vote.

PARALIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Blair, Mr. Auker, rise?

Mr. AUKER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. AUKER. Mr. Speaker, do the rules provide that a member has to vote on a motion concerning a bill, or do the rules just provide that a member be required to vote on the bill itself?

The SPEAKER pro tempore. Will the gentleman yield for just a moment?

The Chair will read the rule:

> "House Rule 66: Every member shall be present within the hall of the House during its sittings, unless excused by the House, or unavoidably prevented, and shall vote for or against each question put, unless he has a direct personal or pecuniary interest in the determination of the question, or unless he is excused by the House."

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO LAY BILL ON TABLE

Mr. TOMPKINS. Mr. Speaker, I feel that I have been taken unfair advantage of. I do not feel that I have been extended the legislative courtesy due a member in a situation of this kind. For that reason, I move that this bill be laid upon the table.

The SPEAKER pro tempore. The motion is proper and the gentleman from Cameron, Mr. Tompkins, moves that this bill be laid upon the table. The motion is not debatable.

On the question,

Will the House agree to the motion?

Mr. McCANN. Mr. Speaker, I request the membership of this House to oppose the motion to lay the bill upon the table.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Cameron, Mr. Tompkins. Those voting "aye" vote to lay the bill upon the table; those voting "no" vote against laying the bill on the table.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Berks, Mr. Adams, rise?

Mr. ADAMS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ADAMS. Mr. Speaker, I understand you ruled that in order to raise the question as to whether a person is required to vote or not it must be raised prior to the closing of a roll call. How can a person tell whether a person intends to vote or not until after it is closed? Not everyone votes at the same time. You have no way of knowing, as I see it, until after you order that it is closed to determine whether the person is not voting.

Mr. McCANN. Mr. Speaker, under the electric roll call system each person's name appears on both sides of this House. It is possible for the bulbs to be burned out on both panel boards at one time. As a general rule, they are not.

Therefore, I assume no one would check as closely as that individual member after he has voted. I would say to you that the only person who would know definitely how you voted and whether it was recorded would be you, yourself, when you check the board.

Mr. ADAMS. Mr. Speaker, I think it is not a question of whether a person knew whether or not he voted. I assume that someone did not wish to vote on the bill or the motion and did not push the switch. I noticed that at least one person did not vote on the bill, and I assumed that the gentleman did not wish to vote on it. How do you determine whether a person is going to vote or not until after you close it, that he did not want to vote, or did not vote? If you cannot raise the question after it is closed, how can you tell before?

The SPEAKER pro tempore. For the information of the gentleman, the time to raise the question as to whether or not a member has voted is before the Chair has ordered that the vote be recorded, and there is certainly time given for that purpose.

Mr. FILO. Mr. Speaker, is it true according to the rules that when there is a roll call there is nothing in order but the roll call?

The SPEAKER pro tempore. That is true. The point of order has been raised, however, and that takes precedence over the roll call.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Messrs. TOMPKINS and LIPPINCOTT and were as follows:

YEAS—91

Adams,	Fox,	King,	Seltzer,
Anderson, J. H.,	Fulmer,	Kistler,	Simmons,
Ashton,	George,	Knecht,	Slack,
Auker,	Gibb,	Kooker,	Snare,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Bossert,	Goodrich,	Lee, K. B.,	Strausser,
Bower,	Gramlich,	Lippincott,	Thompson,
Bowman,	Gross,	Magee,	Tompkins,
Buchanan,	Haudenshield,	Manbeck,	Ujobai,
Bush,	Heffner,	Markley,	Varner,
Davis,	Helm,	Marsh,	Weidner,
Dengler,	Henzel,	McCandless,	Wescott,
Dennison,	Hocker,	McInroy,	Whittaker,
Donaldson,	Holliday,	Merry,	Willard,
Down,	Holman,	Miller,	Willaredt,
Edwards,	Horst,	O'Dell,	Williams, A. D.,
Elvey,	Isaacs,	Odorisio,	Wilt,
Eshback,	Johnson, A. W.,	Ogilvie,	Wood,
Eshleman,	Johnson, R. P.,	Piper,	Worley,
Ewing,	Keiser,	Pursley,	Zember,
Fetterolf,	Kernaghan,	Royer,	Zimmerman,
Foor,	Kessler,	Rutherford,	

NAYS—102

Anderson, S. A.,	Gallagher,	Maxwell,	Renwick,
Arlene,	Gelfand,	McCann,	Riley,
Bachman,	Goldstein, M. H.,	McCormack,	Rovansek,
Boies,	Gray,	McDevitt,	Rubin,
Bonner,	Gremminger,	McDonald,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcelli,
Capano,	Hankins,	Meholchick,	Schaaf,
Capitolo,	Hartley,	Mihm,	Schuster,
Cauley,	Heavey,	Monroe,	Shelton,
Cianfrani,	Irvis,	Morley,	Sherman,
Cioffi,	Jenkins,	Mullen,	Shupnik,
Clarke,	Jim,	Murphy,	Stank,
Comer,	Jones,	Murray,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Taylor,
Dougherty,	Klein,	O'Donnell, J. A.,	Tomascik,
Doughten,	Kornick,	O'Donnell, J. P.,	Trusio,
Eilberg,	Kramer,	Parlante,	Verona,
Farabaugh,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Yetter,
Foerster,	Long, Wm. Jas.,	Prendergast,	Andrews,
Fry,	Long, Wm. Jos.,	Reibman,	Speaker
Gailey,	Lutty,	Reidenbach,	

NOT VOTING—13

Cooley,	McKeever,	Pashley,	Sullivan, T. F.,
Frascella,	Mills,	Price,	Wall,
Guthrie,	Munley,	Steckel,	Williams, E. S.,
May,			

So the question was determined in the negative and the motion was not agreed to.

Mr. TOMPKINS. Mr. Speaker, the only thing I have is this: I would like to make a sincere request that this matter goes over until Monday. I am not trying to obstruct this bill. I am not trying to promote a defeatist position on this bill. I think there are quite a few on this side who intend to vote for this bill, but still at the same time we ought to be granted the opportunity to go over these things and study them so we know exactly what all these things are going to eventually provide for.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, second line of Title, by inserting after "in" "state-aided."

Amend Sec. 2, page 2, line 5, by inserting after "education" "in state-aided educational institutions."

Amend Sec. 2, page 2, line 8, by inserting after "to" "state-aided."

Amend Sec. 2, page 2, lines 10 to 15, by striking out all of said lines.

Amend Sec. 2, page 2, line 16, by striking out "(d)" and inserting "(c)."

Amend Sec. 3, page 3, line 2, by inserting after "any" "state-aided."

Amend Sec. 3, page 3, line 4, by inserting after "grade" "receiving state-aid."

Amend Sec. 3, page 3, line 7, by inserting after "versity" "receiving state-aid."

Amend Sec. 3, page 3, lines 8 to 10, by striking out "except any religious or demoni-" in line 8 and all of lines 9 and 10.

Amend Sec. 3, page 3, lines 11 to 15, by striking out all of said lines.

Amend Sec. 3, page 3, line 16, by striking out "(3)" and inserting "(2)."

Amend Sec. 3, page 3, line 17, by striking out "(4)" and inserting "(3)."

Amend Sec. 3, page 3, line 19, by striking out "(5)" and inserting "(4)."

Amend Sec. 3, page 3, line 20, by inserting after "a" "state-aided."

Amend Sec. 3, page 4, line 1, by striking out "(6)" and inserting "(5)."

Amend Sec. 6, page 6, line 7, by striking out "except religious or denominational institutions."

Amend Sec. 6, page 6, lines 11 and 12, by striking out "except religious or denominational institutions."

Amend Sec. 6, page 6, lines 17 and 18, by striking out "except religious or denominational institutions."

Amend Sec. 6, page 7, lines 4 and 5, by striking out "except religious or denominational institutions."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

Mr. TOMPKINS. Mr. Speaker, speaking on the amendments, I ordered a set of amendments to provide that this bill apply only to institutions and colleges and universities receiving State aid. Now whether these amendments provide for that or not, I do not know. I have not had an opportunity to study the amendments, to go over the bill with the amendments and see whether or not it provides what we intended by the amendments, to see where they fit in.

The only thing I can say to you is that the intention of the amendments is to make the bill apply only to those institutions. Whether these amendments accomplish that or not I do not know because I have not had an opportunity to study them.

Mr. FINEMAN. Mr. Speaker, I think I would be the last person in this House to refuse to extend a common courtesy to any other member of this House, a courtesy such as was requested today.

I was told yesterday that the intent and purpose of these amendments was to limit this bill in its application only to State-aided schools. It is a simple amendment; one that is not complex in nature. The only reason there are two pages of amendments is because wherever the appropriate word appears throughout the several pages of the bill, it, of course, had to be amended to say only "State-aided schools." So that when Mr. Tompkins refers to two pages of amendments, he does not refer to two pages of new material.

Now I would agree with the gentleman that if these

amendments were to pass, that we could work something out to make sure that the amendments convey that impression and nothing more, State-aided. But in the interest of expediting debate on this thing and getting this bill off the calendar, and with the proviso that I will work out the technical language of the amendments to conform to the intention of the sponsors of those amendments, I think, in good conscience, in view of the simplicity of these amendments and in view of the importance of this bill, that we ought to go ahead and dispose of it at this time.

Mr. TOMPKINS. Mr. Speaker, I merely want to state this: I know what I ordered up for the amendments. I frankly think it is very poor legislative process to say, let us take a look at it and if it is not right then we will work it out later. We now have an opportunity to work this out and to work it out from its chronological course as it should be, as a matter of legislative practice. And I cannot see why you take such a position as that and why they want to call out that steamroller again to run rough shod over these things without giving us an opportunity to study them the way we should have an opportunity to study them.

My intention is to provide for State-aided institutions. Whether or not that is what it does throughout the bill, I do not know and I could not tell you at this minute, and I do not think anybody else in this House could.

Mr. FINEMAN. Mr. Speaker, I rise to debate the amendments.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. FINEMAN. Mr. Speaker, ladies and gentlemen of this House, as Mr. Tompkins has said, the intent and the purpose of the amendments that he has offered is to limit this bill in its application to only State-aided institutions.

I rise to oppose these amendments because, in my opinion, they cut the very heart out of this bill. These amendments run contrary to the full intent and purpose of this bill, and then, in effect, it makes this bill meaningless and of no value whatsoever.

Now before I get into the question of why these amendments have no merit, I would like to point out to the members of this House certain facts. I ask you to indulge me in an attentive listening to these facts, because these may very well be factors which influence your thinking, not only on the amendments, but on the bill itself.

Fact No. 1: In every other State that has a fair educational opportunity bill the language in those bills is substantially identical to the language in the bill that you have before you now. These States do not restrict the wiping out of discrimination to only State-aided institutions; these States say, that discrimination has no place in our society in all educational institutions, and not just State-aided institutions.

Point No. 2: This bill is no stranger in this House. This same bill passed this House last year by a vote of 157 to 32, only 32 negative votes, on a bill that contains identical language to the bill that you have before you at this time. There was no amendment offered at that time to restrict this bill in its application to only State-aided institutions. This bill cleared with easy sailing in this House in the exact language that you find in it at the present time.

Point No. 3: And this is an important point—both the Democratic and the Republican State Platform have said that it is the policy of our respective parties to eliminate discrimination against all students in all classes of education, secondary and otherwise. As a matter of fact, on page 76 of the Journal of January 19, 1949, in the Republican Platform these brief words appear:

> "We believe that all"—and I lay particular emphasis on the word "all"—"We believe that all students should have an equal opportunity for secondary as well as higher education without discrimination or segregation."

Now there is nothing in your platform that says that we mean only students that go to State-aided institutions. The language of the thing is unequivocal; it is clear. It is a mandate to your party to vote for legislation that wipes out discrimination wherever it can be found in any educational institution.

Now I would like to say to you that this same platform appears in the Democratic Party platform and I mean to inform the members of this House that the Democratic members of this House today are going to redeem that pledge because they are going to vote to strike down these amendments and they are going to vote in favor of this bill. And I ask you people on the other side of the aisle, I ask you to open up your hearts and your minds, to take off the shackles that close your hearts and your minds, and comply with your own program.

If we are to be respected by the people of our respective communities, as politicians, as enlightened members and leaders of our communities, if our platforms are to mean anything to these people, then we have to do what we say we are going to do. We have to mean what we say we are going to do and we have to vote our platform.

This is an obligation that you people on the other side have and, if you vote for the amendments, you are not discharging that obligation.

Now, Point No. 4 that I want to bring to your attention: The Governor's Committee on Education, as you well know, has recently submitted its final report. I bring to your attention that that report contains the very recommendation that is embodied in the bill before you. The report said it should be the basic policy of this Commonwealth that no pupil will be deprived of a school and proper education because of race, religion or national origin. Legislation should be enacted forbidding discrimination against any student or any educational institution of any kind at any level. This should include public and private schools and institutions of higher education.

So you have sufficient mandate from many sources that tells you what you are doing today is wrong. Now, ladies and gentlemen, let us put aside all this. Let us say that you have no mandate. Let us say that you do not have this obligation because it is in your platform or because it is the recommendation of the Governor's Committee or because you voted for it in a previous year. Let us put this aside and look at what these amendments will do.

These amendments say that this bill is going to be limited to State-aided schools. Do you people know how many State-aided schools there are in this Commonwealth? There are less than twenty-five State-aided schools in this Commonwealth; and yet there are 375 educational institutions, 375 educational institutions through which

students are matriculating every day in the week in this Commonwealth. This means that what you are saying is it is perfectly all right in 6 percent of our schools not to discriminate, but in 94 percent of our shcools it is okay to allow the possibility of discrimination.

You can thoroughly understand now what I meant when I said that if you vote for these amendments you are voting for amendments to make this bill meaningless. You cannot vote against discrimination, or discriminatory practices, on a piecemeal level. Discrimination in all shades, in all degrees, must be stricken out, must be attacked at every level. You cannot attack it on a piecemeal basis and that is what you are doing if you vote for these amendments that say they are applicable only to State-aided schools. Are the students at State-aided schools any different than the students who go to non-State-aided schools? Do the latter students not have the same right to an aducation, for an equal opportunity to pursue an education and to advance themselves in society? What is the difference between these students? If you search your heart you know that there is no difference. Discrimination, wherever it may be, has to be attacked.

I have heard it said, and this is why these amendments are being offered, this bill is an encroachment, an encroachment, mind you, on privately owned institutions. Now, ladies and gentlemen, this is a fallacious argument. If this were a valid argument by what right could we pass any legislation in this House that seeks to investigate, that seeks to establish rules and regulations for any trade, for any business, for any institution. If this is a valid argument, by what right do we tell the beauty parlors or the barber shops or the dentists what kind of premises they can have, how clean the premises must be, what standards they must have. You can see that this argument is threadbare of logic and validity and it has none whatsoever.

Do these schools not have an obligation, be they private and non-State-aided, to society? Are they not accredited? What does it mean to be accredited? It means that they can give degrees, they can process students through their schools who can qualify for teaching positions in this Commonwealth. They get tax benefits. They have the availability of the staff of the Department of Public Instructions for help and assistance. In exchange for these benefits they owe an obligation and a debt to society not to engage in discriminatory practices. I cannot conceive of any school being willing to engage in a discriminatory practice and I dare say there is not a soul in this House who believes this is a practice we should sustain. As a matter of fact, this bill is so innocuous, so less than harmful to these schools, that they should rally to its banner, they should rally behind it. What the bill does in an educational nature is not merely to the filing of complaints. What the bill does is merely to establish an educational program which sets up certain practices which are discriminatory, and it says you cannot engage in this but if you do engage in it we will come down and we will talk to you, and, by conciliation and by counsel and by informal meetings, we will try to work it out. That is all this bill does.

I am asking the members of this House to let their consciences, their respective consciences, be their guide. And if you let your conscience be your guide, you will not vote for these amendments.

Mr. TOMPKINS. Mr. Speaker, in answer to some of the statements which have been made by the gentleman from Philadelphia, I merely wish to state this: We had proposed to offer a couple sets of amendments to accomplish practically what these amendments accomplish. One was to take the application of the bill out of institutions which are operating under testamentary trust or private endowment. They constitute private property, private investments, and the right to the privacy of a man to do with his property as he sees fit.

We have at least one such institution in the State that has existed in this State since 1832. Every effort has been made over the years to strike that down, but they have preserved the right of private property and the right of a man to dispose of his property as he sees fit even though it might dovetail into some of the things that we are trying to strike down in this legislation. I am thinking particularly of Girard College.

There was another amendment which we had proposed to offer which would strike out the use of the word "primarily" as it refers to institutions that are primarily supported by religious institutions. Because we have a great number of institutions in this State that were founded by religious institutions and although maybe today they are not primarily supported by the church, yet they still are regulated by those particular churches. We felt that this broad amendment of State-aided schools alone would accomplish both of those purposes and would still preserve the right of the private institutions to operate as they saw fit. I do not believe that the long arm of the State has a right to interfere or intervene into the rights of those private institutions which have existed and persisted over the years and have succeeded over the years without the aid of tax money. Now where tax money is involved, that is public money, and I agree with you that there should be no discrimination and that is what these amendments provide.

When you talk of six percent of the colleges in the State being affected by this, you are not talking about six percent of the student enrollment. There is a tremendous difference between the percentages of the colleges that might be affected by this and the percentage of the enrollment in our institutions that would be affected by it. I should think of the State-aided institutions, our eight State colleges, I can think of Penn State, Pitt, Temple, Penn, Jefferson, Hahnemann, Drexel, and a whole host of others that are State-aided. This bill would apply to them, but an institution like Girard College and an institution like Dickinson College founded by the Methodists, or Lebanon Valley founded by the Brethren churches, I believe it is, and other institutions in this State that have been founded by your various religious institutions and have operated over the years as such, I do not believe that the State has a right to interject itself into that so long as they are not receiving tax money. They have the right to operate them the same as you have a right to determine who visits your home. That is why these amendments are offered, to cover not only those two situations that I spoke of, but also to cover this broader field in which I think we still have in this country some guarantee of the right of

private ownership of property and the right to dispose of it as we see fit.

Mr. FINEMAN. Mr. Speaker, I would like to point out to the members of the House, first of all, that under the provisions of this bill religious and denominational schools are excluded from its provisions. This bill does not cover religious and denominational schools, and Lebanon Valley is listed as a denominational school with our Department of Public Institution and would not be affected by the provisions of this bill. That is point number one.

The second point I want to make is this: Whether the members of this Assembly know it or not, several weeks ago they voted for a bill that in effect said, among other things, it is illegal to discriminate against any student in any school be it private or otherwise. I would say that Senate bill 53, which is essentially the Fair Housing Bill, incorporated in its terms the Public Accommodations Law of 1939. And, the Public Accommodations Law of 1939 said that a public accommodation is not limited to, but including, kindergartens, primary and secondary schools, academies, colleges, universities, and all educational institutions under the supervision of this Commonwealth. And every institution except religious or denominational are under the supervision of this Commonwealth. Now, if that raises the question in your mind, does this bill suffice, the answer is that it does not suffice because unfortunately Senate bill 53 does not spell out the various practices that constitute discriminatory practices. It does not spell out what procedures, what functions, what duties and what obligations the human relations commission has in connection with this investigation of discriminatory practices. All it does is merely include educational institutions among the term "public accommodations." House bill 430, which you have before you today, gives the answer, the implementation in effect of Senate bill 53. There is the reason why I can safely say that we have already voted for a policy that says we are against discrimination. Now, we are voting for a bill that implements the declaration of that policy.

Mr. A. D. WILLIAMS. Mr. Speaker, I would like to comment on these amendments, but I am afraid my remarks will go a little bit beyond the scope of these amendments. I would, therefore, like unanimous consent for those remarks if they are not exactly pertinent to the amendment.

The SPEAKER pro tempore. Dose the gentleman desire to talk on the amendments and then talk on the bill at a later time?

Mr. A. D. WILLIAMS. I desire to do all my talking at this time, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed and the Chair will call him if he gets off base.

Mr. A. D. WILLIAMS. Mr. Speaker, being a little bit prejudiced is like being a little bit pregnant. My wife tells me that this is fatal.

Mr. Fineman, the gentleman from Philadelphia, and the majority leader, Mr. McCann, know as well as I do that I am a cosponsor and ardent supporter of this legislation that is now under consideration. I also, quite frankly, would have to vote against the amendments offered by Mr. Tompkins, the minority whip. However, I, for one, as a supporter of this type of legislation, which has fairness as its very basis, hate to see this bill pass today under what I consider a cloud of prejudice. The prejudice in my mind today is prejudice toward the minority whip as an individual, perhaps, but certainly toward a member of this House who has said, and I believe in good conscience and in good faith, that he wants this bill merely held over so he can have a decent chance to present his side of the case. I happen to disagree with his side of the case. However, I do agree that he should have that right.

We have the votes to pass this bill; we have them today, I think; and I know we will have them on Monday, Tuesday or Wednesday of next week. Let us in good conscience—and I am now addressing myself to the majority leader and to the gentleman from Philadelphia, Mr. Fineman, let us in good conscience—pass over these amendments, pass over this bill, and wait until next week when no one, in all good conscience or in fairness, can say that they did not have a decent chance, a fair chance, to oppose this bill. They are entitled to oppose it if they do not agree with us that it is a good idea. Give them a chance to do that. Give them that chance next week with plenty of time, so that when this bill passes it will pass in an atmosphere of decency and fairness, because that is what the supporters of this bill say we believe in.

This bill needs bipartisan support. There are, I believe, only 101 or so members of the Democratic Party, the majority party, here today. I am sponsor of this bill and I am sworn to support this bill, but if you put me in the position where I must vote for this bill today when I think that the opposition, to my point of view, has not been given a fair chance, I will not in good conscience vote for this bill today. That does not mean that I am not for this bill—no one can ever say that I am not for it. I will vote for it on Monday, I will vote for it on Tuesday, and I will vote for it on Wednesday, and I will vote for it any day that it comes up, but I cannot and I will not vote for it today because I do not believe that those who disagree with me, and who have every right to disagree with me, have had a fair chance.

Mr. McCANN. Mr. Speaker, I do not know of anyone who could say in this House, ever, that I do not always try to keep my word, because as someone once told me, and I will refer this to Mr. Goldstein, I think the only thing a politician ever has is his word.

The point is simply this, I was clearly informed of the preparation of the amendments by the sponsor of the amendments. I was clearly informed as to the contents and today, as they were passed up here, thty were exactly as we discussed them in our caucus—even though the amendments were not here. Now as they were read, it was evident that they did exactly what the gentleman wanted them to do, and we opposed those amendments. We did discuss these in our caucus very carefully, indicating that they would be offered by two people, perhaps, but I will say only the name of Mr. Tompkins, since he offered them today. That was clearly defined and our position was clearly defined and each member opposed the amendments and indicated that they would support the bill. I have not refused in any way—in fact, as you know quite well, the gentleman being honest as he is, had he said to me that the amendments never arrived, I would have automatically passed the bill over

without a question, because they were in preparation and he told me so the day before, or really told me the day previous to that. But the amendments are here and the amendments can be debated, and I believe the amendments will fall and I believe we are in a position to vote on the bill. I am sorry that it has come to a position of party division, yet I respect each member for supporting Mr. Tompkins' position when making the parliamentary moves on the bill. This does not, in my opinion, indicate how you will vote on the bill, but when we bring the bill to a voting position you will clearly have to say whether you vote "yes" or "no."

Mr. Speaker, I ask that we do vote on the amendments that have been debated and then I will ask that the bill be called up to be voted on.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I might say this, had I had the amendments in my possession sufficiently long to be able to operate with them, there were several others who wanted to cosponsor these amendments with me. But I did not have the opportunity to pass them along for the purpose of having that accomplished.

The gentleman from Philadelphia, Mr. Fineman, speaks about the Senate bill that was passed here and talks about the fair housing situation and the public accommodations, or what applies to public accommodations. He also said that those public accommodations were those that were under the supervision of the Commonwealth, and that is exactly what this bill is trying to do, to bring in line the very same thing, those institutions under the supervision of the Commonwealth. That is all we are asking to be done in this bill by these amendments.

And the word "primarily" as used in this bill referred to institutions that are primarily sustained by religious institutions There are a lot of institutions in this State that were at one time primarily supported, but, perhaps, that are not now primarily supported by institutions but still are under the jurisdiction and control of these religious institutions, although they operate privately and without the benefit of any tax money. Those are the institutions I am talking about. Those are the institutions that are not excluded by this bill, and that is what we are trying to accomplish. The word "primarily" is used in this bill on page 3 and would strike out a great number of these institutions.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and LIPPINCOTT and were as follows:

YEAS—80

Adams,	Fulmer,	Knecht,	Seltzer,
Anderson, J. H.,	Gibb,	Kooker,	Simmons,
Ashton,	Gibbons,	Korns,	Slack,
Auker,	Goldstein, J. H.,	Lee, A. M.,	Snare,
Backenstoe,	Goodrich,	Lee, K. B.,	Stimmel,
Blair,	Gramlich,	Lippincott,	Stiteler,
Bossert,	Gross,	Magee,	Strausser,
Bower,	Haudenshield,	Manbeck,	Thompson,
Buchanan,	Helm,	Markley,	Tompkins,
Bush,	Henzel,	Marsh,	Ujobai,
Dengler,	Hocker,	McCandless,	Varner,
Dennison,	Holliday,	McInroy,	Walsh,
Donaldson,	Isaacs,	Merry,	Weidner,
Down,	Johnson, A. W.,	Miller,	Wescott,
Edwards,	Johnson, R. P.,	O'Dell,	Whittaker,
Eshback,	Keiser,	Odorisio,	Willard,
Ewing,	Kernaghan,	Ogilvie,	Willaredt,
Fetterolf,	Kessler,	Piper,	Wilt,
Foor,	King,	Pursley,	Wood,
Fox,	Kistler,	Royer,	Zimmerman,

NAYS—107

Anderson, S. A.,	Gelfand,	Lutty,	Renwick,
Arlene,	George,	Maxwell,	Riley,
Bachman,	Goldstein, M. H.,	McCann,	Rovansek,
Boies,	Gray,	McCormack,	Rubin,
Bonner,	Gremminger,	McDevitt,	Rudisill,
Branca,	Guesman,	McDonald,	Sakulsky,
Breth,	Guthrie,	McLaughlin,	Scarcelli,
Capano,	Hamilton,	McNally,	Schaaf,
Capitolo,	Hankins,	Meholchick,	Schuster,
Cauley,	Hartley,	Mihm,	Shelton,
Cianfrani,	Heavey,	Monroe,	Sherman,
Cioffi,	Holman,	Morley,	Shupnik,
Clarke,	Irvis,	Mullen,	Stank,
Crossin,	Jenkins,	Murphy,	Stone,
Curwood,	Jim,	Murray,	Sullivan, J. A.,
Davis,	Jones,	Musto,	Taylor,
Dougherty,	Kamyk,	Needham,	Tomascik,
Doughten,	Kelly,	O'Donnell, J. A.,	Trusio,
Eilberg,	Klein,	O'Donnell, J. P.,	Verona,
Farabaugh,	Kornick,	Parlante,	Wargo,
Filo,	Kramer,	Perry,	Welsh,
Fineman,	Lamb,	Petrosky,	Williams, A. D.,
Flynn,	Lawson,	Polaski,	Worley,
Foerster,	Leonard,	Polen,	Yetter,
Fry,	Limper,	Prendergast,	Zember,
Gailey,	Long, Wm. Jas.,	Reibman,	Andrews,
Gallagher,	Long, Wm. Jos.,	Reidenbach,	Speaker

NOT VOTING—19

Bowman,	Frascella,	Mills,	Steckel,
Comer,	Heffner,	Munley,	Sullivan, T. F.,
Cooley,	Horst,	Pashley,	Wall,
Elvey,	May,	Price,	Williams, E. S.,
Eshleman,	McKeever,	Rutherford,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FINEMAN. Mr. Speaker, I am not going to delay the members of this House. As a matter of fact, it is not very frequent and I have not made it a practice during the time I have been a member of this House to reduce to writing the remarks that I intend to make on the floor; it is a matter, usually, of speaking off-the-cuff for me. But this bill was of such significance in my mind, and I wanted to be so precise in what I had to say about it and so certain in the statements I was to make, that I have on this occasion reduced my thoughts to writing. We have debated this quite a bit, and I am merely going to submit my remarks for the record instead of reading them.

Before I do that there is just this one thing I want to say. I sincerely regret that the color of partisanship has found its way into this debate, because, Mr. Speaker, if ever there was a bill that was void of political considerations, if ever there was a bill that you could either vote for or against because you are what you are, not because you are a Democrat or a Republican, this is the bill. You are not against or for discrimination because you are either a Democrat or a Republican. Either you have a broad horizon, either you are liberal in your viewpoint, or you are not, and the unfortunate fact that there developed this little riffle between the minority leader

and myself on our side over procedural tactics is most unfortunate.

I am asking each of you now, in conclusion, as respected members of your communities, as enlightened leaders of your communities, who are expected to rise above the prejudices that each of us might have—and I grant you that each of us has some prejudices—to vote for this bill. Even minority people have prejudices. We have an obligation as leaders of our communities to rise above prejudices, to point the thinking of the people in our communities, to show them the enlightened way. I ask you to respond to this call for enlightenment now by casting your vote for House bill 430.

Mr. FINEMAN submitted the following for the record:

Mr. Speaker, I rise to speak on behalf of House bill 430 and to urge upon the membership of this House in connection therewith affirmative favorable action that will clearly and unmistakably point up that discrimination, and the denial of equal educational opportunities cannot find approval or endure in the Commonwealth of Pennsylvania. I bring to the attention of this House that this identical bill passed this House in 1959 by a vote of 157-32.

There are certain basic and fundamental prrinciples that give birth to this legislation, the preservation of which is essential to our collective well-being and which every fair-minded citizen knows to be beyond attack. Among these tenets is the proposition forming the very foundation of our democratic State and being the very bedrock of our Constitution, that all men are created equal, having been endowed with certain inalienable rights, and that among these are life, liberty and the pursuit of happiness. There is implicit in this declaration the right to be able to secure and to pursue an advancement of one's position in society through education. We also adopt with complete accord and unity in our approbation the proposition that the progress of our community relies upon the development, the encouragement, the discovery and the fostering of talent without regard to race, religion, color, ancestry or national origin. We have been made painfully aware of this truism in the last decade since the advent of exploration into outer space which has resulted in a national call for developing on a crash program basis our full scientific and educational potential.

If then we are in agreement that the most precious asset of American life is the assurance of equal rights for all, the allowance of broader opportunities for all, the preservation of the dignity of the individual, then I say we have too long delayed in striking down those practices that run contrary to these beliefs—practices that we have naively tolerated as not being unduly oppressive or destructive of our desired way of life. This Commonwealth has traditionally been identified as the Keystone State in the struggle for human freedom. It is time, indeed, that this freedom should be extended into the domain of higher education so that educational opportunities should not be denied to anyone because of race, color, religion, ancestry or national origin.

House bill 430 is legislation that seeks to accomplish this equality of opportunity and in this purpose it in no way imposes any undue burden on the schools that are covered by the law. This bill is not an indictment, it is not an accusation—rather it is an expression of policy. It is not geared primarily to the processing of complaints but rather to a comprehensive education program under which the human relations commission will be empowered to deal with the subject so as to endure full and equal opportunity to every student on the basis of his individual merit and without regard to his race, color, religion, ancestry or national origin.

The human relations' commission is empowered by this bill to make visits to the schools, study their admission practice precedures, observe what factors determine whether a given applicant will be accepted or rejected and work out amicably whatever adjustments are needed in order to eliminate and prevent prejudice and discrimination in educational institutions.

In this day of exploding populations and resultant increases in student enrollments, the Commonwealth must publicly declare a policy on admission to institutions of higher learning. The facilities for educating our students have not kept pace with this population expansion and of necessity therefore it is to be anticipated that there will not be space for all. We must therefore insure that the opportunity to obtain an education will be determined solely by merit and ability and not by factors which run contrary to our Constitution and the welfare of this State. The need for this legislation exists and I ask the members of the House to respond to this need and to cast their votes for House bill 430.

Mr. SHERMAN. Mr. Speaker, as the main sponsor of this bill, I do rise to support it for the simple reason that we all dislike such things as prejudices or any remarks made by any member of the House against another. I feel that no vote should be changed by any member, Republican or Democrat, and I say that with all sincerity, regardless of whether the bill is going to be voted on today or next week. It is a good bill dealing with discrimination. Now is the time to vote for it, if at all possible.

If you notice the nature of the bill, it is exactly the same bill, with the exception of liberalizing it to conform with wishes of certain gentlemen who desired certain amendments, as passed by this House a few years ago.

I speak on behalf of House bill No. 430. House bill No. 430 declares the policy of this Commonwealth with regard to discriminatory practices in educational institutions based on race, religion, color or national origin and prohibts such discriminatory practices.

The commission under which this bill functions, human relations commission in the Department of Labor and Industry, is geared to handle this kind of legislation dealing with racial and religious discrimination.

The bill emphasized education instead of filing complaints and omits any criminal penalties. It deals with fair educational practices. The commission makes annual visits only when deemed necessary to institutions of post secondary grades to examine the practices and procedures in the selection of students. It resorts to conciliation, holds hearings on issues, when necessary, cease and desist orders. Under the cease and desist order, the identity of the institution is not revealed. It does not apply to religious institutions.

The schools themselves should welcome this legislation in order to lay to rest unfounded rumors.

With the future influx of college students, equality of educational opportunities requires that all qualified students be admitted.

That overcrowdedness has occurred there is no doubt. The situation is urgent. In 10 years 50 percent of our students will be unable to attend college. Shall some of the best brains of our country be denied the use of our colleges and universities? Shall we go forward or decline to the failure desired by our Communistic foes? College enrollment in the State has increased by 100,000. The boys and girls of our war years have already been born. We do not have to estimate their number. Pennsylvania must do its share for the youth of our State.

It is dreadful that some of us are blindfolded and fail to look into the future. We hope that some day we can look back on our beliefs with horrified wonder in the same way as we look at the fair employment practice bill.

Living in our communities of brotherhood, we should respect and accept our responsibility, our decency and

God-granted privileges and give our children an equal opportunity to reduce chaos to order.

I ask that this fair educational opportunity bill permitting equal educational opportunities for all be passed.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. Mr. Speaker, I would like to briefly interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, the gentleman from Philadelphia will recall that he and I, I believe, at the State Government Committee meeting, when we talked about this bill, discussed certain problems, and it is those questions I am going to address to him today.

I am referring to those institutions of higher learning in the Commonwealth which originally were chartered or founded by religious or denominational groups, but which today are not controlled or would not come into the exemption in the bill, but still retain the characteristics of Methodist, or Lutheran, or some other denomination. Does the gentleman know the institutions I am referring to?

Mr. FINEMAN. Yes, not by name, but by title.

Mr. DONALDSON. If one of those institutions—to get the publicity for a wonderful institution, I will mention Allegheny College. If Allegheny College had a policy of admitting each year 10 percent of its freshman class as Methodists, would that policy be in violation of this act?

Mr. FINEMAN. It would not.

Mr. DONALDSON. I am glad to hear the gentleman say that, but may I ask him why he said that?

Mr. FINEMAN. Yes, I will be glad to explain. I know the problem that is in the gentleman's mind. It is an apprehension that is unfounded and should cause little loss of sleep at night. There is nothing in this bill that anywhere says a school cannot prefer, or give preference to, any particular type of student. The expression is in the negative. The prohibition is against exclusion of students of a certain type, students of a particular religion, race, color, national origin or ancestry.

The other point I want to make to you is that which concerns the intent and purpose of this bill, and this is a subject which I have discussed with the members of the human relations commission and other interested parties. It is the intention of this bill only to get at that institution, and I might say, fortunately, there are few, but there are some, which make it a practice, a principle, to exclude students because of their religious background, their national origin, because of their race, color or creed.

The members of the human relations commission, and I might say that those members are men who have character in keeping with the title of this body, are men of compassion, of understanding, and who have a full awareness of the need of all schools for funds. It is their intent and purpose not to deprive any school of funds they might get from some religious or denominational institution simply because they prefer some students. There is nothing in the bill that says they cannot prefer. The bill goes to the negative position, the exclusion of students.

Mr. DONALDSON. I might say to the gentleman that I thoroughly enjoy his speeches. He does a beautiful job. I am every bit in agreement with him, in complete sympathy with him, as far as the problem he raises. I am trying to clarify this bill and how it will affect certain institutions.

Now, to go on, I disagree with the gentleman's interpretation there. If Allegheny College decided as a matter of policy that 10 percent of its freshman class would be composed of children of alumni, would that be in violation of this bill?

Mr. FINEMAN. It would not. I know you are going to raise the point, does not the word "ancestry" mean the children of alumni?

Mr. DONALDSON. I certainly would raise that point. That is correct.

Mr. FINEMAN. I am happy to anticipate you correctly, Mr. Donaldson.

The people who drew this bill by the word "ancestry" do not refer to children of alumni, although, if you were to search Webster, you would find that the word "ancestor" means lineage and conceivably, or understandably, that means children of children of children, and so on, ad infinitum. That is lineage and that could be ancestry, but what they are concerned about when they distinguish national origin from ancestry is the parents and grandparents of students who might come, let us say, from countries in Europe where their acceptance in our institutions may not be as quick as natural-born citizens. National origin refers to the student himself, but ancestry refers to the parent or grandparent of that student.

Mr. DONALDSON. I assure the gentleman again, I enjoy his speeches.

Mr. FINEMAN. I am happy that I entertain the gentleman.

Mr. DONALDSON. No, I am not playing cat and mouse and I think the gentleman knows that.

The gentleman tells me what the intention of the bill is and I tell him I am in complete sympathy with the intention of the bill.

I thank the gentleman and that will end the interrogation.

I would like to speak on the bill briefly.

I am in complete agreement with the objections the gentleman has to certain practices in certain institutions and would like to see them eliminated, but, unfortunately, this bill will go far beyond that and whatever might have been the original intention of the gentlemen, or of the principle sponsor, or of the other people who participated. The fact of the matter is that the commission will be composed, whether it is a Democratic or Republican commission, of the usual bureaucrats who are always anxious to give themselves the broadest possible powers. I think the commission will interfere in the legitimate affairs of private institutions in this Commonwealth as the bill is now drafted. This bill could be amended, if we would take the time and effort to do it, to accomplish the exact purpose the gentleman wants to do and be a good bill and could pass this House overwhelmingly.

As the bill stands today, I will vote against it, although I have the greatest sympathy with the gentleman's objective. I thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, just one final observation. I think the gentleman has little to hang his hat on in voting against this bill. The objections are without validity in my opinion.

I would like to bring briefly to the attention of this House that bills such as this have been in existence in other States for over a decade. In those States they have lived happily with these bills, bills that have the identical language that you find in our bill. Their experience has been that there has been but, maybe, two or three complaints a year under those bills. That is all you will find will happen under this bill. The real meat of this bill is the power that it gives to the commission to accumulate and gather facts, to make it a legal fact-finding body so it can determine patterns of admission over a long period of time, to see, in fact, whether or not there is discrimination. These states, as I say, have lived happily with the very same language that we have here. We, too, can live happily with it, and we will take a step in the right direction, a step in the direction in which we all want to go if we vote for the passage of this legislation.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Lippincott.

Mr. LIPPINCOTT. Mr. Speaker, I would like to interrogate my friend from Philadelphia, Mr. Fineman, and ask him one brief question.

The SPEAKER pro tempore. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. LIPPINCOTT. Mr. Speaker, as I understand this bill, it excludes religious or denominational educational institutions. My question is this, Girard College is neither a religious nor a denominational institution. Is that school included within the scope of this bill?

Mr. FINEMAN. I do not think it is.

Mr. LIPPINCOTT. On what basis is it excluded?

Mr. FINEMAN. Because this bill is only applicable to post secondary schools.

Mr. LIPPINCOTT. Let me ask one further question: Would a—

Mr. FINEMAN. Just remember, I send you my Delaware County business.

Mr. LIPPINCOTT. Would a school established under a testamentary trust, which may be part of the business, be excluded if it were a post-secondary school?

Mr. FINEMAN. Would a school established under a testamentary trust . . .?

Mr. LIPPINCOTT. That is right. Let us say that a man left a large estate to found a school, let us say for white males to teach a certain subject, just as they did with Girard College, and it was a post-secondary school, would this bill, in effect, negative that intention?

Mr. FINEMAN. I do not know the answer to the hypothetical question. I would be happy to surmise an answer. I would be inclined to believe that the bill would be subject to the provisions of the act since it is a post-secondary school, since it is not a religious or denominational institution which would take it out of this provision, and since it does not otherwise fall into any of the exceptions, I would feel that such a school established by a trust would fall within the provisions of the act.

Mr. LIPPINCOTT. I thank the gentleman for his honest answer.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson, the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I am rising to support the position of Representative Alan Williams. I do not know when I have heard a more sincere statement made, particularly by a sponsor of a bill. It is a bill which establishes and calls for fairness and I join with Mr. Tompkins. I do not believe that Mr. Tompkins was treated fairly here today, and I believe I do ask the members on this side of the House to go along with Alan Williams, and he as one of the sponsors of the bill, in sincerity, said today in all fairness he will not vote for the bill but would next week. On this side of the House, for his courageous statement, I believe we should back him up and vote "no" on the bill today.

The SPEAKER pro tempore. The Chair recognizes the majority leader, Mr. McCann.

Mr. McCANN. Mr. Speaker, if I had the signals right as they were passed around, we are going to go down the party line to vote. We have 101 Democrats in their seats. There are 101 Democrats who indicated by caucus that they were in favor of the bill. When you defeat it today be prepared to reconsider it on your own motion.

(DURING ROLL CALL)

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I realize that there is nothing in order now but the tabulation of the roll, but at the same time, appropo of what was brought up here previously today with respect to the constitutional obligation imposed on every member of this House who is to vote for or against a bill, I notice, and this is the only way you can ascertain now whether or not a person is voting, I notice there are some members, or member, who is in his seat at the present time who has not cast a vote. Now, I am merely saying at this time we should inform the gentlemen that they stand in possible contempt of the House. There is a duty imposed on them which is clearly set forth in the rules of the House under the Constitution and the Speaker ruled in 1955 that the members who do not vote stand in possible contempt. I think they should be given fair warning that they should cast their vote or leave the chamber.

The SPEAKER pro tempore. Does the gentleman desire to challenge any particular voter?

The members are required to vote.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—103

Anderson, S. A.,	Gallagher,	Maxwell,	Renwick,
Arlene,	Gelfand,	McCann,	Riley,
Bachman,	Goldstein, M. H.,	McCormack,	Rovansek,
Boies,	Gray,	McDevitt,	Rubin,
Bonner,	Gremminger,	McDonald,	Rudisill,
Branca,	Guesman,	McLaughlin,	Sakulsky,
Breth,	Hamilton,	McNally,	Scarcelli,
Capano,	Hankins,	Meholchick,	Schaaf,
Capitolo,	Hartley,	Mihm,	Schuster,
Cauley,	Heavey,	Monroe,	Shelton,
Cianfrani,	Irvis,	Morley,	Sherman,

Cioffi,	Jenkins,	Mullen,	Shupnik,
Clarke,	Jim,	Murphy,	Stank,
Comer,	Jones,	Murray,	Stone,
Crossin,	Kamyk,	Musto,	Sullivan, J. A.,
Curwood,	Kelly,	Needham,	Taylor,
Dougherty,	Klein,	O'Donnell, J. A.,	Tomascik,
Doughten,	Kornick,	O'Donnell, J. P.,	Trusio,
Ellberg,	Kramer,	Parlante,	Verona,
Farabaugh,	Lamb,	Perry,	Walsh,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Worley,
Foerster,	Long, Wm. Jas.,	Prendergast,	Yetter,
Fry,	Long, Wm. Jos.,	Reibman,	Andrews,
Gailey,	Lutty,	Reidenbach,	Speaker

NAYS—84

Adams,	Fulmer,	King,	Royer,
Anderson, J. H.,	George,	Kistler,	Seltzer,
Auker,	Gibb,	Knecht,	Simmons,
Backenstoe,	Gibbons,	Kooker,	Slack,
Blair,	Goldstein, J. H.,	Korns,	Snare,
Bossert,	Goodrich,	Lee, A. M.,	Stimmel,
Bower,	Gramlich,	Lee, K. B.,	Stiteler,
Buchanan,	Gross,	Lippincott,	Strausser,
Bush,	Haudenshield,	Magee,	Thompson,
Davis,	Helm,	Manbeck,	Tompkins,
Dengler,	Henzel,	Markley,	Ujobai,
Dennison,	Hocker,	Marsh,	Varner,
Donaldson,	Holliday,	McCandless,	Weidner,
Down,	Holman,	McInroy,	Wescott,
Edwards,	Horst,	Merry,	Whittaker,
Elvey,	Isaacs,	Miller,	Willard,
Eshback,	Johnson, A. W.,	O'Dell,	Williams, A. D.,
Ewing,	Johnson, R. P.,	Odorisio,	Wilt,
Fetterolf,	Keiser,	Ogilvie,	Wood,
Foor,	Kernaghan,	Piper,	Zember,
Fox,	Kessler,	Pursley,	Zimmerman,

NOT VOTING—19

Ashton,	Guthrie,	Munley,	Sullivan, T. F.,
Bowman,	Heffner,	Pashley,	Wall,
Cooley,	May,	Price,	Willaredt,
Eshleman,	McKeever,	Rutherford,	Williams, E. S.,
Frascella,	Mills,	Steckel,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE

Mr. HOLMAN filed the following reasons for his vote on House bill No. 430.

Mr. Speaker, I agree completely with the intent and purpose of House Bill 430 and with the comments of the gentlemen from Bucks, Mr. Williams. Because I feel that the minority whip and other members of the minority were taken advantage of today, I have voted "No." Like Mr. Williams, I would have voted for this bill on any other day but this one. Mr. Speaker, because I am in favor of this legislation, I will join in the motion to reconsider.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

ANNOUNCEMENT

Mr. McCANN. The members are leaving here. This House will convene at 2:30 p. m. Monday for a Joint Session. Please plan accordingly and the members are leaving before word can get to them.

The SPEAKER pro tempore. The House has not adjourned. We have some important matters to go over the desk including the adjournment motion. The Chair requests that the members remain in their seats for a few minutes and it will only be a few minutes.

The SPEAKER pro tempore. The Chair recognizes the Minority Leader.

Mr. A. W. JOHNSON. Mr. Speaker, I was thinking that following the defeat of the fair education bill, we certainly will present a motion for reconsideration of that bill at the proper time on the minority side.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 224.

An Act amending the act of June 19, 1941 (P. L. 143) entitled "An act designating certain days of each year as Arbor Days and Bird Days one of which days shall be the ninth day of April * * * and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers" further providing for the designation of Arbor Day and Conservation Week.

HOUSE BILL No. 240.

An Act providing for the appointment of a registered nurse for the members of the General Assembly.

HOUSE BILL No. 302.

An Act amending the "Pennsylvania Fertilizer Law of 1956" approved May 29, 1956 (P. L. 1795) providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CAUCUSES

Mr. McCANN. Mr. Speaker, on Monday when this House convenes it will convene at 2:30 p. m., and a Joint Session will be held at 3 p. m. There will not be any caucus prior to the session but upon the completion of the Joint Session and very likely the first-reading calendar, each respective party will caucus on final-passage and third-reading bills before the House.

Mr. A. W. JOHNSON. Mr. Speaker, we concur in that.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 37.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

HOUSE BILL No. 42.

An Act repealing the act of March 9, 1771 (1 Sm. L. 313) entitled "An act to prevent the destruction of rock-fish and oysters."

HOUSE BILL No. 310.

An Act repealing section 6 of the "Oleomargarine or Butterine Law," approved June 30, 1947 (P. L. 1154), relating to the keeping of records.

HOUSE BILL No. 450.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Forests and Waters and the Governor to grant and convey a certain tract of land to the Borough of Ebensburg.

HOUSE BILL No. 461.

An Act authorizing the conveyance of certain lands in Leidy Township Clinton County to the government of the United States.

HOUSE BILL No. 569.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), imposing certain duties on the Governor the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

The clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence Nos. 104, 134, 138, 292, 313, 314 and 372.

Amended House Bill returned for concurrence. No. 332.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 5, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Monday, April 10, 1961, at 3:00 p.m.

DAVID L. LAWRENCE

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 5, 1961.

April 12, 1961, marks the one hundredth anniversary of the attack by the Rebels on Fort Sumpter, the beginning of the American Civil War. On that day in 1861 a meeting was held in Chambersburg, the county seat of Franklin County, at which several hundred citizens discussed what could be done to aid the Union cause. Six days later, on April 19, 1861, Chambers Artillery, led by Captain P. L. Housen, First Lieutenant John Doebler, Second Lieutenant Matthew Gillan and Third Lieutenant George Miles, left for Harrisburg, and this unit was among the first to arrive as volunteers for the defense of the Union.

Chambersburg and Franklin County played a significant role in the Civil War. It was in the square at Chambersburg that General Robert E. Lee, astride his white horse, made the fateful decision to go East instead of North into Harrisburg, which decision directed his forces headlong into the Union Forces and led to his defeat in the Battle of Gettysburg. Chambersburg was invaded by the Southern Forces on three separate occasions, and in July, 1864, a year after the Battle of Gettysburg, had its court house put to the torch thus gaining the ironic distinction of being the only town North of the Mason-Dixon Line to be burned by the Confederate Army.

On April 12, 1961, a town meeting is to be held in the court house in Chambersburg, Franklin County, to commemorate and simulate the happenings on that day one hundred years ago. The General Assembly of the Commonwealth of Pennsylvania recognizes the deep significance of this meeting and of its place in the history of our Commonwealth therefore be it

Resolved (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania hereby commends the citizens of Chambersburg and Franklin County upon holding a meeting similar to that held on April 12, 1861, and extends to them its most sincere wishes for a successful and memorable celebration; and be it further

Resolved, That a certified copy of this resolution be personally delivered to said meeting on April 12, 1961, by the Honorable Enos H. Horst and the Honorable Elmer D. Hawbaker of County of Franklin.

BILL RE-REFERRED

Mr. CIOFFI from the Committee on Counties, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 147, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), further regulating notice given to delinquent taxables.

The SPEAKER pro tempore. The bill is re-referred to the Committee on Judiciary.

REPORT FROM COMMITTEE

Mr. HAMILTON from the Committee on Appropriations, reported as committed, House bill No. 242, entitled.

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums, premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies, * * *," further providing for the distribution of amounts received from tax on foreign fire insurance companies.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 242, entitled:

An Act amending the act of April 22, 1953 (P. L. 184), entitled "An act to continue the imposition of the tax on gross premiums, premium deposits and assessments received from business transacted within the Commonwealth by foreign insurance companies, * * *," further providing for the distribution of amounts received from tax on foreign fire insurance companies.

An said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

Mr. McCANN offered a resolution which was filed with the clerk under the rules.

ADJOURNMENT

Mrs. S. A. ANDERSON. Mr. Speaker, I move that this House do now adjourn until Monday, April 10, 1961, at 2:30 p.m., e.s.t.

The motion was agreed to, and (at 4:56 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, APRIL 10, 1961. No. 34.

SENATE

MONDAY, APRIL 10, 1961.

The Senate met at 2:30 p. m. Eastern Standard Time.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

PRAYER

The Chaplain, Rev. Anthony C. MARRA, of Mother of Grace Church, Hazleton, offered the following prayer:

In the Name of the Father and of the Son and of the Holy Ghost. Amen.

O God, Creator and Lord of all things, Thou Who didst give order to the Universe and everything in it, graciously look down upon this selected group whose purpose is to formulate and enact laws for this great Commonwealth of ours.

Enlighten their minds so that they may clearly perceive the object of civil legislation; namely, the natural welfare of the State and of its individual members in order that they may live in peace and justice, with a sufficiency of those goods that are necessary for physical conservation and comfort, and with those moral conditions which are required for well-being and public prosperity.

With this responsibility before them, grant them, O Supreme Lawmaker, the wisdom to see that all earthly laws are good and proper only if they flow from Divine Order Grant them understanding so they may keenly become aware of the needs of the people whom they represent. Grant them fortitude so they may have the courage to do what is right; to speak and act against evil and insidious practices. Grant them piety so they may do Thy will in all things.

Finally, Dear God, grant them charity so they may be ever solicitous for the welfare of their fellow man, for Thy sake.

We ask these favors in the Name of Thy Son, Jesus Christ. Amen.

In the Name of the Father and of the Son and of the Holy Ghost. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. RIPP, further reading was dispensed with, and the Journal was approved.

STUDENTS WELCOMED TO THE SENATE

Mr. KELLER. Mr. President, at this time I would like to present to the Senate a group of eighty-two students from the Council Rock Junior-Senior High School. These students are members of the ninth grade civics class, and they are here under the supervision of Mr. Basco.

The PRESIDENT. The Chair is, indeed, happy to welcome the students from the Council Rock Junior-Senior High School and to extend the greetings of the Senate to them.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

April 5, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the Members in Joint Session on Monday, April 10, 1961, at 3:00 p. m.

DAVID L. LAWRENCE.

SENATE CONCURRENT RESOLUTION

JOINT SESSION

Mr. RIPP, by unanimous consent, offered the following resolution, which was read, considered and adopted:

In the Senate, April 10, 1961.

RESOLVED (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday, April 10, 1961, at three o'clock p.m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Joint Session

SENATE CONCURRENT RESOLUTION

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

Mr. SARRAF, by unanimous consent, offered the following resolution, which was read, considered and adopted:

In the Senate, April 10, 1961.

RESOLVED (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed, to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Committee to Escort the Governor to the Hall of the House

COMMITTEE APPOINTED TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The PRESIDENT. Pursuant to the resolution previously adopted, the Chair wishes to announce the appointment of the following Committee of the Senate to escort His Excellency, the Governor, to the Hall of the House: the gentleman from Cambria, Mr. Haluska, Chairman; the gentleman from Westmoreland, Mr. Mahady; and the gentleman from Schuylkill, Mr. Wagner.

The committee will leave immediately to discharge its duties.

HOUSE NOTIFIES SENATE IT IS READY TO CONVENE IN JOINT SESSION

The PRESIDENT. The Chair now recognizes the Sergeant-at-Arms.

The SERGEANT-AT-ARMS. Mr. President, I have the honor to present a committee from the House.

The PRESIDENT. The Sergeant-at-Arms will bring the committee forward.

The SERGEANT-AT-ARMS. Mr. President, I present the Chairman of the Committee, the Honorable Joshua Eilberg.

The PRESIDENT. The Chair is pleased to recognize the Chairman of the Committee from the House, Mr. Eilberg.

Mr. EILBERG. Mr. President, we are a committee of the House, appointed to inform the Senate that the House is ready to receive the Members of the Senate in Joint Session and to escort the Senate to the Hall of the House.

The PRESIDENT. The Chair thanks the committee from the House.

RECESS

The PRESIDENT. The Members of the Senate will please form a line in the center aisle immediately behind the Sergeant-at-Arms, and the House Committee, in order that we may proceed to the Joint Session.

The Chair now declares a recess of the Senate for thirty minutes.

AFTER RECESS

The PRESIDING OFFICER (Jo Hays) in the Chair.

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

NOMINATION BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law. I have the honor hereby to nominate for the advice and consent of the Senate Malcolm Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Major General of the Adjutant General's Department in the Pennsylvania National Guard, to serve until terminated.

DAVID L. LAWRENCE.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

ADDRESS OF GOVERNOR DAVID L. LAWRENCE TO JOINT SESSION OF THE GENERAL ASSEMBLY APRIL 10, 1961

The PRESIDING OFFICER. Copies of this communication from the Governor will be found on the desks of the fifty Senators.

APPOINTMENT OF SECRETARY TO THE GOVERNOR

April 6, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have appointed Roy A. Schafer of Pittsburgh, Allegheny County, to be Secretary to the Governor.

DAVID L. LAWRENCE

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 126** and **591**, which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 197**, which was referred to the Committee on State Government.

He also presented for concurrence **HB 307**, which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 574**, which was

referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 649** and **690**, which were referred to the Committee on Local Government.

He also presented for concurrence **HB 678**, which was referred to the Committee on Mines and Mineral Industries.

GENERAL COMMUNICATION

FINAL REPORT OF GOVERNOR'S COMMITTEE ON EDUCATION

The PRESIDING OFFICER laid before the Senate the following communication, which was read by the Clerk as follows:

COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S COMMITTEE ON EDUCATION
Harrisburg

Education Building
Room 218

LETTER OF TRANSMITTAL

To the Governor and Members of the General Assembly:

Sirs:

I have the honor to transmit the final report of the Governor's Committee on Education. May I convey to you my personal appreciation of the splendid cooperation and high sense of duty shown by the members of the Committee, who, I feel, have produced in this report a most significant document.

Sincerely yours,
/s/ JOHN MORGAN DAVIS
Chairman, Governor's Committee on Education.

The PRESIDING OFFICER. This communication will be noted in the Journal and The Final report of the Governor's Committee on Education will be printed in the Appendix thereto.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

THE ADJUTANT GENERAL

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm A. Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Adjutant General, to serve until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Maj. Gen. A. J. Drexel Biddle, resigned.

DAVID L. LAWRENCE

SECRETARY OF THE COMMONWEALTH

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate E. James Trimarchi, Jr., R. D. 2, College Lodge Road, Indiana, Indiana County, for appointment as Secretary of the Commonwealth, to serve until superseded, vice Hon. John S. Rice, Gettysburg, resigned.

DAVID L. LAWRENCE

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John L. Dorris, 41 West Broad Street, Nanticoke, Luzerne County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1971, vice Leon Schwartz, Esq., Nanticoke, whose term expired.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry R. Crawford, Abbottstown, Adams County, for appointment as Justice of the Peace in and for the Borough of Abbottstown, Adams County, to serve until the first Monday of January 1962, vice Norman Moul, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edna L. Gilbert, Upper Strasburg, Franklin County, for appointment as Justice of the Peace in and for the Town of Letterkenny, Franklin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred B. Krider, R. D. 5, Meadville, Crawford County, for appointment as Justice of the Peace in and for the Township of Vernon, Crawford County, to serve until the first Monday of January 1962, vice Henry C. Sherman, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph P. Zamgulis, 744 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to

serve until the first Monday of January 1962, vice Paul J. Koval, resigned.

DAVID L. LAWRENCE

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard F. Linn, R. D. 6, Gettysburg, Adams County, for appointment as Justice of the Peace in and for the Township of Straban, Adams County, to serve until the first Monday of January 1962, vice Robert F. Bell, resigned.

DAVID L. LAWRENCE

BILLS INTRODUCED AND REFERRED

Mr. FLEMING presented to the Chair **SB 493,** entitled:

An Act amending the act of June 24, 1931 (P. L. 1206), entitled "The First Class Township Code," authorizing the consolidation of two or more wards and the abolition of all wards.

Which was committed to the Committee on Local Government.

Mr. MULLIN presented to the Chair **SB 494,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90), entitled "Liquor Code," authorizing the sale of liquor and malt or brewed beverages on Sunday when New Year's Day occurs on Sunday.

Which was committed to the Committee on Law and Order.

He also presented to the Chair **SB 495,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting magistrates to accept affidavits by the registered owner disclosing the name of the actual operator of a motor vehicle at the time of a traffic violation.

Which was committed to the Committee on Highways.

The PRESIDING OFFICER. The Chair is happy to report that the President of the Senate has arrived and he will now preside.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

BILLS INTRODUCED AND REFERRED

Messrs. BELL and McCREESH presented to the Chair **SB 496,** entitled:

An Act amending the act of May 5, 1927 (P. L. 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," changing a route and adding a new route in Delaware County.

Which was committed to the Committee on Highways.

Messrs. RIPP, DEVLIN and STAISEY presented to the Chair **SB 497,** entitled:

An Act amending the act of April 4, 1925 (P. L. 127), entitled "Adoption Law," further prescribing which persons must appear in court.

Which was committed to the Committee on Judiciary General.

Messrs. RIPP, WEINER and McGINNIS presented to the Chair **SB 498,** entitled:

An Act amending the act of June 24, 1937 (P. L. 2051), entitled "Public Assistance Law," changing the definition of dependent children for assistance purposes with limitations.

Which was committed to the Committee on Public Health and Welfare.

Messrs. SILVERT and STIEFEL presented to the Chair **SB 499,** entitled:

An Act authorizing the award of additional damages and attorney's fees in proceedings against an insurance company, association or other insurer when it is found that such insurer has vexatiously and without reasonable cause failed or refused to make payment within a certain time.

Which was committed to the Committee on Judiciary General.

Messrs. BERGER, WEINER and FLEMING presented to the Chair **SB 500,** entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "State Employes' Retirement Code of 1959," further providing for superannuation retirement allowance for members retiring after age sixty.

Which was committed to the Committee on State Government.

Messrs. STEVENSON, PROPERT, MALLERY, LANE, HAYS and HALUSKA presented to the Chair **SB 501,** entitled:

An Act amending the act of August 9, 1955 (P. L. 323), entitled "The County Code," requiring a system of accounts to be kept by county officers.

Which was committed to the Committee on Local Government.

Mr. STIEFEL presented to the Chair **SB 502,** entitled:

An Act making an appropriation to the Trustees of Harcum Junior College in Bryn Mawr, Pennsylvania.

Which was committed to the Committee on Appropriations.

Messrs. STIEFEL and CHAPMAN presented to the Chair **SB 503,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing the purchase and resale of books by the Historical and Museum Commission.

Which was committed to the Committee on Historical Preservation.

Mr. PROPERT presented to the Chair **SB 504,** entitled:

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of establishing, constructing and maintaining a State highway in Montgomery County.

Which was committed to the Committee on Highways.

Mr. McCREESH presented to the Chair **SB 505,** entitled:

An Act amending the act of March 2, 1956 (P. L. 1211), entitled "Practical Nurse Law," providing for biennial licenses.

Which was committed to the Committee on Education.

Messrs. McCREESH and WEINER presented to the Chair **SB 506,** entitled:

An Act amending the act of January 14, 1952 (P. L. 1898), entitled as amended "Funeral Director Law," providing for biennal licenses.

Which was committed to the Committee on Education.

Mr. McCREESH presented to the Chair **SB 507,** entitled:

An Act amending the act of June 19, 1931 (P. L. 589), entitled, as amended, "Barbers' License Law," providing for biennial registration and increasing certain fees accordingly.

Which was committed to the Committee on Education.

Messrs. BERGER and WEINER presented to the Chair **SB 508,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," further defining disorderly conduct in order to protect passengers lawfully occupying any railroad or railway passenger station or platform.

Which was committed to the Committee on Law and Order.

They also presented to the Chair **SB 509,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," prohibiting the use of railroad passenger station facilities by loiterers.

Which was committed to the Committee on Law and Order.

Mr. STROUP presented to the Chair **SB 510,** entitled:

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "Local Tax Enabling Law," prescribing penalties for failure to comply with tax resolutions adopted by school districts.

Which was committed to the Committee on Local Government.

SENATE RESOLUTIONS

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE PROBLEM OF SCHOOL BUS STOPS

Mr. HALUSKA offered the following resolution **(Serial No. 35),** which was read and referred to the Committee on Rules:

In the Senate, April 10, 1961.

It has been reported that many school bus operators have been following the practice of making sudden stops on the highways without giving adequate prior warnings to other drivers. This practice is extremely dangerous and has resulted in many accidents, some of them very serious; therefore, be it

Resolved, That the Joint State Government Commission investigate into this practice and make a study of the entire problem, including the adequacy of the laws governing the matter, the advisability of creating off-highway stops, reducing the number of pickup and discharge points, and any other relevant inquiry; and, be it further

Resolved, That the Joint State Government Commission make a report of its findings and recommendations to the General Assembly within the next sixty days.

TRIBUTE TO ARCHBISHOP JOHN J. KROL

Messrs. DiSILVESTRO, BERGER and WEINER offered the following resolution **(Serial No. 36),** which was read, considered and adopted:

In the Senate, April 10, 1961.

Bishop John J. Krol, a native of Cleveland, Ohio, has been designated Archbishop of the Philadelphia see by Pope John XXIII on March 22, 1961. This designation is indicative of the high esteem with which the Church has viewed his dedicated and enthusiastic pursual of the goals of the Church and his many outstanding contributions to the secular community.

Archbishop Krol whose episcopal motto is "Dues Rex Meus" has frequently spoken of the rights of God and man against tyrannical and atheistic governments. He holds among other honors the Cross of Commander of the Order of Merit from the Italian government for his services to Italian immigrants and refugees; therefore be it

Resolved, That in tribute to the outstanding achievements accomplished by Archbishop Krol, the inspired devotion with which he has fostered the beliefs of the Church, and the personnal leadership he has offered to innumerable church and public projects, we adopt this Resolution to honor Archbishop John J. Krol, and cause a copy thereof to be spread upon the Journal and in so doing express the fond wish of each and every member of this Senate that Archbishop Krol's success in his new undertaking be boundless; and be it further

Resolved, That the Secretary of the Senate transmit an authenticated copy of this resolution to Archbishop John J. Krol, in Philadelphia.

SENATE COMMITTEE TO NEGOTIATE BRINGING ABOUT RELIEF FROM TAX BURDEN IMPOSED BY DELAWARE UPON RESIDENTS OF PENNSYLVANIA

Mr. WARE offered the following resolution **(Serial No. 37),** which was read and referred to the Committee on Rules:

In the Senate, April 10, 1961.

The State of Delaware levies an income tax on residents of Pennsylvania who work in Delaware, and most of the funds from this tax are used for educational and other services not available to residents of Pennsylvania.

The Commonwealth of Pennsylvania and its political subdivisions levy taxes upon these same Pennsylvania residents to provide schools and services in the communities of their residence. The additional Delaware income tax imposes an extremely high tax burden on such persons; therefore be it

Resolved, That the President pro tempore of the Senate appoint three members of the Senate who shall constitute a committee to negotiate with the Governor and representatives of the State of Delaware to bring about appropriate relief from the excessive tax burden imposed by Delaware upon residents of this Commonwealth who work in the State of Delaware.

BILL INTRODUCED AND REFERRED

Messrs. SILVERT and FLACK, by unanimous consent, presented to the Chair **SB 511,** entitled:

An Act amending the act of May 15, 1933 (P. L. 624), entitled as amended, "Banking Code," permitting savings banks to service mortgages.

Which was committed to the Committee on Banking.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. RIPP, that the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDENT. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

THE ADJUTANT GENERAL

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm A. Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Adjutant General, to serve until the third Tuesday of January 1963, and until his successor shall have been appointed and qualified, vice Maj. Gen. A. J. Drexel Biddle, resigned.

DAVID L. LAWRENCE.

SECRETARY OF THE COMMONWEALTH

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate E. James Trimarchi, Jr., R. D. 2, College Lodge Road, Indiana, Indiana County, for appointment as Secretary of the Commonwealth, to serve until superseded, vice Hon. John S. Rice, Gettysburg, resigned.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John L. Dorris, 41 West Broad Street, Nanticoke, Luzerne County, for appointment as a member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1971, vice Leon Schwartz, Esq., Nanticoke, whose term expired.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harry R. Crawford, Abbottstown, Adams County, for appointment as Justice of the Peace in and for the Borough of Abbottstown, Adams County, to serve until the first Monday of January 1962, vice Norman Moul, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 20, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Edna L. Gilbert, Upper Strasburg, Franklin County, for appointment as Justice of the Peace in and for the Township of Letterkenny, Franklin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Winifred B. Krider, R. D. 5, Meadville, Crawford County, for appointment as Justice of the Peace in and for the Township of Vernon, Crawford County, to serve until the first Monday of January 1962, vice Henry C. Sherman, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Joseph P. Zamgulis, 744 Main Street, Edwardsville, Luzerne County, for appointment as Justice of the Peace in and for the Borough of Edwardsville, Luzerne County, to serve until the first Monday of January 1962, vice Paul J. Koval, resigned.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

March 14, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Bernard F. Linn, R. D. 6, Gettysburg, Adams County, for appointment as justice of the Peace in and for the Township of Straban, Adams County, to serve until the first Monday of January 1962, vice Robert F. Bell, resigned.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

Mr. BERGER. Mr. President, before reaching a vote upon these nominations, I would just like to make an observation.

I understand that the name of the gentleman for membership on the Public Utility Commission has been reported out of committee. There has been some suggestion made here and there that this nomination might have been used in order to correct a lapse of memory on the part of our Chief Executive. However, Mr. President, I assure you that we on this side are prepared to go along on these nominations, in order that the business of these various commissions and also the other business of the Commonwealth may be conducted by the Commission. At no time was there any suggestion made to me or, I am sure, to anyone else in the Caucus that the name of the nominee for the Public Utility Commission would be used as a trading point.

Mr. DEVLIN. Mr. President, as Chairman of the Committee on Executive Nominations, I want to express my gratitude to the gentleman on the other side for his continuing cooperation.

And the question recurring,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,			Yatron,

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 71, 73 and **74**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 78—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. WEINER. Mr. President, I would merely like to take a moment to explain this bill.

This bill only applies to the city of Philadelphia. I happen to be in the peculiar position of having been on both sides of this Act, having seen it operate. I am sure that the Presiding Officer and some of the Members on the other side of the aisle have also found themselves in the same position.

This is an administrative measure. It is a matter upon which anybody can vote according to his own conscience. However, there are five or six crimes under which a magistrate cannot allow the use of bail; namely, as listed in the bill, arson, burglary, robbery, mayhem, buggery and so on and so forth.

In the days of old, a problem existed whereby a person who committed these types of crimes might have been a dangerous person to be allowed on the streets. Therefore, he would have to be held in jail until such time when he filed a petition before the court. A judge, sitting in a miscellaneous court, would then hear the matter and he would decide what the bail would be. He then would consult the district attorney before he permitted this bail. The bail which he would allow would certainly be no higher or no lower than the magistrate would allow. The purpose of bail is only to produce the person at the time of the trial. It is not a means of punishment. The person who takes the bail acts in the place of the jailer. He is then told to produce the person at the time of the trial.

In recent years,—you can see that this bill was passed in 1860—you have problems such as automobiles. It is possible for someone to come out some evening and perhaps make a mistake and get into a wrong automobile, maybe having been under the influence of too much of what used to be called Philadelphia water. However, there might be other factors which may enter into the problem. This person would then be held for burglary of an automobile and subjected to the entire procedure when the crime is a very simple one.

The magistrates' hearings in Philadelphia are attended by the district attorneys and the judges and, therefore, they do have the understanding that they will make a recommendation. Usually, that is abided by most of the magistrates.

This bill would merely save these people from spending a day or a week end in jail, thereby taking up the time of the court to file a petition. There might be some merit to the other side of this measure, about which I do not feel as strongly as I do on this side of the issue.

However, Mr. President, I just wanted to bring this information to the attention of the Members of this Senate who might not be too familiar with what the purpose of this bill is. This bill will merely permit the magistrate to set the bail. The district attorney would be present to help him do so.

Mr. BERGER. Mr. President, I have no intention, and I am sure very few of us have, to interfere in any manner with the administration of justice in the county of Philadelphia. However, these crimes, which they ask the magistrate to admit to bail, are so-called heinous crimes and, therefore, it seems to me that the seriousness of them does merit the attention of the judges of the Courts of Common Pleas in Philadelphia, as well as every other county in the Commonwealth.

Consequently, Mr. President, that is my reason for my intention to oppose this bill. I feel it does not serve any useful purpose, but that it does relax existing procedure.

Mr. WEINER. Mr. President, I do not want to prolong this debate. As I stated before, everybody can vote as they please on this matter. However, I just want to point out that I think there is nothing particularly sacred about a judge setting bail, as compared to a magistrate. They are both guided by the wishes of the district attorney. They both have the man's previous criminal record and they both have all the information available to them.

The real purpose of this bill is to save a number of people from running around to get this matter before a judge. It also saves the cost of an extra bond or a bondsman receiving an extra amount of money. For someone in trouble, this can be an important item, especially if there has been a large amount set as bail.

Mr. SILVERT. Mr. President, we, in Philadelphia, want this bill because it primarily helps persons accused of a crime where, in the end, it may not be proven. It is particularly for people who cannot afford the expense of immediately engaging a lawyer to run to a judge and prepare and ask for bail. It is to help the poorer type

of defendant. Also, I would say that every responsible agency in Philadelphia is in favor of this bill, including the Civil Liberties Union.

As Senator Weiner has stated, the Commonwealth is represented at every hearing by a district attorney. We feel that this is a type of bill which the rest of the Commonwealth should not obstruct when the people of Philadelphia want it.

Mr. BERGER. Mr. President, once again, my only position on this—and I am sure that I speak for many others in the Senate—is that while there may be some cases, possibly, where an unfortunate person might be accused of one of these cardinal felonies, nevertheless, I believe that if a person gets himself into that situation, it then merits the attention of the judge in the Court of Common Pleas in the case of fixing bail.

Therefore, while I do not want to go contrary to the wishes of my good friend, Senator Silvert, nevertheless, my feeling has not been changed in connection with the vote on this bill.

Mr. MALLERY. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Weiner.

The PRESIDENT. Will the gentleman from Philadelphia, Mr. Weiner, permit himself to be interrogated?

Mr. WEINER. I will, Mr. President.

Mr. MALLERY. Mr. President, did I understand the Senator to state in his remarks on this bill that either the court or a district attorney would have to approve?

Mr. WEINER. Senator, I can answer your question in this fashion. When a man is brought before a magistrate court in Philadelphia, there is a district attorney present who prosecutes the case and who presents the Commonwealth's position. The magistrate hears this and takes action on that basis.

If a man is held without bail,—in other words, after they hear it and a prima facie case is made out—what happens then is that the person picks up a copy of what is known as the charge, takes this down to the district attorney's office, and they make a suggestion of bail on the back of the copy of the charge. This is taken to the judge. He can either go along with this bail, increase it, decrease it or take whatever action he wants. The usual procedure is that they follow what the district attorney has suggested because over the period of years, they have developed amounts of bail. They have a sort of table of offenses and what they would require.

Mr. MALLERY. Therefore, I understand that the approval is first obtained of a district attorney, a deputy or the court.

Mr. WEINER. Of the district attorney and, finally, the court, because the court is the only one that can make the final decision.

This would prevent the procedure or allay the procedure of going down to the court. You could do it right then in the magistrate court, with the district attorney present, who already is aware of the schedule making this suggestion to the magistrate.

Mr. MALLERY. So the magistrate cannot do this on his own?

Mr. WEINER. No, sir, not on an unbailable offense; not the way the law is set up now.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Camiel,	Mallery,	Mullin,	Silvert,
Devlin,	McCreesh,	Ripp,	Staisey,
Haluska,	McGinnis,	Rooney,	Stiefel,
Hays,	McMenamin,	Sesler,	Weiner,
Lane,	Miller,	Seyler,	Yatron,
Mahady,			

NAYS—23

Bell,	Fleming,	Pechan,	Taylor,
Berger,	Hawbaker,	Propert,	Van Sant,
Chapman,	Keller,	Scott,	Wade,
Confair,	Kessler,	Shafer,	Wagner,
DiSilvestro,	Kromer,	Stevenson,	Ware, III,
Flack,	Madigan,	Stroup,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILLS OVER IN ORDER

SB 93—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Mr. WEINER. Mr. President, for the reason that I do not have the votes to pass this bill, I request that House Bill No. 95 go over in its order.

The PRESIDENT. I do not think that explanation was necessary.

There being no objection, the bill will go over in its order.

SB 190—Mr. BERGER. Mr. President, I request that Senate Bill No. 190 go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, by way of explanation, I want to say that I believe there are preparations being made for either some amendments to this bill or the preparation of another bill which would take care of the elimination of the offense of disorderly conduct, which now is in The Borough Code.

The PRESIDENT. There being no objection, the bill will go over in its order.

SB 209—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 273—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WADE. Mr. President, Senate Bill No. 273, which we are now considering, carries considerable sponsorship. Senator Weiner has been a Member I think for some eleven year. Senator Lane and Senator McGinnis, together, point up some legislative service of thirty-three years.

I want to say, at the very outset, that I intend to vote for this bill if it comes to a vote for I would not retard, in any sense of the word, the faintest hope for any man or woman who is without employment in the Commonwealth. However, I must say that Senate Bill No. 273 adds up to nothing more than unnecessary subterfuge for lack of action.

The bill sets up three new government agencies or

bureaus; one, the Governor's Council for Economic Development; two, the Interdepartmental Economic Advisory Committee; and three, a Citizen's Action Committee on Jobs and Business Climate.

The bill, as I understand it, would accomplish nothing that cannot be done at present, and under present law, with the cooperation of existing State agencies. I refer to the State Planning Board, the State Department of Commerce and the Pennsylvania Industrial Redevelopment Authority.

For more than a quarter of a century, the Commonwealth has been empowered and encouraged to act in this entire field by the State Planning Board. This agency, created by executive order way back in 1934, is still part of the administrative machinery of this government. It has been transferred twice. First it was set up under the Governor's Office, by executive decree. Next it was transferred to the Department of Commerce and then, under government reorganization in the 1955 Session, it was again transferred or returned to the Governor's Office.

Revised as it has been from time to time, the Planning Board provides adequate administration authority to enable the Commonwealth to implement this program.

Now, Mr. President, if I may, I would refer to Volume 94 of The Pennsylvania Manual—or the last Manual in print—on the State Planning Board:

For any Members who may wish to follow, I will read, from page 289, the duties of the State Planning Board:

> "The primary duties of the State Planning Board are unchanged by the reorganization . . . " of 1955. "They include the following:
>
> "To conduct and stimulate research and to collect, compile and analyze data bearing upon all industrial, commercial, social and physical factors which may influence the present and future welfare of the State, including industrial and agricultural productivity, resources of soil, minerals, water and forest products, population growth, employment, income, transportation. . . . ", et cetera.
>
> "To prepare plans or programs for the physical and economic development of the State . . . ."

Mr. President, I do not propose to impose on you in order to read the entire section under duties of the State Planning Board. However, they parallel very much the duties as outlined in this bill that we are now considering. So much for that.

Supplementary efforts for business improvement subsequently were made possible through the State Department of Commerce and the Industrial Redevelopment Authority.

Looking back, it is apparent that the Legislature has had the business welfare of Pennsylvania at heart. I repeat; the Department of Commerce was organized twenty-two years ago under Republican Governor James. This is evidenced by the fact that Republicans were responsible for establishing the Planning Commission in 1934 and the Commerce Department in 1939.

Within the Commerce Department, during its initial phase, experts on industrial representation were active to improve the business outlook for industries considering bids to locate in Pennsylvania. Later, this work was expanded into bureaus with well defined responsibilities. They were concerned with industrial promotion, research and planning, and housing and redevelopment. In 1956, the Legislature set up the Industrial Redevelopment Authority, which was little more than the transfer of administration responsibility to one agency.

The duties of these agencies are clearly outlined. The Planning Board, which will mark its twenty-seventh anniversary on July 23, is charged with conducting and stimulating research and to collect, combine and analyze data bearing on the industrial, commercial, social and physical factors which may influence the present and future welfare of the State, and including industrial and agricultural productivity, resources of soil, minerals, water and forest products, population growth, employment, income, transportation, housing, recreation facilities, protection from floods and other natural hazards, public construction, stream pollution, highway protection and other fields vital to all public welfare. In addition, the Planning Board's responsibility covers plans for the physical and economic development of the State, its agencies and political subdivisions.

The Commerce Department's service operations were pointed toward the economic redevelopment of chronic areas of unemployment throughout Pennsylvania and the creation of new business and employment opportunities. It was given the task of securing for Pennsylvania a full share of the Nation's growth and expansion of business.

I again read from The Pennsylvania Manual, the same issue, on the State Department of Commerce, found on page 327 of the current Manual:

> "The program of the Department of Commerce is primarily a program of economic development for the entire Commonwealth. Within the department are bureaus charged with Industrial Development, Community Development, Tourist and Travel Development and Business Services.
>
> "Two major factors are emphasized in the department's service operations: (a) the economic redevelopment of chronic areas of unemployment throughout Pennsylvania, and the creating of new employment and business opportunities; (b) the effort to secure for Pennsylvania her full share of the Nation's industrial growth and expansion of business.
>
> "The department, with its major bureaus, is staffed with trained technicians offering service to industry and to groups whose major interests center about Pennsylvania's economic betterment. . . ."

This outlines some twelve different duties along this general line, which are well covered in the present law.

The Industrial Redevelopment Authority, to round out this field of responsibility, works within the Department of Commerce as liaison between the Authority and industrial development agencies and related organizations, and between the Authority and other agencies of the Commonwealth whose facilities and services may be useful to the Authority. The approval of programs, grants-in-aid, and supervision of administration come within the duties of this Authority.

I think this demonstrates, beyond any reasonable doubt, that there is on the statute books of the Commonwealth today adequate and well defined legislation providing all the work force and administrative and fiscal responsibility necessary in this very important field of advancement.

It shows, beyond any reasonable doubt, that there is no need for us to clutter up this important field with unnecessary legislation, such as Senate Bill No. 273. This proposal would merely add other agencies on top of the existing agencies, and thus lengthen the chain of command

and administrative authority to the point where bureaucracy would strangle any well intended efforts.

I feel quite safe in saying that the real purpose of this proposal is to cover up the deficiencies of the Leader and the Lawrence Administrations. I repeat, Mr. President, that I feel quite safe in saying that the real purpose of this proposal is to cover up the deficiencies of the Leader and Lawrence Administrations. No longer can they blame the Eisenhower Administration when they seek to cover up their shortcomings. This proposal is a step toward preparing the public in the 1962 election campaign for explanations, accusations and excuses for failure to make the fullest possible use of existing law to improve, expand and stabilize employment and business relations throughout the Commonwealth.

I think our statute books contain all of the legislative authority needed for improving the business climate in Pennsylvania. What we now need is well planned action by the experts we now have on our payrolls.

The proposal set forth in Senate Bill No. 273 can be carried out by using existing government agencies. In a day when taxpayers are becoming alarmed at the ever increasing number of public employees,—and I might say that a recent report showed that one out of every four citizens is now living on public funds—it might be well for us to make an effort in holding this trend by recommitting this bill.

Now before any gentleman on the other side of the aisle rises to protest, I am fully aware that the measure under discussion provides that the necessary staff for this program be provided by transfers from "such departments, agencies or commissions within the Commonwealth as the Governor shall designate."

In all seriousness, are we expected to believe that any vacancies created by such transfers would not be filled by other appointments, thereby swelling the State payroll?

Since 1955, all of us have heard repeated promises from State administrators as to what they proposed to do to improve jobless opportunities in Pennsylvania. These proposals were eye-catching and sometimes dramatic in their impact. They were calculated to create the impression of action at a time when pending elections have made it necessary to keep alive an impression of unceasing work in this area.

We can recall with little effort the promises of Governors Leader and Lawrence in connection with this problem. Both candidates held out high promises to the unfortunate in Pennsylvania who were unemployed. It was politically fashionable, because of a Republican Administration in Washington, to direct the blame for inactivity on the Federal Government. Thus, they shrugged aside their responsibility at the State level under existing legislation.

The problem of unemployment and the stated goals of improving the business climate in Pennsylvania cannot be accomplished by apointment of other administrative agencies. This bill, I repeat, appoints three committees,—or sets up the machinery for three—and provides a refuge for State employees transferred to make room for other job seekers.

The third proposal in Senate Bill No. 273 cannot be harmful. It proposes a committee of 100 citizens, to be known as the Citizen's Action Committee on Jobs and Business Climate. I have prepared a resolution to accomplish this without passing additional legislation. I shall be glad to have the sponsors of this bill join me in that resolution which would create this third committee, and do exactly as this proposes to do in the law.

This third committee, set up by the bill, of 100 citizens could well become the Administration's scapegoat eighteen months hence in the next gubernatorial campaign and when the shortcomings of the present Administration are pointed out.

We have all the necessary law, Mr. President and my colleagues, providing there is a sincere effort to achieve the ends stated in Senate Bill No. 273. This bill is clearly a duplicate of stated authority and window dressing for public consumption at a time when action is so sorely needed in Pennsylvania to create every possible job.

Mr. WEINER. Mr. President, I am not going to take a lot of the time of the Senate because the Senator has advised me he is going to vote for this bill, and I do not want to do anything that may change his mind. However, I would like to read from the Chamber of Commerce News of Greater Philadelphia, dated March 9, 1961. This is hardly a Democratic newspaper and I say this with a capital "D":

> "The need for organized study and expert advice on Pennsylvania's economic problems 'is now more urgent than in 1959,' a spokesman for the Chamber's Economics and Taxation Council declared on Monday in commending State Senate Majority Leader Charles R. Weiner for reintroducing a bill to create three advisory groups on the Commonwealth's economic development and business climate.
>
> "Robert Coltman, Chairman of the Economics Committee of the Economics and Taxation Council, informed Senator Wenier (D., Phila.) that this Chamber was 'most happy' that he and two cosponsors are backing a measure to set up a Governor's Council for Economic Development, an Interdepartmental Economic Advisory Committee, and a Citizen's Action Committee on Jobs and Business Climate.
>
> "Mr. Coltman, Vice President, Trust Division, Philadelphia National Bank, recalled that the new bill—S. 273—'duplicates House Bill 608 of the General Assembly's 1959 session.'
>
> "He pointed out that the 1959 bill, passed by the House and blocked by the Senate, 'grew out of the Conference on Jobs and Business Climate in Pennsylvania, held in Philadelphia on March 12, 1959,' and added:
>
> " 'We are delighted that this proposal of two years ago is now being reintroduced and has top-level sponsorship . . .," which will see that this bill is passed and becomes law.
>
> " 'The need for organized study and expert advice on Pennsylvania's economic problems is now more urgent than in 1959,' Mr. Coltman stressed.
>
> " 'Pennsylvania, once pre-eminent among the States in industrial wealth, is currently near the bottom of the 50 States in rate of industrial expansion. The Commonwealth also reports one of the highest rates of unemployment.'
>
> "Mr. Coltman emphasized that this State is 'competing with both the neighboring and distant industrial States for new job-creating industry,' and commented: 'The sad truth is that we are not getting our share.'
>
> " 'The Interdepartmental and Citizen's Committees contemplated in S. 273 should be put to work as quickly as possible to analyze our economic failings . . .'
>
> " 'Pennsylvania boasts impressive assets in raw materials and in people ready and willing to work. Out of expert analysis of the State's problems

> should come recommendations for action necessary to start an inflow of new industry into Pennsylvania and a more rapid expansion of existing industry.'
>
> "Mr. Coltman concluded, 'There is a job to be done. It is urgent. We congratulate you on sponsoring S. 273 . . .' " and ask that it be passed as quickly as possible. " 'Please call on this Chamber if we can be of any help possible in pushing this legislation to quick adoption.' "

The article went on at some length to discuss what is being done.

I want to point out to the Senator that it might be true that the State Planning Board might cover some of the phases of this problem. It might also be true that some of the people you mentioned who are working on this problem might not have met with the success that we had anticipated. However, that is certainly no reason to destroy or to throw away the mechanism that might bring to us some economic advantage. If these people were costing us money, or asking for a costly department to be set up or we were in any way pleading to get more and more persons on the State payroll who are not there now, I would say that you are correct.

However, Senator, you know, from your own business experience, that the most difficult people to hire are typists and stenographers. They are just unobtainable. Most of them get good positions no matter where they go and whether or not it be for the State. As a matter of fact, most of them leave the State for private industry because they can always do better.

This bill is the exact act that was passed by the Federal Government in 1946 and which has assisted in advising President Truman and President Eisenhower, and which is now assisting in advising President Kennedy. I think if this type of legislation has been at all effective, we certainly have little to lose by enacting it here and trying to deal with it in this State.

I commend you, Senator, for taking the position that although you might have some qualms about this measure, you are still anxious to vote for it. I think that the button you are wearing on your lapel is certainly the kind of button that all of us hope we can be wearing within the next year or two after this commission has done its job.

This is the kind of a measure that is helpful to all of us here in Pennsylvania and one which we should all favor.

Mr. WADE. Mr. President, I would certainly have no quarrel with the opinion of Mr. Coltman, who was just quoted by the Majority Leader. However, I still maintain that he sounds as though he may not be familiar with the laws of Pennsylvania. He may not be familiar also with the machinery that we have already set up and the machinery which has been available all through these years to do the job we are trying to do. I agree with him that we are all trying to assure every job in Pennsylvania that is possible.

I understood, at least from one Member who attended the committee meeting when this bill was brought to the floor, that this was an Administration bill. Therefore, if the previous Administration or the present Administration were unaware that the law was on our books, then that was their own fault. They certainly should be well advised that these laws exist on our books at the present time.

Of course, it is possible for the Governor to call in his Cabinet at any time, or to add to that Cabinet any one whom he wants to. That is on our law books, too. He has had that privilege ever since we have had a Cabinet in Pennsylvania.

Concerning the third phase of it, the Citizen's Committee, consisting of 100 persons, could easily be created by the resolution I have on my desk, which I will gladly turn over to the Majority Leader and let him look it over. It would create that committee just the same. However, I have some misgivings about that. I am afraid, as I said before, that when eighteen months have rolled around and they are engaged in a political fight, it may be that Senator Weiner and I will not be on the same side of that political fight. However, then these 100 independent citizens throughout the Commonwealth may be the scapegoat for the present Administration because the job was not done. Certainly, Governor Leader made great promises when he was the candidate for Governor. He made promises in this connection and in many others perhaps, too, but I will not mention them now. Surely, his promises in this connection, to furnish employment to the unfortunate unemployed in the Commonwealth of Pennsylvania, were a feeble effort, to say the least.

Mr. WEINER. Mr. President, I would like to point out to the gentleman that this bill is not a refuge for people who have taken certain positions and who are using this as a means of hiding. I would like to command to the Senator that on page 8 of this bill, it states as follows:

> "The action committee shall submit to the Governor no later than the fifteenth of December of each year a report on its activities and accomplishments including recommendations for administrative or legislative action in the field of economic development . . ."

If this committee is not going to act, we will certainly know it by the fifteenth of December. We will then be back here in Session next year, when we can get a look at this matter. If we cannot act on it next year, we certainly can act on it during the following Session of the Legislature.

This is not just a group of people who are going to merely meet and discuss things very generally. They are going to have to come up with a report and advise the Governor of what is happening. I think our complexion, and the complexity of the industrial society under which we live, is such that we can afford to have a committee which will concern itself with this problem and this problem alone. This is true, especially in view of the fact that you are not paying this committee to do anything. You are not paying any salaries; you are not paying any money to these people at all. You just have interested citizens who are willing to act in this area.

Mr. BERGER. Mr. President, using the words of the genius who discovered the expression: "There is much to be said on both sides of this bill." At the same time, there is one criticism which I do have on it. It does not have any terminal facilities.

I would suggest that in legislation of this character, which sets up commissions to do a certain thing, that the sponsors—and they may well be advised to add an amendment to this bill—provide that the Act shall terminate at a specified date so we will not have all these commissions and agencies, which we intend to create to deal with a certain purpose, dangling around to clutter up the statute books and also the administrative halls after their purpose has been served. I would suggest that some reasonable

date of termination be inserted in this bill and in all other bills like it.

Mr. LANE. Mr. President, I listened to Senator Wade's debate over there today. It reminds me of the time when he and I used to go around Pennsylvania and debate the Constitution. Senator Wade always makes a good speech and it appears to me that the way he is talking, he must be planning to be a candidate for Governor on the Republican side.

I say also, Mr. President, that in my opinion, although I have read the duties and responsibilities of the State Planning Board, I feel this is good legislation because, number one, of the fifteen members who are going to be appointed, Senator Weiner and I took the trouble to make sure that they would be confirmed with the advice and consent of two-thirds of the Members of the Senate. Number two: I do not believe it is a political bill and I am not going to get into any political arguments on this legislation. I believe the time has come when we must take some forthright action.

Frankly, I say, Mr. President, that I do not believe it is the fault of any political party. Due to the fact that we are now in a depression and with the present times, I think this just came about. Probably everyone was lax, in so far as keeping our eye on the ball, when it comes to taking care of the unemployed in Pennsylvania. I think that we Members of the Senate realized the seriousness of those conditions when we wrote that huge deficiency appropriation to take care of public assistance.

Mr. President, I am very strong for this legislation because it has a reporting feature. In addition to that, we are going to try to cooperate with labor and with the Federal and local governments. It seems to me that this economic report, and the deadline on it, is a good thing. Although the State Planning Board does have some of those duties, I think they have so many problems and responsibilities that, naturally, they cannot be experts in every field. You will note that we require, in this legislation, that experts shall be appointed to certain phases of this operation. It seems to me that quite a number of the Chambers of Commerce in Pennsylvania appear to be in favor of this legislation. I surely thought that Senator Wade would be one of the strongest advocates for it. I am also happy today that he is going to vote for the bill because I know that Senator Wade's heart is always in the right place.

Mr. SEYLER. Mr. President, as usual, Senator Wade is to be congratulated for the industrious way in which he has researched this problem. He has reported it accurately. However, I think it is peculiar that Senator Wade did not notice that his findings constitute, in effect, the strongest possible argument for this bill. What he found, as he reported it, was that in spite of the fact that we have all these agencies, none of them have as their main objective the job of studying and overcoming the problem of unemployment. They have it as a part of their objectives. They approach it in a peripheral way. However, we have no agency in this Commonwealth whose sole duty and obligation is to consider this problem.

Considering the bill which we have, we appoint one committee which has the sole job of working on this problem of unemployment. We have another committee which is to draw together the efforts of all of these agencies which Senator Wade enumerated. From their particular approach to this problem, they can bring together all this data. Finally, we have a committee, broadly representing the citizens of Pennsylvania and representing all the communities, which, on their own and using the initiative of home rule, have instituted agencies to approach this job and to focus and bring together their efforts.

Therefore, Mr. President, it seems to me that Senator Wade has, in effect, produced the strongest possible argument I could conceive of for the need of just such a bill as we have before us.

If, by these remarks, I have made a slight contribution to the struggle going on within Senator Wade to vote for this bill and still be of sound conscience, I shall feel my efforts are amply rewarded.

Mr. WADE. Mr. President, may I briefly take the opportunity to thank Senator Lane and Senator Seyler for their comments?

I feel constrained to interrogate the gentleman from Washington, Senator Lane, because if I would announce my candidacy, one of the first things I would like to ask him is whether or not he would be for me. However, I would not like to do that so publicly.

Prior to the amendments, offered by Senator Lane and placed by this Body in the bill, which require the Governor to submit the appointments of the Council for Economic Development to the Senate for confirmation, if I may say, facetiously, I would have offered an amendment which would have required the advice and consent of one Congressman Green of Philadelphia, without recourse to memory on these appointments, rather than have them confirmed by the Senate.

So far as Senator Seyler's comments are concerned, I should like to also say that we have all of these organizations at the present time which are intended to do exactly as this bill would do, if enacted. However, my position is this: I have said from the beginning that I intend to vote for this bill. I intend to do everything that I can in order to not have a single man remain unemployed in Pennsylvania where it is possible to put him to work.

Mr. President, I now send over to the Majority Leader the resolution that I mentioned awhile ago. I say that I will gladly cosponsor this resolution with him and with the other sponsors of the present bill, who have had a long legislative history, in the hope that this matter might be resolved and every good might come of it rather than put additional legislation and laws on our present books.

Mr. MULLIN. Mr. President, the only comment that I would like to make on the previous speech is where the gentleman indicates that the Governor should have the advice and consent of Congressman Green.

Congressman Green is not a Member of this Body and I do not think his statement was appropriate. From my own information, I can say that Congressman Green has yet to advise and consent with me on anything that I ever did ever since I have been here, although he is from my District. I do think that bringing Congressman Green's name into everything is an attempt to smear a person. They have tried to do this unsuccessfully for a number of years. They brought a false case against him. The leaders of the opposition party brought a false case against him and used it in several elections. However, it only made him stronger in his district. I am quite sure that all these little accusations will only make his good qualities show all the better through the years.

Mr. SILVERT. Mr. President, may I say what I said possibly two years ago? Never before have I heard so much debate on a bill to which there apparently is no objection.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Bell,	Hawbaker,	Miller,	Silvert,
Berger,	Hays,	Mullin,	Staisey,
Camiel,	Kalman,	Murray,	Stevenson,
Chapman,	Keller,	Pechan,	Stiefel,
Confair,	Kromer,	Ripp,	Stroup,
Devlin,	Lane,	Rooney,	Van Sant,
DiSilvestro,	Madigan,	Sarraf,	Wade,
Donolow,	Mahady,	Scott,	Wagner,
Ehrgood,	Mallery,	Sesler,	Ware, III,
Flack,	McCreesh,	Seyler,	Weiner,
Fleming,	McGinnis,	Shafer,	Wolfe,
Haluska,	McMenamin,		Yatron,

NAYS—3

Kessler,	Propert,	Taylor,

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 388—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Miller,	Silvert,
Berger,	Kalman,	Mullin,	Staisey,
Camiel,	Keller,	Murray,	Stevenson,
Chapman,	Kessler,	Pechan,	Stiefel,
Confair,	Kromer,	Propert,	Stroup,
Devlin,	Lane,	Ripp,	Taylor,
DiSilvestro,	Madigan,	Rooney,	Van Sant,
Donolow,	Mahady,	Sarraf,	Wade,
Ehrgood,	Mallery,	Scott,	Wagner,
Flack,	McCreesh,	Sesler,	Ware, III,
Fleming,	McGinnis,	Seyler,	Weiner,
Haluska,	McMenamin,	Shafer,	Wolfe,
Hawbaker,			Yatron,

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which concurrence of the House is requested.

SECOND READING CALENDAR

BILL OVER IN ORDER

SB 30—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILL ON SECOND READING

HB 63—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO REREFER BILL

Mr. LANE. Mr. President, I move that House Bill No. 63, the bill just read, be rereferred to the Committee on Appropriations.

Mr. WEINER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I desire to interrogate the gentleman from Washington, Senator Lane.

The PRESIDENT. Will the gentleman from Washington, Mr. Lane, permit himself to be interrogated?

Mr. LANE. I will, Mr. President.

Mr. FLEMING. Mr. President, I would like to ask the gentleman why he would send a possible constitutional amendment to the Committee on Appropriations.

Mr. LANE. Mr. President, it was decided in Caucus that we would send the bill there because it is a money bill, have the Appropriations Committee review it, and then, of course, we would take it from there.

The PRESIDENT. Does that answer your question, Senator Fleming?

Mr FLEMING. I thank the gentleman for his explanation, Mr. President. However, it certainly is not a money bill. This merely would present to the people of Pennsylvania, if the bill passed two Sessions of the General Assembly, the right to approve or reject an amendment to the Constitution which would permit a future Legislature to enact legislation that would exempt these various groups from real estate taxes.

Mr. WEINER. Mr. President, I think the gentleman is taking the view that when we rerefer this bill to the Appropriations Committee, that will be the end of the measure.

I would like to point out to him that I do not think it is unseemly that we find out what this will cost the Commonwealth of Pennsylvania before we act on it. This is certainly not the end of the measure. It has been read twice here and it has passed the House. Therefore, if the Appropriations Committee will tell us what this will cost us, we can then act in an intelligent manner and put it on the ballot. We will then know the answer in case anyone asks us what the situation is or how much it will cost. I do not think that is the end of the measure, Senator, and I do not think it is unseemly that we do this. We have done this with other measures that will cost the Commonwealth money.

Mr. FLEMING. Mr. President, I certainly do not know whether I would be correct or not, but in all of my time in the General Assembly of Pennsylvania I have never known an amendment to the Constitution of Pennsylvania to be referred to the Committee on Appropriations.

Again, may I repeat that if this measure passes this Session of the General Assembly and the next Session of the General Assembly, then it will go before the people of Pennsylvania to approve or to reject the right of the Legislature—some future Legislature—to enact legislation that would relieve these particular groups of people of the necessity of paying real estate taxes. That time, it would certainly seem to me, would be the proper moment for the Appropriations Committee to look at legislation which is going to cost tax money; certainly not now.

This bill only gives to the electorate of Pennsylvania the right to say whether or not they want this possibility given to the Legislature to relieve certain groups of un-

fortunate people of the problem of paying real estate taxes.

Mr. WEINER. Mr. President, I believe the gentleman will agree with me that if this passes, the revenue loss we will suffer—if there is a loss—will have to be made up in some fashion. I think, at least, we ought to be appprised of that and concern ourselves with the problem of regaining that amount of money which might or might not be lost. Having that before us, we can also start in motion other legislation or tax measures that can replace the money lost or take care of this problem.

How this measure will suffer by going to the Appropriations Committee, Senator, I fail to understand. I wish you would explain that to me.

Mr. FLEMING. Mr. President, I probably should not have risen in the first place.

Certainly, the real estate and personal property taxes will be levied on the local level, I would think. The relief would come largely from there. I would think, if this became an amendment to the Constitution, it might properly become a subject of study by the Local Government Commission or the Joint State Government Commission. I do not think the Appropriations Committee of either the House or the Senate has the proper facilities to make that type of a study.

As far is I am concerned, Mr. President, I have no objection to the bill being rereferred to the Committee on Appropriations.

Mr. LANE. Mr. President, just to make the record clear, I must say that this is very meritorious legislation, and under present conditions, and under conditions which will exist in the future, I think it is only fair and proper that the bill be submitted to the Committee on Appropriations because actually it is a money bill. There is no question about that.

Although the bill must pass two Sessions,—and I know that it will—at the same time, we should know what the costs are going to be. I do feel that the Appropriations Committee does have the facilities to check into this.

I can say to Senator Fleming that I guarantee him, as far as my vote is concerned in that committee, my vote will be to report this bill to the floor.

Mr. BERGER. Mr. President, I am glad the record is straight and that the reasons we are having this bill sent to the Committee on Appropriations are now clear to all of us.

However, let me reiterate that there is no reason in the world, either by precedent or by necessity or by advantage, why a bill amending the Constitution should go to the Committee on Appropriations—particularly this one—because, as Senator Fleming has so well said, the taxes from which the people will be exempt, are local taxes and not State taxes. This is not going to cost the State of Pennsylvania anything except to get it on the ballot.

Mr. WEINER. Mr. President, let me point out that there are a certain amount of real estate taxes in which the States does participate, especially transfers, from which these people would be exempt as well. Therefore, this is a problem that might involve the State.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative, and the motion was defeated.

BILL OVER IN ORDER

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL ON SECOND READING AMENDED

SB 94—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

> Amend Sec. 2 (Sec. 2), page 4, lines 2 to 5, by striking out "The Gov-" in line 2, and all of lines 3 to 5.

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

> Amend Sec. 3 (Sec. 3), page 5, line 16, by inserting after "CITY": or upon petition of the city council.
>
> Amend Sec. 3 (Sec. 7), page 9, lines 1 to 6, by striking out all of lines 1 to 5, and "SHALL RETAIN ITS EXISTING CLASSIFICATION AND" in line 6.

They were agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth, seventh and eighth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. BERGER.

BILL OVER IN ORDER

SB 99—Mr. WEINER. Mr. President, I request that Senate Bill No. 99 go over in its order as there are amendments to this bill which are not ready for presentation.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILL RECOMMITTED

SB 105—Mr. WEINER. Mr. President, I move that Senate Bill No. 105 be recommitted to the Committee on Highways.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, as was pointed out by Senator Berger last week, what is encompassed in Senate Bill No. 105 is also encompassed in Senate Bill No. 294, but not in the exact verbiage. However, we feel that Senate Bill No. 294 will cover this matter.

We want to thank the Senator for bringing this to our attention.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON SECOND READING

SB 114 and **125**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING
AMENDMENTS OFFERED

HB 132—Read at length the second time,
On the question,
Will the Senate agree to the bill on second reading?
Mr. HAWBAKER offered the following amendments:

Amend Sec. 304, page 24, line 8, by striking out "approve" and inserting: Make Suggestions and Recommendations Relative to

Amend Sec. 304, page 24, lines 10 to 13, by striking out "and no payments of state-aid shall be made" in line 10, all of lines 11 to 13, and inserting: It shall be the duty of the State Librarian to make suggestions and recommendations relative to said plans.

On the question,
Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I rise to oppose these amendments for the following reasons:

If you read this part of the section of the bill, you will note that the word "Approve" is taken out and inserted in its place are the words: "Make Suggestions and Recommendations Relative to." There is nothing wrong with that section of the bill. However, if you read that in concert with the rest of it, and then read the other amendment, which takes out the function of the librarian to approve or disapprove State-aid, based on the general plan they have, you can see that this tears out the very heart of the measure, because the only reason these librarians will go along is in order to obtain the State-aid. If you remove that feature of the bill, you leave it up to the wishy-washy point of whether she does or does not make suggestions and recommendations. Suppose she makes the suggestions and recommendations and they do not choose to follow them. What other means does she have of compelling them to do so? The only means she has of compelling them to do so is to deny them State-aid. Most of these people will get in line and conform if they receive the money. If they do not meet the standards, she will deny this to them or he will deny this to them, depending on who the State Librarian is.

From my point of view, this destroys a good bit of the means of getting the units to comply and giving us a decent library system in this State, which we have needed for a very long time.

I, therefore, ask my colleagues to vote "no" on these amendments .

Mr. HAWBAKER. Mr. President, I am not at all surprised that the Majority Leader would oppose these amendments. However, I would remind him that the money in question is not the personal property of this Senate or the State Librarian. The money in question is the property of the very people to whom it is being offered.

It seems to me that there are still a few people in the State of Pennsylvania who have good judgment with regard to the establishment and the operation of libraries aside from one person in Harrisburg; namely, the State Librarian.

I can see no reason why the people in local areas still should not be afforded the privilege of deciding how their money shall be used in their own libraries to provide reading facilities for their own people. This certainly is a basic philosophy of our American system of democracy, and this is a philosophy that is supported by thousands and millions of people in the United States. I realize that this philosophy is not popular in some nations abroad. However, this certainly is a basic, fundamental philosophy of our American system of democracy.

Mr. WEINER. Mr. President, I would like to point out to the Senator that they do not have to join in the system if they are disturbed by it and unless they want to meet certain standards, I do not think they have a right to qualify. This is true in every area; for instance, the Department of Agriculture in Washington and other areas. They do not give out money under any Administration or do anything for the farmer or anyone else unless he meets certain standards. These standards are set up or promulgated by the Secretary of Agriculture under laws passed by the Congress.

We also have similar situations throughout the State. Public assistance is not given unless the people meet certain standards and certain requirements as set up by the Legislature.

Certainly no one in this room is going to continue to sit every single day and check on every single library system. If some of these library systems find that they have an adequate library and they think they can get along with it,—although the statistics and other materials that have been gathered indicate otherwise; that some of these libraries are in horrible shape and are providing little or no facilities to the people living in those local communities—they do not have to join and they do not have to be concerned about this.

However, you should not try to cripple this bill or try to kill this measure. I think many of these people, who are offering amendments to this measure, are not in favor of it anyway, and these things will tend to hurt the bill. If you take that attitude, no matter what anyone does, it is never going to be a palatable feature that anyone could go for.

Mr. HAWBAKER. Mr. President, I would like to assure the gentleman that if these amendments are approved, I have every intention of supporting the bill, as amended.

I would also like to point out to the gentleman that while local libraries are not forced to participate in the benefits of this bill, the local citizenry is forced to participate in the paying of taxes to the State of Pennsylvania, out of which these funds are made available.

I would also like to remind the gentleman that there are many, many agencies of our government that do operate on a voluntary basis. There are very many agencies that act purely as an advisory organization, and these agencies have been most successful in the past. I see no reason why this same philosophy cannot be used in the case of our libraries. It seems to me it is just sound, fundamental, democratic policy.

Mr. WEINER. Mr. President, may I point out to the gentleman that the purpose of this bill is not one of a restrictive nature? However, the purpose of it is to widen and to produce more and more volumes for more and more of these areas.

What the gentleman said is absolutely true. The fact that they take money from me, in the city of Philadelphia, and use it for other purposes in Pennsylvania, which have no bearing on the city of Philadelphia or to me as a citizen of the city of Philadelphia, is certainly well

taken. I could protest here about many things that go on, if that is the attitude. However, I think this is an over-all picture. You must look at it from a broad point of view. Does this help all the people of Pennsylvania? Does it help all the people in the government? If that is the situation, then that is the acid test. In a democracy, it is what the greatest number want for the greatest good. I think that fact is what must concern us.

This amendment certainly does not deal with that and does not take us into that area. It becomes more restrictive and lets everybody decide for themselves whether they want to go along with this plan or not. If they do not want to, they do not have to. However, I certainly think it is a mistake to try to cripple this measure or to tear out the very heart of it, which would give the Librarian an opportunity to deal with some of these areas which are recalcitrant and do not want to go along, but, yet, want to enjoy the benefits. To every benefit, there must be a burden. The burden must be that you must comply and offer a sound program in order to participate.

Mr. SEYLER. Mr. President, it seems to me that the amendments, which have been offered, would make this a totally unworkable bill. The gentleman has not amended out of this bill the various standards which are set for librarians. Obviously if you are going to award moneys to help libraries which meet certain standards, then you must have someone to enforce this and see to it that the money goes to approved libraries. Whether it is the State Librarian or the Attorney General or whoever, somebody must make this decision. We might make it the Attorney General. We might even make it the gentleman who offered the amendments. However, I would submit that the person who would know more about this and who would be in a better position to judge as to whether the standards enumerated in this bill are being met is the State Librarian.

It seems to me that it is fantastic to say that this is an undemocratic or unAmerican process, only practiced in other countries. Pennsylvania distributes many types of reimbursements to aid worth-while projects in this Commonwealth. In all cases, somebody on the administrative side of our government has to be given the job of deciding which agencies are legitimate and should be given this money and which agencies should not. To leave all the standards contained in this bill and not amend them out, and then to say that nobody shall have the job of seeing that these standards are met, is to make this a totally unworkable bill which, if it passed, would be just impossible to enforce. I mean there would no longer be any way to distribute the money. If you have standards, some agency or person in government must be given the job of seeing whether these standards are met. If the gentleman had eliminated all of the standards and had merely said that the Commonwealth will collect the money and give it to anyone who comes in here and says that they have a library, then that, of course, would be different. I do not think the gentleman would suggest that, and I believe the Members of the Senate could hardly support such a position.

Therefore, Mr. President, it seems to me, accepting the gentleman's statement that he is not attempting to cripple the bill or make it unworkable, this should be thought through. I think the gentleman should reflect on what the effect of these amendments will be. If he is sincere about not intending to thereby make the bill impossible, then he should give some thought to the suggestions I have made.

I have the feeling that the State Librarian is the logical person to do this. If the gentleman's amendments had been, let us say, to perhaps add a Citizens' Committee to join with the Librarian in doing it or something of that nature, I may have disagreed, but I would have thought that he was suggesting something which, at least, was practical. The suggestion that we just have nobody to decide on whether to approve a library as meeting these standards, when he is leaving the standards in the bill, just creates an impossible situation. It is entirely unenforceable and, it seems to me, it makes the bill a dead letter if such amendments are adopted.

Mr. HAWBAKER. Mr. President, I would merely like to say that I am not interested in weakening this bill or making it ineffective. However, I am interested in making this bill applicable to small, rural libraries. We have had enough experience with State domination of rural institutions in the past to realize that small libraries will, in no possible way, be able to comply with regulations and requirements which we can anticipate coming from the State Librarian.

Therefore, Mr. President, the provisions of this bill will simply freeze out many, many local libraries in small communities. It is for this reason that I am interested in these amendments, so that the people throughout Pennsylvania can enjoy some of the benefits.

I would like to reiterate what I said a moment ago. I, like Thomas Jefferson, have a lot of respect for the judgment of people in local communities.

Mr. SEYLER. Mr. President, I desire to interrogate the gentleman from Franklin, Senator Hawbaker.

The PRESIDENT. Will the gentleman from Franklin, Mr. Hawbaker, permit himself to be interrogated?

Mr. HAWBAKER. I will, Mr. President.

Mr. SEYLER. Mr. President, I would like to ask the gentleman, assuming his amendments are passed and assuming that people come to his county or mine and apply for this money, who would make the decisions as to whether there is a legitimate library representative here to receive the money?

Mr. HAWBAKER. I think that is provided for in the bill, Mr. President.

Mr. SEYLER. I did not understand the gentleman's answer, Mr. President.

Mr. HAWBAKER. I think that is provided for in the bill. It is spelled out that libraries shall be entitled to State-aid.

Mr. SEYLER. That is true if they are libraries according to the definition in this bill. However, who would make the decision as to whether they are?

Mr. HAWBAKER. I think that also would be left to the discretion, to a certain extent, of the State officials. They could decide whether or not a library exists, but they certainly do not have to decide whether or not they meet certain standards as prescribed by this bill or set up, or which are not even mentioned in this bill, or something that the State Librarian might come forth with later on.

Mr. SEYLER. Mr. President, I thank the gentleman for his answer.

I would like to point out to him that the State Librarian

has no power beyond the standards laid down in this bill to administer the money. However, I would like to return to the gentleman's earlier answer. He said that some State officials could decide this. Mr. President, this is precisely what I am trying to find out. Who is the State official? Is it to be the Governor? Is it to be the Chief Justice of the Supreme Court? It is to be the Attorney General? We must designate somebody in this bill to be the person or agency who decides whether a library meets the requirements of being a library, under the terms of this bill.

It seems to me, Mr. President, that the Librarian is the one to do this. We cannot just say that some State official will do it. Unless we designate somebody, no one will have that right to do it.

And the question recurring,

Will the Senate agree to the amendments?

(During the calling of the roll, the following occurred:)

Mr. McMENNAMIN. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no".

The PRESIDENT. The gentleman will be so recorded.

Mr. WEINER. Mr. President, may we be at ease a moment?

The PRESIDENT. The Senate will be at ease.

(The Senate was at ease.)

PARLIAMENTARY INQUIRY

Mr. BERGER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman will state it.

Mr. BERGER. May I inquire of the Chair whether this might constitute an interruption of the roll call?

The PRESIDENT. The roll call has been completed. Therefore, I would not think this might be called an interruption.

Mr. BERGER. May we have the announcement of the roll call, Mr. President.

The PRESIDENT. The vote has not been announced.

Mr. WEINER. Mr. President, I did not interrupt the roll call. I merely asked that we be at ease for a moment. One of the Members did not have an opportunity to read these amendments and he is now doing so.

Mr. MAHADY. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no".

The PRESIDENT. The gentleman will be so recorded.

The roll was called and resulted as follows:

YEAS—23

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III,
Fleming,	Mallery,	Stroup,	

NAYS—23

Camiel,	Mahady,	Murray,	Silvert,
Devlin,	McCreesh,	Ripp,	Staisey,
DiSilvestro,	McGinnis,	Rooney,	Stiefel,
Haluska,	McMenamin,	Sarraf,	Weiner,
Hays,	Miller,	Sesler,	Yatron,
Lane,	Mullin,	Seyler,	

So the question was determined in the negative, and the amendments were defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. BELL. Mr. President, May I at this time inquire of the Majority Leader whether it would be in order to submit additional amendments on the third reading of this bill?

Mr. WEINER. Mr. President, I stated last week, and I will state it again for the record, that it will be perfectly all right to offer amendments on third reading to this measure tomorrow.

Mr. BELL. Thank you very much.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. WARE offered the following amendment:

> Amend Section 302, page 14 line 1, by inserting after the word "endowments": volunteer work, contributions and labor, materials and perquisites.

On the question,

Will the Senate agree to the amendment?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Chester, Senator Ware.

The PRESIDENT. Will the gentleman from Chester, Mr. Ware, permit himself to be interrogated?

Mr. WARE. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman advise us what this amendment will cover that is not covered in the bill which states, "and other local services"? Why is this amendment needed?

Mr. WARE. It is entirely possible that the drafters of the bill intended to cover those things named in the amendment. However, I think the amendment will be helpful in that it will remove any likelihood of any doubt as to whether the items named in the amendment are or are not included in the bill as it is now drafted.

Mr. WEINER. Mr. President, will the gentleman please advise us what this amendment will add to the bill or how it, in any way, will help clarify the bill?

Mr. WARE. We can take up each one of the phrases, if necessary. However, I will give you an example of one item with which I am quite familiar in my own local library. That relates to the matter of perquisites. The librarian, in the Oxford Public Library, receives the benefit of the use of an apartment, together with all the facilities, with no cost to the librarian. Her compensation is adjusted accordingly.

I think the bill, as it presently reads, might well be interpreted so that a fair allowance for those perquisites would not be included in the cost of the operation of the library, with the result that the library might well fail to qualify for maximum funds as provided in the bill.

Mr. WEINER. Mr. President, will the gentleman please advise us as to how we will evaluate "volunteer work, contributions and labor, materials and perquisites"? How will that be evaluated in terms of dollars and cents, either in adding onto the contribution to be made by the Commonwealth or the contribution to be taken from them because they do not fulfill this? How will we determine this?

Mr. WARE. I would think that the officials of the library involved would make an accounting to those responsible for the admistration and payment of State funds, in a similar fashion to that which is followed in making an accounting for dollars. In other words, you can account for materials and items the same as you account for

dollars. Materials and items can have a dollar value ascribed to them.

If it will be helpful, I am sure that a further definition of the manner in which they shall be evaluated can be included in this amendment or in a further amendment. Indeed, if I would have had the opportunity—you may recall last week, you were urging me to act with deliberate haste—this amendment would have included some further definitions. However, this is the manner in which it was presented to me by the Legislative Reference Bureau.

Mr. WEINER. Mr. President, this is the fifth week in which I have been asking for deliberate haste on this matter.

Would it help the gentleman if he were to withdraw this amendment and try to get it a little better clarified? It might be just peculiar to me, but I have difficulty myself, in interpreting it. Volunteer work is difficult to assess in terms of dollars and cents, as money or services received by a library. Unless there were some system set up to maintain this or keep books and records, somebody might find themselves in some difficulty by assessing this or saying what it is worth.

I would have no objection, Mr. President, if this amendment were introduced on Third Reading, as I have no objection today. However, I think the language in the amendment leaves a little bit to be desired. An editorial change might be the type of thing which would allow me, and perhaps some of my colleagues, to vote for this amendment. I think there is some merit to it. However, I would dislike writing this amendment into a bill of this size and then find difficulty in administering it or handling it. Therefore, if the gentleman feels that this could be straightened out by working out the verbiage in it, perhaps tomorrow we could get it in a better frame of language and I would be very happy to support this amendment with the gentleman. At the moment, I would have difficulty in doing so.

Mr. WARE. Mr. President, let me assure the Majority Leader that I would never hold to the fact that any amendment or any bill could not be improved upon. Certainly this amendment could be improved. I would be glad to invite the gentleman to cosponsor another amendment with me in order for us to have the benefit of his judgment.

Likewise, I believe it would be in order to adpot this amendment and then amend the bill at a subsequent Session. However, I am perfectly agreeable to handling it in whatever fashion would prove most beneficial to the libraries which we are seeking to help.

Mr. WEINER. Mr. President, do I take it that the gentleman is asking that his amendment be withdrawn until such time as we have had an opportunity to confer on it?

Mr. WARE. Mr. President, would it be proper to have the bill go over for amendment?

Mr. WEINER. Mr. President, I have stated in answer to Senator Bell's question—and it applies equally here—that I would be very happy to have this bill amended on Third Reading and I will not object to the offering of amendments at that time.

I think, Senator, as a matter of good form, we should sit down and work out the verbiage when we have an opportunity to do so rather than spend the money to have the amendment printed in the bill, take out the amendment, and then have the bill reprinted. It might be that this is only a petty sum, but I think this is an easier way of doing it. It is not that I have greater feeling for the suggestion I have made as opposed to your suggestion. I just think this would be an easier way to do it.

At the moment, my own feeling is that I would have to vote against this amendment.

Mr. WARE. Mr. President, we certainly want—and I am sure all of us will agree on this—to do this in the easiest and simplest manner. It occurs to me at the moment that the best thing to do is have the bill go over in its order.

Mr. President, I would like to move that the bill go over in its order.

The PRESIDENT. We presently have an amendment before us. Do you wish to withdraw your amendment?

Mr. WARE. Mr. President, I wish to withdraw the amendment.

The PRESIDENT. The amendment is withdrawn.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. WARE. Mr. President, I now move that House Bill No. 132 go over in its order.

Mr. BERGER. Mr. president, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF ORDER

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state it.

Mr. WEINER. Mr. President, have we disposed of this amendment?

The PRESIDENT. The amendment has been withdrawn.

Mr. WEINER. Thank you, Mr. President.

The PRESIDENT. It has been moved by Senator Ware, and seconded by Senator Berger, that House Bill No. 132 go over in its order.

Mr. WEINER. Mr. President, I would like to address myself just for a moment to this motion.

This is the same matter that we had before us last week, and I believe at that time—and the record will bear me out—that I stated the people who were against the bill last week, and the week before that and last year and the year before that, are still against it this week, will be against it the following week, and so on and so forth. Delaying this matter and dragging it along does not make it any more palatable to anyone, nor does it help the situation. He have to face this issue. We are going to have to do it sometime, whether it be this week, next week or two years from now.

Let us face up to it now. Let those of us who are against the bill vote against it. Let those of us who are for it vote for it. I think we have to bring this measure to a head.

I suggested to the gentleman when the bill first came over here—before it was even committed—that it might be helpful for us to have an opportunity to look at this bill. When we took the recess, I suggested that it is a long bill and we should look it over. Last week when there was a suggestion made that it go over in its order, I did not particularly press the issue, although I stated that

this measure is going to be dragged along, dragged along and dragged along.

We now again have the measure before us this week. We ought to dispose of it. I even asked some of the gentlemen on the other side last week if they would dispose of this measure this week if we let it go over in order at that time. We did let it go over in order, and if we let it go over in order again, next week we will have the same problem and so on and so forth until we either arrive at a point where there are no more Members left or we have adjourned sine die without passing this bill.

That I cannot let happen. Therefore, I am asking that my colleagues vote "no" on the motion for this bill to go over in its order.

Mr. BERGER. Mr. President, I think the Majority Leader is attempting to reach a conclusion which is not justified by the facts.

There is no question that this bill is going to come to a vote. It will probably come to a vote within a very reasonably short time. There is no merit to his statement that those who were for it a year ago, a year before that and two years ago, are still for it, and those who were against it then are still against it.

As a matter of fact, Mr. President, I am sure that there are a number of us in this Senate who were opposed to the bill in the form in which it was presented two years ago. I am sure that some of those people, under the form of the present bill, will not be opposed to it. Nevertheless, this is a matter for deliberation. We want to get it into the very best form that we can. The way we do that is by amendments.

There is no reason to stempede or rush this because many of us want to see the very best bill that can be produced on this subject for the benefit of the most libraries and the most people who use libraries throughout the State of Pennsylvania.

Certainly, there are some mental reservations on the part of many of us in regard to a number of provisions in the bill. Senator Hawbaker's amendments might have disposed of some of those doubts of a great many people. They, however, have not been adopted.

There are other amendments, seeking to clarify some of the provisions of the bill. The amendments, as the Majority Leader stated, do not appear to be at all bad. As a matter of fact, I think they are very good. If we want to elaborate and spell out better for the edification of the Members of this Senate what is intended by those amendments, we should be given every opportunity to do it, and not have this rushed through with the statement that if you were against it, you are against it now and if you were for it, you are for it now. That is not correct, Mr. President, and we are entitled, we believe, to the fullest deliberation and consideration of a measure that is going to cost the Commonwealth of Pennsylvania ultimately about six and one-half millions of dollars.

Mr. BELL. Mr. President, I want the record to show very definitely that the Majority Leader was incorrect in his statement that those who would vote to keep this on the Second Reading Calendar would be against the Library Bill. His statement, as he made it, is incorrect.

I would like to see the bill remain on the Second Reading Calendar because only today, I found something in this bill, in talking with another Senator, that could be very, very offensive to the people of Pennsylvania. I studied this bill before, but I did not see this little clause.

I have amendments which I propose to introduce on Third Reading—if it goes to Third Reading—after I have had a little more time to study it and to get into the bill again.

I say we are not being fair to steamroller this bill through. You say it is not being steamrolled. Maybe that is the wrong word. However, there is no reason why this bill cannot wait a few more days while these questions in the minds of some of us who are not committed one way or another are resolved.

I urge that we all vote to keep this bill on the Second Reading Postponed Calendar.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bell.

The PRESIDENT. Will the gentleman from Delaware, Mr. Bell, permit himself to be interrogated?

Mr. BELL. I will, Mr. President.

Mr. WEINER. Mr. President, I believe the last statement made by the gentleman was that this bill remain on the Second Reading Postponed Calendar.

Mr. BELL. That is incorrect. I was in error. I meant the Second Reading Calendar.

Mr. WEINER. Mr. President, I stand corrected.

Will the gentleman please advise us at what point would be a good time to take up this measure—which week of this Session?

Mr. BELL. Mr. President, I think the answer to that is when those of us who are not sure about the bill are satisfied that we have had ample time to consider it.

May I suggest, Mr. President, that this Senate of Pennsylvania is a deliberate body? "Deliberate" means that we should have ample time to study the big questions that come before us. I do not think anybody can point to tomorrow, the next day or next Monday as the exact time. As far as I personally am concerned, if I find any more hidden things like this in the bill, it is going to be a long time before I am satisfied with the bill. However, I am going to seek an explanation of the items which I see in the bill. I will be very frank about what they are.

You are talking, in this bill, of putting a tax on the people in some of my districts, and you have—

The PRESIDENT. At this point, Senator Bell, the bill is not debatable. We have a motion before this Body, and only the motion is debatable.

Mr. BELL. Mr. President, I am only answering the Majority Leader's question. He asked me how long I need to study the bill.

When you talk about putting a tax of one-quarter mill or one-half mill on the market value of properties in my District, I need a few days to think that one through.

The PRESIDENT. I am sure you do, sir.

Mr. WEINER. Mr. President, I want to thank the gentleman. I also want to point out to him that this bill came to us on March 7. Today is April 10. Suppose the gentleman is never convinced that he should be in favor of this bill. Do we just continue to hold it on the Second Reading Calendar until such time as he is convinced? I certainly do not think, when we speak of this Body being a deliberate Body, we have that in mind, or that we just deliberately prevent this measure from coming to a vote. There must be some time set as a limit to decide whether we

are in favor of a measure or against a measure, as the case might be or as your own conscience indicates.

However, I think if the gentleman who offered the last amendment is truly interested in that amendment and truly interested in our seeing it, I would be most happy to sit down with him, discuss it with him, and see if there is not some area of agreement between us so that perhaps we can support that amendment. To just try to push them across or try to get them into the bill, when we have little or no opportunity to read them except right here on he floor, is not helping the measure or helping the people of Pennsylvania.

Mr. BELL. Mr. President, in answer to the gentleman's charge that I am guilty of some kind of skulduggery in delaying this bill, I am going to serve notice on him and other Members of the Democratic Party that when I am against something, they will know about it. I am not going to use any kind of subterfuge to postpone, and when I have made my mind up, I will vote.

And the question recurring,

Will the Senate agree to the motion?

A voice vote having been taken, the question was determined in the negative and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on second reading?

A voice vote having been taken, the question was determined in the affirmative and the bill was agreed to on second reading.

Ordered, To be transcribed for a third reading.

BILL REREFERRED

Mr. FLEMING. Mr. President, I move that House Bill No. 132 be rereferred to the Committee on Appropriations for the purpose of appropriate action.

Mr. STROUP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, might I point out to the gentleman that in this Senate, we have never sent a bill to the Appropriations Committee until it has passed Second Reading. I think if the gentleman will be patient and let it pass Second Reading—

The PRESIDENT. The bill has passed Second Reading. It will be prepared for Third Reading, sir.

Mr. WEINER. I am sorry, Mr. President.

Will the gentleman from Allegheny, Senator Fleming, permit himself to be interrogated?

The PRESIDENT. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise the Senate why he asked that this bill be rereferred to the Appropriations Committee?

Mr. FLEMING. Mr. President, it was very forcefully brought to my attention today that the Appropriations Committee should study any bill that dealt with money and appropriations. Certainly, this one does and I feel that the Appropriations Committee, so capably presided over by Senator McGinnis, should have an ample opportunity to look it over and see whether or not the amounts that will be expended in it will meet with the revenues that are available and with the appropriation bill as it will come through.

Mr. WEINER. Mr. President, I believe the gentleman has misquoted what was said here, and I want to correct that. I stated that we send bills to the Appropriations Committee to find out what the cost to the Commonwealth will be to provide revenue if some revenue is being removed.

Here we are making a direct appropriation. If the gentleman needs any further indication of this, I can make all of that data available to him. I will be glad to take a recess and show it to him, thereby averting spending an extra day for this bill to go to committee. If he can show me that same amount of information in regard to the other bill, I will be very happy to ask that that bill not go to the Appropriations Committee and go on to the regular course of events here.

I do have this information. It is available. It was available in the House when the bill was there. It is now available to us here.

I would, therefore, object to the bill going to the Appropriations Committee and ask that it be prepared for Third Reading.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. TAYLOR and Mr. PECHAN, and were as follows, viz:

YEAS—24

Bell,	Hawbaker,	Mallery,	Stroup,
Berger,	Keller,	Pechan,	Taylor,
Chapman,	Kessler,	Propert,	Van Sant,
Confair,	Kromer,	Scott,	Wade,
Flack,	Madigan,	Shafer,	Wagner,
Fleming,	Mahady,	Stevenson,	Ware, III,

NAYS—22

Camiel,	McCreesh,	Ripp,	Silvert,
Devlin,	McGinnis,	Rooney,	Staisey,
DiSilvestro,	McMenamin,	Sarraf,	Stiefel,
Halaska,	Miller,	Sesler,	Weiner,
Hays,	Mullin,	Seyler,	Yatron,
Lane,	Murray,		

So the question was determined in the affirmative, and the bill was rereferred.

MOTION FOR RECESS

Mr. WEINER. Mr. President, I now move that the Senate take a thirty minute recess for the purpose of holding a meeting of the Committee on Appropriations.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I would suggest that the procedure about to be attempted is rather out of order in the history of this Body. This bill is not yet in the hands of the Chairman of the Appropriations Committee. However, I can well understand that undoubtedly the action contemplated will be taken, but on the motion I would ask my colleagues to vote "no."

The PRESIDENT. Do you wish a roll call, Senator Berger?

Mr. BERGER. No, Mr. President.

Mr. FLEMING. Mr. President, I trust I am in order. I merely want to draw to the attention of the Majority Leader and to the Chair an unwritten rule which exists; namely, that we will adjourn the daily sessions at 6:00 p.m, or as close thereto as possible.

If we take a recess for one-half hour for the purpose

of a committee meeting and that deliberation goes on, and then they come back and make committee reports, we are going to be well beyond the hour of 7:00 p.m. In the interest of the health of the Members, I would suggest to the Chair that the desk be cleared. I would suggest to the Majority Leader that he adhere to the unwritten rule that we do adjourn this Body as close to the hour of 6:00 p.m. as possible.

Mr. WEINER. Mr. President, as long as we are clearing the record, I would like to state that it was not I who dragged this action or bill along. I am not the one who has been detaining us here. I tried, as expeditiously as possible, to move this measure along. I even stated that I would accept amendments tomorrow and that I would handle the entire matter tomorrow. However, they persisted in doing this. What other choice do I have in order to proceed on this matter as expeditiously as possible?

I do not think we should take six or seven weeks to act on a measure. This has been brought to the attention of all the Members of the Senate. It is not my concern that somebody decided to act in a recalcitrant manner. I think we should realize that this is a measure which is important to the people of Pennsylvania. We are here to do our work and I think that is what we are going to do here.

Mr. BERGER. Mr. President, I again call to the attention of the Majority Leader that this bill will be before us for a vote. There is no reason in the world why it should be hurried through in the fashion which is being attempted here. The gentleman well knows that there are going to be votes for this bill from this side of the Senate, as well as from the other side. We do want to get the bill in the most acceptable form possible, as we have stated before.

Consequently, Mr. President, the haste with which the Majority Leader wishes this bill acted upon is, to say the least, somewhat unseemly. It does not require such action. It is not a bill that is going to fall simply because it goes over in order for a day, two days or three days. We know we are going to act on it and we hope it is going to be acted upon in the best possible form.

Mr. WEINER. Mr. President, could we be at ease for a moment?

The PRESIDENT. The Chair wishes to confer with the Majority Leader and the Minority Leader.

The Senate will be at ease for a few moments.

(The Senate was at ease.)

And the question recurring,

Will the Senate agree to the motion?

Mr. WEINER. Mr. President, I wish to withdraw my motion that we take a half-hour recess.

The PRESIDENT. Senator Lane, will you please withdraw your second to the motion?

Mr. LANE. Mr. President, I wish to withdraw my second to the motion.

BILLS ON SECOND READING

SB 173 and **186**—Read at length the second time and agreed to,

Ordered, To transcribed for a third reading.

BILL RECOMMITTED

SB 212—Upon motion of Mr. WEINER, seconded by Mr. SEYLER, and agreed to, the bill was recommitted to the Committee on Local Government.

BILLS ON SECOND READING

SB 213 and **291**—Read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 294—The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. ROONEY offered the following amendment:

Amend Sec. 3 (Sec. 801), page 7, line 4, by inserting after "Every:" such.

It was agreed to.

The section was agreed to as amended.

The fourth and fifth sections and title were read and agreed to.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

BILL RECOMMITTED

SB 299—Upon motion of Mr. STAISEY, seconded by Mr. SILVERT, and agreed to, the bill was recommitted to the Committee on Forests and Waters, Game and Fish.

BILLS ON SECOND READING

SB 301, 302, HB 303, 304 and **SB 409**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 336—The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KROMER offered the following amendment:

Amend Sec. 1, page 2, lines 2 and 3, by striking out "except two sheet metal buildings presently under the jurisdiction of the Pennsylvania Department of Highways and."

It was agreed to.

The section was agreed to as amended.

The second, third and fourth sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING

SB 419 and **HB 570**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 635 and **636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HOUSE MESSAGE

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence **HB 730,** which was referred to the Committee on Local Government.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **HB 37, 42, 310, 450, 461** and **569.**

RECESS

Mr. WEINER. Mr. President, I request a recess of the Senate for the purpose of holding a meeting of the Committee on Appropriations, to be held in Room 252.

The PRESIDENT. Are there any objections? The Chair hears no objection, and declares a recess of the Senate.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE

Mr. McGINNIS, by unanimous consent, from the Committee on Appropriations, rereported, as committed, **HB 132.**

PARLIAMENTARY INQUIRY

Mr. WEINER. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia, Mr. Weiner, will state his question of parliamentary inquiry.

Mr. WEINER. Mr. President, will House Bill No. 132 appear on the Third Reading Calendar tomorrow?

The PRESIDENT. This bill will undoubtedly appear on the Third Reading Calendar tomorrow.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS

TUESDAY, APRIL 11, 1961

Time	Committee	Room
9:30 A. M.	STATE GOVERNMENT	535
10:00 A. M.	PHILADELPHIA VOTE FRAUD COMMITTEE	302
10:15 A. M.	HIGHWAYS	542
10:30 A. M.	JUDICIARY GENERAL	535
11:00 A. M.	LOCAL GOVERNMENT	301

NOTICE

The Judiciary General Committee will also hold a Public Hearing at 11:00 a.m., Tuesday, April 11th in Room 535, on the Court Administration Bill (Senate Bill No. 441).

SPECIAL ANNOUNCEMENT

The official picture of the Senate will be taken Tuesday, April 11th at 2:00 p.m. All Members are urged to be present.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 11, 1961, at 2:00 p.m.

Mr. Lane. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:44 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, April 10, 1961

The House met at 2:30 p. m., e. s. t.

The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

Heavenly Father, Thou Whose gracious love and everlasting care becomes our constant and abiding need, we look to Thee in this precious hour as we pray for Thy continued presence with us all. Watch over and care for the members of this House of Representatives, show Thy care and concern to the other members of this General Assembly as well, and extend Thy abiding care to the Governor and the members of this administration. O God, grant to each one Thy strengthening power, so that with determined courage and undaunted conviction they may work for the fulfillment of a progressive and beneficial program for all citizens of this great Commonwealth: through Jesus Christ, our Lord. Amen.

JOURNALS APPROVED

The SPEAKER. Are there any corrections to the Journals of Monday, March 20, and Tuesday, March 21, 1961? If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, April 5, 1961, will be postponed until printed.

The Chair hears none.

SENATE MESSAGE

JOINT SESSION

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 10, 1961.

Resolved (if the House of Representatives concur), That the Senate and House of Representatives meet in Joint Session, Monday, April 10, 1961, at three o'clock p. m., in the Hall of the House of Representatives for the purpose of hearing an address by His Excellency, the Governor of the Comonwealth of Pennsylvania.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 10, 1961.

Resolved(if the House of Representatives concur), That a committee of three on the part of the Senate be appointed, to act with a similar committee on the part of the House of Representatives, to escort His Excellency, the Governor of the Commonwealth, to the Hall of the House of Representatives to address the Members of the General Assembly in Joint Session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

COMMITTEE TO ESCORT GOVERNOR

The SPEAKER. The Chair appoints as a committee on the part of the House to escort His Excellency, the Governor, to the hall of the House, the gentleman from Greene, Mr. McCann, the lady from Northampton, Mrs. Reibman, the gentleman from McKean, Mr. Johnson.

The committee will proceed in the performance of its duty.

RESOLUTION

COMMITTEE TO ESCORT SENATE

Mr. EILBERG offered a resolution which was read, considered and adopted as follows:

In the House of Representatives,
Monday, April 10, 1961.

Resolved, That the Speaker appoint a committee of two members of the House to escort the members of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE TO ESCORT SENATE

The SPEAKER. The Chair appoints as a committee to wait upon the Senate the gentleman from Philadelphia, Mr. Eilberg, the Gentleman from Cameron, Mr. Tompkins, and the gentleman from Allegheny, Mr. Ewing.

The committee will proceed in the performance of its duty.

WRIT OF SPECIAL ELECTION

The SPEAKER laid before the House a Writ of Special Election as follows:

COMMONWEALTH OF PENNSYLVANIA, SS:

To the Secretary of the Commonwealth, and to Bryan Lee, Emerson G. Montross and Cecil R. Brown, constituting the Board of Elections of the County of Wyoming:

Greeting: Whereas, a vacancy exists in the office of Representative of the Comomnwealth of Pennsylvania for the Legislative District of the County of Wyoming, caused by reason of the death of James Wynd, Jr., the representative from said district, on the twenty-eighth day of March, one thousand nine hundred sixty-one.

Now, Therefore, I, Hiram G. Andrews, Speaker of the House of Representatives, by virture of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and by the Act of Assembly in such case made and provided, do hereby command you: That you cause an election to be held in the Legislative District of the County of Wyoming on the sixteenth day of May, A. D. one thousand nine hundred sixty-one, to choose a person to represent said Legislative District in the House of Representatives of Pennsylvania for the remainder of the term expiring December first, one thousand nine hundred sixty-one, and that you give due and

public notice of said election throughout said District, in the form and manner directed by law.

Given under my hand and the seal of the House of Representatives at Harrisburg, Pennsylvania, this 5th day of April, A. D. one thousand nine hundred sixty-one.

ATTEST:

HIRAM G. ANDREWS,
Speaker of the House of Representatives
J. OMINSKY,
Chief Clerk of the House of Representatives

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } SS:

Frank J. Szobocsan being duly sworn according to law, says that he resides at 584 South 4th St., Steelton, Dauphin County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Secretary of the Commonwealth of Pennsylvania, on the 6th day of April, 1961, at 2:30 o'clock P. M., at his office in the Capitol Building, in Harrisburg, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of the County of Wyoming, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

FRANK J. SZOBOCSAN,
Sergeant-at-Arms

Sworn and subscribed to before me this 6th day of April, 1961.

DOROTHY M. IONNI,
Notary Public

My commission expires Feb. 3, 1963, Harrisburg, Pa., Dauphin County.

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF DAUPHIN } SS:

Patrick J. Gilroy being duly sworn according to law, says that he resides at 524 River St., Scranton, Lackawanna County, Pennsylvania, that he is a Sergeant-at-Arms of the House of Representatives, Commonwealth of Pennsylvania, specially deputized.

That he served on the Board of Elections of Wyoming County, on the 7th day of April, 1961, at 11:40 o'clock A. M., at its office in Tunkhannock, a writ for a special election for the office of Representative in the General Assembly for the Legislative District of the County of Wyoming, by command of the Honorable Hiram G. Andrews, Speaker of the House of Representatives of the Commonwealth of Pennsylvania.

PATRICK J. GILROY,
Sergeant-at-Arms

Sworn and subscribed to before me this 15th day of April, 1961.

DOROTHY M. IONNI,
Notary Public

My commission expires Feb. 3, 1963, Harrisburg, Pa., Dauphin County.

BILLS INTRODUCED AND REFERRED

By Messrs. GALLAGHER and PRENDERGAST.

HOUSE BILL No. 1175.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the attendance at public schools of children when they are classified as being of exceptional physical or mental condition.

Referred to the Committee on Education.

By Messrs. MURPHY, FILO and SIMMONS.

HOUSE BILL No. 1176.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing compensation for members of the borough planning commission and the board of adjustment.

Referred to the Committee on Boroughs.

By Messrs. BOIES, MIHM, WILT, FILO and WALSH.

HOUSE BILL No. 1177.

An Act making an appropriation to the Allegheny County Institution District for maintenance, upkeep, repair and conduct of research at the John J. Kane Hospital.

Referred to the Committee on Appropriations.

By Messrs. POLEN and McCANN.

HOUSE BILL No. 1178.

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

Referred to the Committee on State Government.

By Messrs. FOERSTER, RENWICK, STIMMEL and HELM.

HOUSE BILL No. 1179.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Water and Power Resources Board by including the Secretary of Internal Affairs, the Secretary of Agriculture, and the Secretary of Commerce and eliminating the engineer member of the board.

Referred to the Committee on State Government.

By Messrs. WALSH, DONALDSON and LAMB.

HOUSE BILL No. 1180.

An Act amending the act of December 22, 1959 (P. L. 1978), entitled "An Act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; ***" appropriating funds accruing under provisions of the act.

Referred to the Committee on Appropriations.

By Messrs. MUSTO, BONNER, CURWOOD, SHUPNICK, MEHOLCHICK, CROSSIN, NEEDHAM, WARGO, McDONALD, WM. JOS. LONG, REIDENBACH, BACHMAN and TOMASCIK.

HOUSE BILL No. 1181.

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK and ODORISIO.

HOUSE BILL No. 1182.

An Act providing for and regulating the conducting of merchandise bingo by volunteer fire companies and auxiliaries thereof.

Referred to the Committee on State Government.

By Mrs. HENZEL and Mr. ASHTON.

HOUSE BILL No. 1183.

An Act requiring the humane slaughter of livestock, providing exceptions; imposing duties on the Secretary of Agriculture and fixing penalties.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. EILBERG, FINEMAN, LIMPER and ARLENE. HOUSE BILL No. 1184.

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," further defining "receipts" to exclude fresh or frozen seafood, shell-fish, and fish and making such definitions retroactive.

Referred to the Committee on Cities—Counties First Class.

By Messrs. HAMILTON, CIOFFI and FILO. HOUSE BILL No. 1185.

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), further providing for the keeping of records and papers at the county seat.

Referred to the Committee on Counties.

By Messrs. SCARCELLI, CAPITOLO, ESHBACK and PARLANTE. HOUSE BILL No. 1186.

An Act amending the act of June 28, 1935 (P. L. 477), "providing for the payment of the salary, medical and hospital expenses of members of the State Police Force and of policemen, fire men and park guards by the Commonwealth of Pennsylvania; ***" extending the provisions thereof to members of the Delaware River Port Authority Police.

Referred to the Committee on State Government.

By Mr. VARNER. HOUSE BILL No. 1187.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, * * * and the salary and expenses of the members of the General Assembly, * * *" further regulating mileage payable to members of the General Assembly.

Referred to the Committee on Rules.

By Mr. FILO (By Request). HOUSE BILL No. 1188.

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania exempting from taxation a portion of real property owned by certain persons sixty-five years of age or older.

Referred to the Comimttee on Judiciary.

By Messrs. HORST, HAMILTON, KISTLER and VARNER. HOUSE BILL No. 1189.

An Act to provide temporary supplemental retirement benefits for certain annuitants of the Public School Employes' Retirement System, creating a special fund in the custody of the State Treasurer, imposing duties on the Public School Employes' Retirement Board, and making an appropriation.

Referred to the Committee on Appropriations.

By Messrs. HAMILTON, HEAVEY, WILLAREDT and ODORISIO. HOUSE BILL No. 1190.

An Act reenacting and amending "The Fire Marine and Inland Marine Rate Regulatory Act" approved June 11, 1947 (P. L. 551), including domestic mutual fire insurance companies and domestic reciprocals or exchanges within the provisions of the act, and providing for a uniform classification of accounts and records.

Referred to the Committee on Insurance.

By Messrs. FOERSTER, RENWICK, STIMMEL and HELM. HOUSE BILL No. 1191.

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface water; under certain circumstances; prescribing the duties of the Water and Power Resources Board; and providing penalties.

Referred to the Committee on Game and Conservation.

By Mr. POLEN. HOUSE BILL No. 1192.

An Act amending the "General Appropriation Act of 1959" approved November 12, 1959 (Appropriation Act 38-A), restoring certain amounts appropriated to the Department of Public Instruction and the Department of State which the Legislature deleted and declared its intention to restore.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. POLASKI, O'DELL, BLAIR and SCHAAF. (Concurrent) RESOLUTION No. 51.

In the House of Representatives, April 5, 1961.

Whereas, The United States has assumed an obligation with its good neighbor, the Government of Canada, to contribute its full share toward the successful operation of the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The only existing navigable facility connecting lakes Erie and Ontario is the Welland Canal which has been sorely pressed to meet the increasing demands of shipping; and

Whereas, The construction of an alternate ship canal would make a major contribution to the security of the United States as well as Canada, because:

(1) In the event of breakdown or destruction of the existing Welland Canal, the commerce of the entire Great Lake's area of the United States and Canada west of Lake Ontario would be denied access by water transportation to the St. Lawrence Seaway and international shipping lanes;

(2) It would provide a more secure inland route for the movement of iron ore in the event of war;

(3) It would ease the strain on congested rail facilities and east coast ports in the time of emergency; and

(4) It would allow the construction and repair of ocean-going vessels in the more secure areas of the Great Lakes; and

Whereas, The construction of the canal would contribute greatly to the prosperity of commerce, industry and agriculture, not only in those states bordernig the Great Lakes, but throughout the entire nation; and

Whereas, The commerce of the lake port of Erie, Pennsylvania would be increased by the benefits accruing to the St. Lawrence Seaway-Great Lakes Shipping Route; and

Whereas, The construction of the canal would stabilize employment, provide job security and expand job opportunities; therefore be it

Resolved, (the Senate concurring), That the Legislature of the Commonwealth of Pennsylvania hereby respectfully memorializes the President and Congress of the United States immediately to provide adequate funds to the United States Army Corps of Engineers for the necessary surveys and plans for, and to initiate the construction of, the canal, as aforesaid; and be it further

Resolved, That copies of this resolution be transmitted as follows:

To the President of the United States;

To the President of the Senate and the Speaker of the House of Representatives of the United States Congress,

and to each member thereof from the Commonwealth of Pennsylvania;

To the Governor of the Commonwealth of Pennsylvania;

To the Secretary of Commerce of the Commonwealth of Pennsylvania;

To the Governors and State Legislative Leaders of the States of New York, Ohio, Michigan, Indiana, Illinois, Wisconsin and Minnesota.

Referred to the Committee on Rules.

By Messrs. WOOD, BOWER, MIHM and POLEN.

RESOLUTION No. 52.

In the House of Representatives, April 5, 1961.

Whereas, Under the provisions of the act of November 21, 1959 (P. L. 1573), the members of the General Assembly are to be paid mileage at the rate of ten cents per mile circular between their homes and the State Capitol; and

Whereas, There are varied opinions as to the computation of this mileage which result in confusion and misinterpretation; therefore be it

Resolved, That the Chief Clerk of the House of Representatives submit a list of the names and addresses of the members of the House to the Department of Highways; and be it further

Resolved, That the Department of Highways on or before June 1, 1961 and on or before the first Monday of January of each odd numbered year thereafter, compute the circular mileage each member must travel over the usually travelled main highways to come from and return to his home; and be it further

Resolved, That each member of the House of Representatives shall notify the Chief Clerk of any change of address or in the case of a member elected for an interim term, he shall notify the Chief Clerk of his address and in both cases the Chief Clerk shall notify the Department of Highways who shall then compute the mileage as above; and be it further

Resolved, that the Chief Clerk use the computed mileage as prepared by the Department of Highways as a guide in making the mileage payments to each member and be it further

Resolved, That a copy of this resolution be forwarded to the Secretary of Highways.

Referred to the Committee on Rules.

By Messrs. HOLLIDAY and IRVIS.

RESOLUTION No. 53.

In the House of Representatives, April 5, 1961.

A National Civil War Centennial Commission to which Pennsylvania belongs has been appointed to supervise the celebration of the one hundredth anniversary of that war.

The Commission has planned to meet in session at Charleston, South Carolina. This meeting originated at the invitation of the South Carolina unit of the Commission.

A member of the National Commission, Mrs. Madeline A. Williams, also a member of the Commission's New Jersey unit, is a negro. She was informed by a hotel in Charleston, South Carolina, that if she arrived with the other members of the Commission for the Charleston meet on April 11 and 12, she could not stay at that hotel, which is to be headquarters for the National Commission, nor could she eat at the hotel dining room with the other members.

One hundred years after the onset of the Civil War some of the conditions still exist which led to that historic struggle which cost the lives of thousands of white and negro soldiers.

Pennsylvanians gave their lives in the struggle to unify this country. Pennsylvania was the battleground for part of this great war and Pennsylvania must not now participate in any activity which negates the very purposes for which the men died from 1861 to 1865; therefore be it

Resolved, That this House of Representatives hereby conditions the action of the Charleston, South Carolina, hotel in refusing its accommodations to Mrs. Williams; and be it further

Resolved, That this House of Representatives hereby requests the members of the Pennsylvania Unit of the National Civil War Centennial Commission to refuse to participate in any activities of the National Civil War Centennial Commission which involves discrimination against any one of its members; and be it further

Resolved, That copies of this resolution be sent to the Honorable David L. Lawrence, Governor of Pennsylvania, to the National Civil War Centennial Commission and to the Pennsylvania unit of that Commission.

Referred to the Committee on Rules.

By Messrs. McCANN, EILBERG, DOUGHERTY, MUSTO, TOMPKINS, A. W. JOHNSON and HELM.

(Concurrent) RESOLUTION No. 54.

In the House of Representatives, April 5, 1961.

Whereas, Arab nations, functioning as the Arab League, have been conducting a boycott of American citizens, business and Industry, and have blacklisted all American ships which have touched at Israeli ports of call, and

Whereas, American citizens of the Jewish faith are generally not permitted to disembark on Arab soil, by land, sea, or air, and are generally excluded from private employment in any capacity in any Arab owned or controlled, company, and

Whereas, Approximately 500 American business firms, a number of them in Pennsylvania, during 1960 received warnings through the United States mails from Arab boycott officers in Damascus and Kuwait that if Americans have commercial dealings with Israel, they must forego doing business with Arab countries, and

Whereas, The United States Navy reserves the option to cancel the charter of any vessel carrying Navy cargo, if any Arab country refuses to allow the vessel to load or unload cargo, because the ship's charterers or owners have previously done business with Israel, and

Whereas, With the approval of the Department of Agriculture, Commodity Credit Corporation and the United States Navy, contracts for the shipment of United States surplus wheat to the United Arab Republic provide that the vessel may not have traded at Israeli ports, and

Whereas, Both the Democratic Party platform and the Republican Party platform of 1960 pledged the protection of the rights of American citizens to travel, to pursue lawful trade, and to engage in other lawful activities abroad without distinction as to race or religion; and to seek an end to transit and trade restrictions, blockades and blacklists, and further pledged to secure freedom of navigation on international waterways; therefore be it

Resolved, (the Senate concurring) That the Department of State be hereby respectfully memorialized to take a firm position against Arab interference in the conduct of the affairs of American citizens and businessmen, and to abstain from any cooperation with Arab League boycott activities and policies, and to resist any efforts by Arab nations to maintain or widen its boycott activities in Pennsylvania and the United States and to exert all possible efforts and utilize its resources to the fulfillment of the spirit and purposes of this Resolution; and be it further

Resolved, That the President of the United States restate the position of the United States in opposiion to these acts of discrimination against Americans and that he instruct the United States delegation to the United Nations to make known the sentiments expressed in this resolution in every possible manner; and be it further

Resolved, That a certified copy of this resolution be forwarded by the Secretary of the Senate of the Commonwealth to the President of the United States, the Secretary of State, the President of the United States Senate, the Speaker of the House of Representatives, to each member of Congress from the Commonwealth of Pennsylvania, and to the legislatures of the states in the United States.

Referred to the Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 104.

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

Referred to the Committee on Highways.

SENATE BILL No. 134.

An Act amending the act of May 5, 1911 (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties . . ." increasing the jurisdiction of the County Court of Allegheny County.

Referred to the Committee on Cities—Counties Second and Second Class A.

SENATE BILL No. 138.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

Referred to the Committee on State Government.

SENATE BILL No. 292.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" extending the hours for hunting woodchucks to include the month of June.

Referred to the Committee on Game and Conservation.

SENATE BILL No. 313.

An Act amending the act of June 1, 1956 (P. L. 1944) entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their roads streets and bridge purposes . . ." authorizing the use of allocated moneys for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 314.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" permitting unnaturalized foreign-born residents to possess or control dogs.

Referred to the Committee on Game and Conservation.

SENATE BILL No. 372.

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" changing provisions relating to shooting restrictions on regulated grounds.

Referred to the Committee on Game and Conservation.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPOINTMENT OF ROY A. SCHAFER AS SECRETARY TO THE GOVERNOR

Commonwealth of Pennsylvania, Governor's Office,
Harrisburg.

April 6, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have appointed Roy A. Schafer of Pittsburgh, Allegheny County, to be Secretary to the Governor.

DAVID L. LAWRENCE.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 61

Commonwealth of Pennsylvania, Governor's Office,
Harrisburg.

April 4, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 61, Printer's No. 967, entitled "An Act to commission posthumously John W. McLane in the Pennsylvania National Guard."

DAVID L. LAWRENCE.

REPORT OF COMMITTEE TO NOTIFY SENATE

The SERGEANT-AT-ARMS. Mr. Speaker, a committee on the part of the House escorting the Senate.

The SPEAKER. The Chair recognizes the chairman of the Committee on the part of the House escorting the Senate.

Mr. EILBERG. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

The Lieutenant Governor, the Honorable John Morgan Davis, is invited to preside over the Joint Session of the General Assembly.

The President pro tempore of the Senate, the Honorable Anthony DiSilvestro, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

It is my pleasure to present to the Joint Session of the General Assembly the Honorable John Morgan Davis, President of the Senate, who will preside.

JOINT SESSION OF THE GENERAL ASSEMBLY LIEUTENANT GOVERNOR JOHN MORGAN DAVIS PRESIDING

The LIEUTENANT GOVERNOR. The General Assembly will be at ease while it awaits the arrival of His Excellency, the Governor of the Commonwealth.

COMMITTEE ESCORTING THE GOVERNOR

The LIEUTENANT GOVERNOR. The Chair recognizes the chairman of the committee to escort the Governor, the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. President, I have the honor to

present His Excellency, the Governor of the Commonwealth, the Honorable David L. Lawrence.

The LIEUTENANT GOVERNOR. At this time, ladies and gentlemen, it is my privilege to present to you the Honorable David L. Lawrence, Governor of the Commonwealth of Pennsylvania.

ADDRESS OF GOVERNOR DAVID L. LAWRENCE

Mr. Lieutenant Governor, Mr. Speaker and Members of the General Assembly:

I am grateful for your courtesy in permitting me to come before you today, which I do in full confidence that we share a common purpose. We desire—all of us—to provide for this State the very best program in public education which we can possibly achieve.

We should agree to no lesser goal.

We should agree that nothing is more important to our future, and that no other public responsibility weighs more heavily upon us.

The Legislature itself took the initiative in this matter in a Resolution passed on September 14, 1959. In that Resolution, sponsored by both Democratic and Republican members of the House of Representatives, the Governor was requested to appoint a Committee to study and report educational problems, to review the whole scope of our State's massive effort and to report on our necessities for the years that lie ahead.

As you know, I welcomed your request and I followed your instructions. The Committee that has functioned, pursuant to your Resolution has been broadly constituted, and is thus representative of every facet of our State's life. It has been truly nonpartisan. It has included distinguished representation from the Legislature itself, evenly divided between the Parties. The Committee worked for exactly one year and a day from the time of its appointment to the time of its final Report, and it worked diligently and well.

The result of its work is now before us. More importantly, it is now before the people of this State who have elected us to act for them. We would be unfaithful trustees indeed, if we did not act now in anticipation of future problems; if we considered that our own limited terms of service absolved us of responsibility for adopting now—in this Session—the guide lines which will lead us to a consistent improvement in our educational program for the years to come.

It is not my purpose today to offer a digest of the Committee's Report, nor to comment upon its many recommendations. I have come before you to urge you to accept it as a call to action. We should welcome the Report as a frank analysis of our weaknesses—you will remember that the House Resolution called for "workable plans to avoid duplication of past mistakes"—and we should use the Report as a blueprint to effect "the far-reaching plans for public education" which were demanded in that same Resolution.

Many reports, many projections of future public responsibilities, have been received in the past, and promptly filed and forgotten by irresponsible officials who did not wish to meet the problems that were placed before them. There are always those who will say, like the profligate King of France who wasted his Country's substance, "After us, the deluge"—and continue to evade hard facts and harder choices. And I am sure that many people will say that we too will sweep this Report under the rug, that we will let the deluge of unmet needs in education fall on our successors to their distress and to this State's great and enduring harm.

But we would be forever shamed if we so jeopardized our children's future—if we allowed this Report and the grave problems it presents to become just another forgotten public document.

I am sure that none of us will necessarily agree with every word of the Report, as we examine it in detail, nor that we can expect it to be adopted without due consideration, debate, and consequent possible modification.

Equally, I am sure that there will be general agreement with the main theme of the Report—the recurrent demonstration that we must use State support of education in Pennsylvania to achieve excellence in education in our State; that State dollars, shared on a State-wide basis of one for one, should be the impetus to enrich the curriculum, improve the quality of teaching and the compensation for such quality, modernize our structure of school administration, and meet specialized needs for both the gifted and the handicapped.

There will be agreement, too, I am sure, with the goal in the report of 300,000 young Pennsylvanians in colleges and universities by 1970.

The demands—and they will increase over the years—for public investment of tax dollars in education will be great, but they are not beyond the capacity of a productive economy and a rational distribution of the tax burden between the Federal, the State, and the local governments.

But the flow of money from the State, or from Washington, for that matter, is no guarantee of value received, of performance which will produce excellence in education.

We must have a structure which will use money wisely; we must have local school districts with both the organization and the incentives to develop a maximum local effort not only in dollars but in efficiency and standards.

It is obvious that it will not be easy to finance the program we require—but that it can be done.

It is obvious also that it will be just as difficult to change old ways and old habits, to adopt patterns of school administration that fit today's consolidated high school instead of yesterday's one room schoolhouse. And this too can be done, if we have the determination—the lasting determination—to do it.

Finally, it is obvious that it is not a moment too soon to begin now the work that will shape the school curricula, the school administration, the community colleges, the scholarship aids, the school financing that we will need in these 1960's.

Accordingly, I have made the Report of the Committee my bedside book—marked for reading and re-reading. I commend it to each of you.

Within the Executive Branch of the government, I am directing the Superintendent of Public Instruction, the Secretary of Administration, and the Executive Secretary to the Governor to complete an analysis of the Report which will list such recommendations as might be put into effect by executive order. I will then decide as to the scheduling of such orders.

I would suggest to the Legislature that each house create a select committee, equally divided between the parties, to consider legislation which might be appropriately introduced and acted upon at this Session.

The three officers of the Executive Branch will, of course, be available to the select committees and will be my liaison with their membership.

The Legislature, constitutionally and properly, will decide the course of its deliberations, in this and every other session. But if I might venture a suggestion, it would seem to me possible that we could—by working together—clear the decks of this Session of all major legislation pending before it in a measurable and foreseeable time.

The spirit of this Session has been commendable. With but one exception, the Revenue Program for the General Fund Budget has been enacted. You have financed the greatest highway program in the history of this State. Fair housing is now the law of the Commonwealth. The House has enacted excellent bills for tourist promotion, library assistance, and billboard control which, I am sure, can be promptly agreed to in the Senate. The Senate has passed the highway safety package, including radar, and I am quite sure that it will be speedily enacted in the House. The Senate has completed its hearings on the Delaware Basin Compact.

Of course, there is still much to do, but if we all work hard and in a spirit of accomodation, it would seem that it could be quickly accomplished.

I would hope that the House and Senate Leadership on both sides of the aisle would confer and agree upon a target date for a clearance of the Session's responsibilities in every area of government except education.

In this way, education and the program envisioned in the Committee's Report would become our only substantial business. We then might devote our full efforts to education until the tasks incumbent upon this Session are completed. I do not think this is an impractical goal. I hope it commends itself to you.

Finally, I am sure I speak for all of us when I express our sense of gratitude to the members of the Governor's Committee on Education; to its Chairman, the Lieutenant Governor; and to its able staff for the work they have done for our common benefit.

It is another instance of Pennsylvanians, with complete unselfishness, rendering a public service of exemplary worth.

I hope that those of us in office, the members of this House and Senate and the Governor, can do as selfless and as thorough a job. For after all, as I have said to you many times, what we do in these great affairs cannot be successful if it is regarded as a Governor's Program or the program of a political opposition, if it is marked as a Democratic Program or a Republican Program.

It must be a program for Pennsylvania.

To that good purpose, each of us must be prepared to give the best he has—in wisdom, in courage, in hard work, and in devotion to the people whom we serve.

I appeal to you to unite in a determined effort to build in this State an educational program which will not only meet our needs but which can stand proudly as a model for all the Nation.

Now it is up to us. It is in our hands to translate ideas into program, to convert recommendations into positive action. Have we the interest, the sense of duty, the courage to make the hard decisions now before us—that is the question.

Only we can provide the answer. I have no doubt what that answer must—and will—be.

The LIEUTENANT-GOVERNOR. Governor Lawrence, on behalf of the members of the General Assembly, I want to thank you for your message.

The committee on the part of the Senate and the House will now escort His Excellency, The Governor, to his chambers.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR.

PROCEEDINGS OF JOINT SESSION TO BE PRINTED IN JOURNAL

Mr. POLEN. Mr. Speaker, I move that the proceedings of the Joint Session of the Senate and House be printed in full in this day's Legislative Journal.

The motion was agreed to.

REPORT OF GOVERNOR'S COMMITTEE ON EDUCATION

The SPEAKER. The Chair notes the receipt of the final report of the Governor's Committee on Education, together with the facts and figures on education in Pennsylvania, which will be noted in the Journal and printed in full in the appendix.

(For report, see appendix)

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 31, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 55, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) requiring county election boards to submit additional reports with respect to registered electors and making the reports available.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 148, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for an assistant secretary of the board of school directors.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 154, entitled:

An Act amending ""The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for an assistant township secretary.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 157, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) providing for an assistant township secretary.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 524, entitled:

An Act authorizing the taking and use of notes by jurors during any trial.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 579, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) regulating special waterfowl management areas.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 586, entitled:

An Act amending "The Game Law" approved June 3, 1937 ((P. L. 1225) eliminating the necessity of advertising in newspapers to change open seasons for shooting on special waterfowl management areas established by the Game Commission.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 640, entitled:

An Act repealing section 2511 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949" relating to payments on account of closed schools.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1083, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) providing for the issuance by the board of identification cards and changing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 188, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to election of city charter commissioners.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Public Health and Sanitation to meet during the session of the House.

STATEMENT BY SPEAKER

The SPEAKER. The Chair desires to call the attention of the House to a resolution on page 26 of today's calendar, House Resolution 48, printer's No. 1308. The purpose of this resolution is to shorten procedure on second-reading bills when there are no amendments to be made to the bills.

At the present time the rules provide that the bill be read by sections. As those bills are called up, the Chair says, "The clerk will read the bill." Then he says, "The clerk will read the first section." And he then says, "The title will be read." Then, "Will the House agree to the title?" "Will the House agree to the bill?" "Will the House agree to transcribe the bill for third reading?"

Under this rule we would proceed with second-reading bills that are not amended after this fashion:

"Bills on second reading. House bill 8, printer's No. 8. Is this bill called up? Called up by the gentleman from Cameron, Mr. Rovansek. The clerk will read the bill."

"Will the House agree to the bill?" "Agreed to."

"Will the House agree to transcribe the bill for third reading?" "Agreed to."

That bill is just as legal as if it had gone through the whole rigamarole.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 8, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for restrictions on speed of certain vehicles in certain cases and penalties for violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 146, entitled:

An Act amending the "Pennsylvania Loyalty Act" approved December 22, 1951 (P. L. 1726) providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Mr. McCANN. Mr. Speaker, I was just wondering if the Republican floor leader, Mr. Johnson, since you gave him a demonstration of the change in the rule, would desire to adopt the rule or discuss it in caucus first, since it was explained to every member now?

That is the rule on page 26, which the Speaker just now quoted.

Mr. A. W. JOHNSON. Mr. Speaker, because of the firm rule we have on this side not to move anything without caucus action, we have discussed the rule in policy committee, but it must be submitted to our caucus. So just hold it and we will be on the floor again soon to give you our answer.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) establishing the State Auctioneer's Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission.

The SPEAKER. The first section will be read.

The CLERK. Section 1 . . .

The SPEAKER. Will the House agree to the section?

Agreed to.

If we abided by the rule, we would proceed to read the second section, and if there were 40 sections in the bill and we abided by the rule, we would read 40 sections.

The title will be read.

Will the House agree to the title?

Will the House agree to the bill on second reading?

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DOUGHERTY asked and obtained permission for the Committee on Cities—Counties First Class to meet during the session of the House.

The SPEAKER. House bill 216, printer's No. 1340. There are 33 sections in this bill. Does the majority leader desire that the clerk read each of the 33 sections?

The Chair desires the attention of the minority leader. House bill 216, printer's No. 1340, has 33 sections. The

rule would require that we read each section. Does the minority leader want us to read each section?

Mr. A. W. JOHNSON. We waive the requirement, Mr. Speaker.

The SPEAKER. Do you waive the rule, or do you waive it for just this particular bill?

Mr. A. W. JOHNSON. Mr. Speaker, I did not hear your last remark. I am sorry.

The SPEAKER. Do you waive the rule in toto, or do you waive the rule simply in the case of this particular bill?

Mr. A. W. JOHNSON. I personally would be willing that you waive the reading of the sections for the duration of the second-reading calendar.

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. McCormack, rise?

Mr. McCORMACK. Mr. Speaker, I am suggesting that we are not attacking this measure in a parliamentary fashion, nor are we abiding by the rules of the House.

It is not within the province of anybody to ask anybody . . .

The SPEAKER. By unanimous consent any rule of the House can be suspended temporarily.

Mr. McCORMACK. I agree with the Speaker heartily, but as . . .

The SPEAKER. Does the gentleman from Philadelphia object to the temporary suspension of the rule?

Mr. McCORMACK. No, sir, but I did not hear any motion made that we temporarily suspend . . .

The SPEAKER. The Chair asked were there any objections and that is unanimous consent.

The SPEAKER. Are there any objections to that procedure?

The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 216, entitled:

An Act to define license and regulate resident and non-resident auctioneers and apprentice auctioneers in the Commonwealth and revising consolidating and making the law uniform thereto creating the State Auctioneers Commission *** and providing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 242, entitled:

An Act amending the act of April 22, 1953 (P. L. 184) entitled "An act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies ***" further providing for the distribution of amounts received from tax on foreign fire insurance companies.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 323, entitled:

An Act amending "The Fourth to Eighth Class County Assessment Law" approved May 21, 1943 (P. L. 571) specifically exempting from taxation all property used for public highways.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HORST offered the following amendments:

Amend Sec. 1 (Sec. 202), page 3, line 2, by striking out "public" and inserting: "limited access."

Amend bill, page 3, by inserting after line 4:

Section 2. This act shall take effect immediately.

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. HORST offered the following amendment:

Amend Title, page 2, next to last line of Title, by striking out "public" and inserting: "Limited access."

It was agreed to.

The section was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 362, entitled:

An Act requiring common carriers by railroad to furnish flag protection to all trains occupying the main tracks imposing duties on the Public Utility Commission and providing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives trains and other self-propelled engines or machines with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 413, entitled:

An Act amending the act of June 26, 1931 (P. L. 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes ***" providing for and regulating appeals from valuations and assessments of real property the first year any county makes a complete reassessment of real property in conjunction with a permanent system of records.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 420, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing county commissioners to exercise certain additional powers.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 554, entitled:

An Act repealing subsection (b) of section 461 of the "Liquor Code" approved April 12, 1951 (P. L. 90) prohibiting an increase in the number of licenses in any municipality located in a resort area.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 592, entitled:

An Act amending the "Principal and Income Act of 1947" approved July 3, 1947 (P. L. 1283) providing for the disposition of capital gains dividends and the increment in value of certain United States Treasury bills clarifying certain stock dividends.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 744, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) authorizing the establishment and maintenance of certain places used and maintained for the collection storage and disposal of certain goods and materials to be licensed.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 832, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) authorizing payments for liquor and malt or brewed beverages with checks and drafts on banks banking institutions trust companies and similar depositories penalizing the issuance of worthless checks by certain licensees and requiring reports of such checks to the board.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 841, entitled:

An Act amending the "Public Assistance Law" approved June 24, 1937 (P. L. 2051) changing the property limitations relating to pensions to blind persons.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill 876, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) limiting the Department of Public Welfare's power in purchasing services.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 886, entitled:

An Act amending the act of May 2, 1929 (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers and unfired pressure vessels * * * and repealing all acts or parts of acts inconsistent with this act" providing for submission of plans and specifications of the mechanical system in buildings and providing for a fee therefore.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 888, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes * * *

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 936, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) exempting from the imposition of this tax conveyances in lieu of condemnation and acquisitions by municipalities of tax delinquent properties at sheriff sale.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend Sec. 1 (Sec. 2), page 2, line 11, by striking out "claimed" and inserting: "quitclaimed."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 953, entitled:

An Act amending the act of November 21, 1959 (P. L. 1583) entitled "An act providing that in cities and school districts of the first class real estate taxes water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated * * * providing that the provisions of this act shall extend to real estate tax water rent and sewer rent claims or judgments filed or revived hereafter.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 973, entitled:

An Act amending the "Estate Tax Apportionment Act of 1951" approved August 24, 1951 (P. L. 1405) authorizing the court to assess certain expenses against non-testamentary property or interests.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 974, entitled:

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163) clarifying provisions relating to verdicts which are advisory only.

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. A. M. LEE offered the following amendment:

Amend Title, page 2, second line on page, by striking out "which are advisory only."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 979, entitled:

An Act amending the "Incompetents' Estates Act of 1955" approved February 28, 1956 (P. L. 1154) including the person of an incompetent within the provisions of the act and providing for appointment of a coguardian or succeeding guardian.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 980, entitled:

An Act relating to the payment of wages or compensation for labor or services providing for regular pay days conferring powers and duties upon the Department of Labor and Industry including powers and duties with respect to the civil collection of wages providing civil and criminal penalties for violations of the act providing for their collection and disposition and providing for additional civil damages.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 983, entitled:

An Act transferring money from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund for the purpose of meeting interest and sinking fund requirements on Public Buildings Construction Bonds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 985, entitled:

An Act relating to the effect and priority of liens for taxes and municipal or other claims in cities of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 987, entitled:

An Act authorizing minor spouses to join with their adult spouse in the conveyance or mortgaging of their real estate and to execute bonds or other obligations in connection therewith and validating such actions heretofore taken.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 990, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) prescribing the prices at which malt and brewed beverages may be sold by manufacturers distributors and importing distributors and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 995, entitled:

An Act amending the act of June 24, 1939 (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by clarifying and redefining the crime of prison breach.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1005, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) giving State Colleges powers to cooperate with and accept grants and assistance to prosecute research projects and programs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1006, entitled:

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350) authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1007, entitled:

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392) authorizing the purchase of preferred and common stock for investment purposes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1045, entitled:

An Act amending the act of June 12, 1923 (P. L. 692) entitled as amended "An act fixing the salary of city commissioners of Philadelphia formerly known as county commissioners in counties of the first class' increasing annual salaries of city commissioners of Philadelphia.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1048, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the procedure for the revocation and suspension of licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1049, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) exempting airport restaurants on State owned or operated airports from quota law.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1084, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1086, entitled:

An Act amending the "Public Assistance Act" approved June 24, 1937 (P. L. 2051) making editorial changes removing certain functions vested in the State Board of Public Assistance providing for work relief projects and the establishment of county boards and their powers and duties and further providing for the disposition of federal contributions.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1100, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) prohibiting in certain cases domestic insurers from insuring the lives of persons of residents of or property or operations located in states in which such insurers are not authorized to do business.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1101, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) subjecting domestic mutual fire insurance companies to the provisions thereof requiring approval of policies contracts or certificates of insurance by the Insurance Commissioner.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1102, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 682) requiring all

mutual insurance companies other than mutual life insurance companies to maintain a surplus over all liabilities.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1105, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the form of applications certifications and declarations for absentee ballots the time within which applications for such ballots must be received and the canvassing of such ballots.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1106, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the form of the official primary ballot.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LIMPER asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

Mr. McCANN. Mr. Speaker, I call up on page 13 of today's calendar, bills on final passage, House bill No. 455.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 455, entitled:

An Act amending the act of September 29, 1951 (P. L. 1646) entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes * * *" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Title), page 3, line 5, by striking out "including Federal contributions"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 453, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of oil or gas in State parks.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 1806), page 3, line 8 by striking out "minerals" and inserting: oil and gas

Amend Sec. 1 (Sec. 1806), page 3, line 9 by striking out "valuable minerals" and inserting: oil and gas

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 484, entitled:

An Act amending the "Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the transfer of jurisdiction and control of land and improvements thereon declared surplus by an administrative department independent administrative board or commission to the jurisdiction and control of another administrative department independent administrative board or independent commission.

RECONSIDERATION OF VOTE

Mr. GAILEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, eleventh line of Title, by inserting after "of" where it appears the second time "certain."

Amend Sec. 1 (Sec. 2402), page 3, line 8, by striking out "To" and inserting "With the exception of land which the Constitution of Pennsylvania restricts to a specific use to"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, are these amendments controversial?

The SPEAKER. The Chair would suggest that when any amendment is questionable in any member's mind that he questions the sponsor of the amendment as to what the amendment does or is supposed to do. The Chair cannot, himself, decide whether an amendment is controversial or not, that is, for the members on the floor of the House.

Mr. ISAACS. Mr. Speaker, if I may answer, as a rule you ask whether the amendments are controversial, but in this case I will ask permission to interrogate the gentleman from York, Mr. Gailey.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. GAILEY. I shall, Mr. Speaker.

Mr. ISAACS. Will the gentleman explain what these amendments do?

Mr. GAILEY. I would be happy to, Mr. Speaker.

These amendments are the result of questioning on the floor at the time this bill originally failed on final passage. It was pointed out by some of the members of the House that certain lands are, by virtue of constitutional provisions, limited to certain uses. These amendments are inserted to make it specifically clear in the bill that lands which the constitution restrict to a certain use may not, by this device, be in turn used for something else.

I may add that these amendments have been given to the respective floor leaders and, to my knowledge, they help to remedy the bill and are not controversial.

Mr. ISAACS. That is all I wanted to know, Mr. Speaker. I thank you.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, I call up House bill No. 734, printer's No. 807 on page 21 of the calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 734, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to supervisors of townships of the second class.

On the question,

Will the House agree to the bill on third reading?

Messrs. MURPHY and FLYNN asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 2, next to last line of Title, by inserting after "to" where it appears the second time borough councils and to

Amend Title, page 2, last line of Title, by inserting after "class" and permitting taxes to be levied on duplicates issued for the previous year, if such duplicates are not issued by the first day of April.

Amend Sec. 1 (Sec. 516), page 2, line 4 by inserting after "Classes" and Boroughs

Amend Sec. 1 (Sec. 516), page 2, line 9 by inserting after "class" and to borough councils

Amend Sec. 1 (Sec. 516), page 2, line 12 by inserting after "ships" or boroughs

Amend Sec. 1 (Sec. 516), page 2, line 13 by inserting after "taxable" If such duplicates are not furnished by the first day of April as provided for in this section, the taxing authorities may levy their taxes on the duplicates furnished for the previous year.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I suggest that the gentleman explains his amendments.

Mr. MURPHY. Mr. Speaker, at the present time we have in various sections of the assessment laws that the county commissioners shall submit to the municipal subdivision a tax duplicate.

The SPEAKER. These amendments are offered by the gentleman from Washington, Mr. Murphy, who is now explaining them.

Mr. MURPHY. Thank you, Mr. Speaker.

At the present time the assessment law provides specifically that an assessment duplicate shall be given to first class townships and, in another section, to third class cities. There is no provision in the assessment code whereby the county may or should furnish other municipal subdivisions with a tax duplicate. Consequently, when they are so providing us with these duplicates they are perhaps doing something that is not strictly according to Hoyle. We know that they must provide us with a tax duplicate or we cannot levy taxes on a municipal level.

What we want to do by this act is bring second class townships and boroughs into the assessment law, making it mandatory that the county commissioners of the county shall provide all municipal subdivisions with a tax duplicate on or before April 1, because, as you know, we must submit our local municipal budget in the very early months of each fiscal year. We would like to have those

duplicates delivered lawfully and mandatorily on or before April 1.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Mr. McCANN. Mr. Speaker, I have found that on second reading on House bill 363, two of the amendments are here. On page 4, House bill 363, which has moved to third reading, I would request that the Speaker assist me in bringing the bill back to second reading so the amendments may be inserted for printed form.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 363, entitled:

An Act requiring common carriers by railroad to man locomotives trains and other self-propelled engines or machines with competent employes providing for the minimum number and qualifications of men so employed and providing penalties.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was agreed to.

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 4, page 6, lines 16 to 20, and page 7, lines 1 to 3, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 5, page 7, line 4, by striking out "5" and inserting: "4."

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 6, page 7, line 12, by striking out "6" and inserting: "5."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 7, page 7, line 17, by striking out "7" and inserting: "6."

It was agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 8, page 8, line 1, by striking out "8" and inserting: "7."

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the House agree to the section?

Mr. MURPHY offered the following amendment:

Amend Sec. 9, page 8, line 3, by striking out "9" and inserting: "8."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. MURPHY offered the following amendment:

Amend Title, page 1, first line of Title, by inserting after "locomotives" "and"

Amend Title, page 1, first and second lines of Title, by striking out "and other self-propelled engines or machines"

The were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Mr. McCANN. Mr. Speaker, could I ask one question? I have a bill marked that was given to me by the minority leader for the gentleman from Blair, Mr. Auker, on Senate bill 31, printer's No. 486, but I have no amendments.

Does the gentleman have the amendments?

Mr. AUKER. Mr. Speaker, I was talking to Mr. Fineman and, in answer to the gentleman's question, I understood he was handling this bill. The amendments are on my desk. However, there seems to be some question whether or not the amendments are needed. I talked to Mr. Fineman and said I would have the Justice Department give me an opinion on it tomorrow, and if they are needed, then apparently no one has any obections to the amendments. In fact, I talked to Mr. Turrell just this afternoon, the director of the particular bureau of Internal Affairs, and he told me he had no objections to the amendments and he feels they should be in there. So I will hold it over until tomorrow or Wednesday. Then we will be ready to roll it.

Mr. McCANN. I thank the gentleman.

Mr. AUKER. I will have it ready tomorrow if I can get clearance from the Justice Department.

CORRECTION

The SPEAKER. Are we now ready to ask for reports from committees, or are there committees out?

Mr. McCANN. Mr. Speaker, there is one committee out, but I would like to go to page 19 and note a correction.

On page 19, Mr. Speaker, there is listed House bill 690. I ask that everyone mark that as an error. This bill passed the House April 5, 186 to 4.

The SPEAKER. A printing error on the calendar on House bill 690, printer's No. 775. The bill passed the House on April 5, so my notes say.

REPORTS FROM COMMITTEE

Mr. J. H. ANDERSON from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1154, entitled:

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

Mr. PARLANTE from the Committee on Cities—Counties First Class, reported as committed, House bill No. 1184, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," further defining "receipts" to exclude fresh or frozen seafood, shell-fish, and fish making such definitions retroactive.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1154, entitled:

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1184, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended, "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein; providing for its levy and collection; conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts; and prescribing penalties," further defining "receipts" to exclude fresh or frozen seafood, shell-fish, and fish; making such definitions retroactive.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

DEMOCRAT CAUCUS

Mr. McCANN. Mr. Speaker, I am going to ask for a caucus for exactly 45 minutes, beginning from 15 minutes after 4 to 5 o'clock, promptly, and we are going to begin in caucus today on page 20, beginning with House bill 727, and go right in order, returning to the House at 5 o'clock, working and voting on bills until 6 and, at 6 o'clock, finishing the work across the desk and adjourning for the day.

I am going to ask all the membership to please bring with them their House calendars and please come to the caucus immediately after the motion is made for a recess for 45 minutes.

I yield to the minority leader.

REPUBLICAN CAUCUS

Mr. A. W. JOHNSON. Mr. Speaker, we call a Republican caucus for 45 minutes and we ask that the members please bring their calendars.

RECESS

The SPEAKER. Without objection, the Chair now declares a recess of 45 minutes for the purpose of caucuses. Majority and minority will caucus.

The Chair hears none.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

BILLS INTRODUCED AND REFERRED

By Mr. POLEN. HOUSE BILL No. 1193.

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1194.

An Act making an appropriation to the Department of Military Affairs for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1195.

An Act making an appropriation to the Department of Health for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1196.

An Act making appropriations to the Department of Public Welfare for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1197.

An Act making an appropriation to the Department of Justice for certain capital improvements in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1198.

An Act making appropriations to the Department of

Forests and Waters for certain capital improvements, in accordance with long range planning for capital improvements designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Mr. POLEN. HOUSE BILL No. 1199.

An Act making appropriations to the Departments of Forests and Waters for certain capital improvements, in accordance with local planning for capital improvements, designed to make the most effective use of the State's available resources.

Referred to the Committee on Appropriations.

By Messrs. McCANN and A. W. JOHNSON. HOUSE BILL No. 1200.

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An Act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, * * * and the salary and expenses of the members of the General Assembly, * * * ," fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

Referred to the Committee on Rules.

By Messrs. KNECHT, ROVANSEK, CROSSIN and Mrs. HENZEL. HOUSE BILL No. 1201.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for reimbursement by the Commonwealth to school districts for the employment of school nurses.

Referred to the Committee on Education.

By Messrs. SHELTON, GREMMINGER, GRAY and Mrs. JONES. HOUSE BILL No. 1202.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the reinstatement of licenses, registration or operating privileges after five years.

Referred to the Committee on Motor Vehicles.

By Messrs. SHELTON, GREMMINGER, GRAY and Mrs. JONES. HOUSE BILL No. 1203.

An Act amending "The Vehicle Code," approved March 29, 1959 (P. L. 58), requiring lights to be used on foggy days.

Referred to the Committee on Highways.

By Mrs. S. A. ANDERSON, Mrs. PASHLEY, Messrs. GRAY and EILBERG. HOUSE BILL No. 1204.

An Act providing for the abatement of nuisances arising out of unsafe buildings or premises in cities of the first class and providing for the service or posting of notices relating to the work necessary to abate such nuisances.

Referred to the Committee on Cities—Counties First Class.

By Messrs. EILBERG, GRAY, Mrs. F. R. JONES, and Mr. DOUGHTEN. HOUSE BILL No. 1205.

An Act amending the "Optometrists' Licensure Law," approved March 30, 1917 (P. L. 21), further defining the practice of optometry and further prescribing the privileges not conferred by license.

Referred to the Committee on Professional Licensure.

By Messrs. MURPHY, TRUSIO, R. P. JOHNSON, and ODORISIO. HOUSE BILL No. 1206.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), providing that enlisted members of the Pennsylvania State Police shall not be dismissed from service or reduced in rank except by action of a court martial board held upon the recommendation of the Commissioner and the Governor.

Referred to the Committee on State Government.

By Messrs. MURPHY, TRUSIO, R. P. JOHNSON, and ODORISIO. HOUSE BILL No. 1207.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) regulating the dismissal, suspension, demotion and reenlistment of enlisted members of the Pennsylvania State Police.

Referred to the Committee on State Government.

By Messrs. FETTEROLF and WILLAREDT. HOUSE BILL No. 1208.

An Act authorizing the Department of Highways to conduct a study and survey to determine the advisability of establishing, constructing and maintaining a State highway in Montgomery County.

Referred to the Committee on Highways.

By Messrs. GUESMAN, T. F. SULLIVAN, and JENKINS. HOUSE BILL No. 1209.

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), increasing the unsecured amount a bank, bank and trust company, or trust company, may loan its salaried officers or employes or those of affiliated banking institutions.

Referred to the Committee on Banking and Building and Loan Associations.

By Messrs. GUESMAN, T. F. SULLIVAN and JENKINS. HOUSE BILL No. 1210.

An Act requiring the licensing of automobile salesmen; imposing powers and duties on the Department of Public Instructions and prescribing penalties.

Referred to the Committee on Professional Licensure.

By Messrs. GUESMAN, T. F. SULLIVAN and JENKINS. HOUSE BILL No. 1211.

An Act amending the "Employment Agency Law," approved July 31, 1941 (P. L. 616), regulating advertising by employment agents.

Referred to the Committee on State Government.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 37.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough.

HOUSE BILL No. 42.

An Act repealing the act of March 9, 1771 (1 Sm. L. 313) entitled "An act to prevent the destruction of rock-fish and oysters."

HOUSE BILL No. 310.

An Act repealing section 6 of the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154) relating to the keeping of records.

HOUSE BILL No. 450.

An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Forests and Waters and the Governor to grant and convey a certain tract of land to the Borough of Ebensburg.

HOUSE BILL No. 461.

An Act authorizing the conveyance of certain lands in Leidy Township Clinton County to the government of the United States.

HOUSE BILL No. 569.

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) imposing certain duties on the Governor the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. LIMPER asked and obtained permission for the Committee on Motor Vehicles to meet during the session of the House.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HORST asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

Mr. ROVANSEK asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BIRTHDAYS

The SPEAKER. The Chair is informed that the lady from Bucks, Mrs. Kooker, has a birthday today, and, as we all know, she grows more charming with the years and therefore should not be backward about birthdays. Each year endears her in the memory and regard of the House.

I presume that the good Doctor, if he is around, will go through the usual performance.

(Members joined in singing "Happy Birthday")

The SPEAKER. After the remarks the Chair made he believes he should have been permitted to participate in the ceremony at the microphone.

The Chair recognizes the lady from Bucks, Mrs. Kooker.

Mrs. KOOKER. I will be very happy to include the Speaker, if he so desires.

Mr. Speaker, I just want to acknowledge your kind felicitations and to tell you I could not spend a birthday among any finer friends than I have here on both sides of the House, and if the Speaker wishes to participate in the same kind of felicitations my two colleagues participated in, I shall extend him that courtesy any time he so desires.

Thank you.

The SPEAKER. The Chair wants to say that if he accepted the lady's permission for the osculatory salute, I would have to have a photograph of it because nobody would believe it if I told them back home.

The SPEAKER. The Chair understands there is another birthday, the gentleman from Philadelphia, Mr. McKeever. Is that right?

Shall we have another song?

(Members joined in singing "Happy Birthday")

Mr. McKEEVER. Thank you, Mr. Speaker. It is one day earlier, but I enjoy two birthdays this year, today and tomorrow. I want to thank you very much, I spent seven years here, most pleasant, with friends on both sides of the House. Thank you very much.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Eilberg for Mr. NEEDHAM because of illness.

Mr. Eilberg for Mrs. MUNLEY because of illness.

Mr. Tompkins for Mr. M. H. GOLDSTEIN for the week because of death in family.

Mr. Tompkins for Mr. STECKEL for the week because of illness.

Mr. Tompkins for Mr. PRICE for the week because of illness.

Mr. McCANN. Mr. Speaker, I request permission to turn to page 14, bills on final passage. On page 14, Mr. Speaker, I call up Senate bill 31 for the purpose of amendment by the gentleman from Blair, Mr. Auker.

The amendments are agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate bill No. 31, entitled:

An Act authorizing the licensing of public weighmasters defining their powers and duties providing for the collection and disposition of license fees and imposing penalties for violations.

RECONSIDERATION OF VOTE

Mr. AUKER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. McCANN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. AUKER asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 6, page 3, by inserting between lines 15 and 16:

"Any person whose application for a public weighmaster's license is refused by the director may within thirty days after notice thereof, file a petition in the court of common pleas wherein the applicant resides or wherein he intends to perform duties as a licensed public weighmaster for a hearing de novo to determine whether the action of the director is lawful and reasonable. The court shall hear the petition and may make any appropriate order or decree.

Amend Sec. 19, page 9, by inserting between lines 17 and 18:

"Any licensee whose license is suspended or revoked by the director may, within thirty days after notice thereof, file a petition in the court of common pleas of the county wherein the licensee resides or wherein the licensee

performs his duties as a licensed public weighmaster, for a hearing de novo to determine whether the action of the director is lawful and reasonable. The court shall hear the petition and may make any appropriate order or decree."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bill for concurrence No. 273.

Amended House bill returned for concurrence No. 388.

The SPEAKER. The Chair is requesting the gentleman from Beaver, Mr. Hamilton, to preside temporarily.

Mr. HAMILTON IN THE CHAIR

REPORT FROM COMMITTEE

Mrs. KOOKER from the Committee on Public Health and Sanitation, reported as amended, House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale, gift or use in Pennsylvania; providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers; * * * and providing penalties.

PERMISSION TO ADDRESS HOUSE

Mr. A. W. JOHNSON asked and obtained unanimous consent to address the House.

Mr. Speaker, the plans for today were that we would caucus for 45 minutes. We quit promptly at the appointed time, and I think it is reprehensible to call a committee meeting for a highly controversial bill and tie us up here so that we are not going to get anything done today. It is almost quitting time. I do not know whether the committee is back or not, but I believe when we make a plan that we are going to proceed in an orderly manner, we should do so. This delay is unconscionable and I think we should register our disapproval of it.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. KING asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House bill No. 727, printer's No. 800

was passed over at the request of Mr. McCANN.

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, on page 20 I call up the first bill of the day, House bill 730, printer's number 803.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 730, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) increasing the amount which supervisors may expend on abandoned cemeteries.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Perry, Mr. Holman.

Mr. HOLMAN. Mr. Speaker, I understand this bill merely raises the sum township supervisors may spend for neglected cemeteries from $100 to $200.

The intent of this bill is very reasonable. I have no disagreement with caring for cemeteries. However I point out that $100 is not satisfactory; $200 will not be satisfactory. Whenever there is such a bill for a cemetery that is desired to be maintained, it usually comes into court on the petition of taxpayers. When it comes in, the township supervisors have to determine whether they are going to spend $100 on such a cemetery and, if they do it on one, they do it on all the cemeteries within their jurisdiction.

I feel that the veterans' groups, the DAR and organizations of this nature certainly could make a community project of maintaining such cemeteries and put the tax burden on the people. The second class townships need every cent they can get to maintain their roads, and it is my feeling that to raise this from $100 to $200 will just increase the number of petitions that will be presented to the court and cause an undue burden on the budget. This will reflect itself in lack of care of township roads.

I feel that the maintenance of cemeteries is a private matter, and public groups, if they desire to maintain them, should do so at their own expense and not at the expense of the taxpayers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—174

Adams,	Fulmer,	Lamb,	Rovansek,
Anderson, J. H.,	Gailey,	Lawson,	Royer,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Rubin,
Arlene,	Gelfand,	Lee, K. B.,	Rudisill,
Ashton,	George,	Leonard,	Rutherford,
Auker,	Gibb,	Limper,	Sakulsky,
Bachman,	Gibbons,	Lippincott,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jas.,	Schaaf,
Blair,	Goodrich,	Long, Wm. Jos.,	Schuster,
Boies,	Gramlich,	Manbeck,	Seltzer,
Bonner,	Gray,	Markley,	Shelton,
Bossert,	Gremminger,	Maxwell,	Sherman,
Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCann,	Slack,
Branca,	Guthrie,	McCormack,	Snare,
Breth,	Hamilton,	McDevitt,	Stank,
Buchanan,	Hankins,	McDonald,	Stimmel,
Capano,	Hartley,	McKeever,	Stiteler,
Capitolo,	Haudenshield,	McNally,	Strausser,
Cauley,	Heavey,	Meholchick,	Sullivan, J. A.,
Cianfrani,	Heffner,	Merry,	Sullivan, T. F.,
Cioffi,	Helm,	Miller,	Taylor,
Clarke,	Henzel,	Mills,	Thompson,
Comer,	Hocker,	Monroe,	Tomascik,
Cooley,	Holliday,	Morley,	Tompkins,
Crossin,	Horst,	Mullen,	Ujobai,

Curwood,	Irvis,	Murphy,	Varner,
Davis,	Isaacs,	Musto,	Verona,
Dengler,	Jenkins,	O'Donnell, J. A.,	Wall,
Donaldson,	Jim,	Odorisio,	Wargo,
Dougherty,	Johnson, A. W.,	Ogilvie,	Weidner,
Doughten,	Johnson, R. P.,	Parlante,	Welsh,
Down,	Jones,	Pashley,	Wescott,
Eilberg,	Kamyk,	Petrosky,	Willard,
Elvey,	Keiser,	Piper,	Willaredt,
Eshback,	Kelly,	Polaski,	Williams, E. S.,
Eshleman,	Kernaghan,	Polen,	Wilt,
Ewing,	Kessler,	Prendergast,	Wood,
Farabaugh,	Kistler,	Pursley,	Worley,
Fetterolf,	Klein,	Reibman,	Yetter,
Filo,	Knecht,	Reidenbach,	Zember,
Fineman,	Kooker,	Renwick,	Zimmerman,
Flynn,	Korns,	Riley,	Andrews,
Frascella,	Kramer,		Speaker

NAYS—13

Bush,	Fox,	Lutty,	McCandless,
Dennison,	Holman,	Magee,	O'Dell,
Edwards,	King,	Marsh,	Whittaker,
Foor,			

NOT VOTING—19

Foerster,	McLaughlin,	O'Donnell, J. P.,	Stone,
Fry,	Mihm,	Perry,	Trusio,
Goldstein, M. H.,	Munley,	Price,	Walsh,
Kornick,	Murray,	Simmons,	Williams, A. D.,
McInroy,	Needham,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tioga, Mr. McInroy.

Mr. McINROY. Mr. Speaker, I would like to vote "aye" on this House bill No. 730. My vote did not register.

MOTION TO ADJOURN

Mr. A. W. JOHNSON. Mr. Speaker, the hour of 6 o'clock having arrived and the agreed order of the day being that of adjournment, I move this House do now adjourn until Tuesday, April 11, 1961, at 2:30 p.m., e.s.t. I ask for a roll call on the motion.

Mr. McCANN. Mr. Speaker, the gentleman has every right to make the motion that he did that the House adjourn. The agreement was that we would vote on legislation until 6 o'clock. That bill was brought up before 6 o'clock. Following that the desk would be cleared. There was no intention of bringing up any other bills, even though the gentleman made the motion to adjourn. There are committee reports, but it is perfectly all right, they will be reported tomorrow in proper session, if this is the attitude the gentleman feels is proper. There was no breaking of any commitment that we would vote bills until 6 p.m. and none would be called after 6 p.m.

The SPEAKER pro tempore. This motion is not debatable except by the majority leader and the minority leader. The question is on the motion.

The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER pro tempore. Will the majority leader permit himself to be interrogated?

Mr. McCANN. I shall, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will proceed.

Mr. A. W. JOHNSON. Mr. Speaker, do I understand that it will take just a few minutes to clear the desk and to receive reports from committees, and then we will promptly adjourn?

Mr. McCANN. Mr. Speaker, I believe that there are committee meeting announcements and there are committee reports to call from the floor. I do not know if the Speaker has any messages from the Senate. That is all that is before this House. There would be no bills voted after 6 p.m.

Mr. A. W. JOHNSON. Do I understand then that the bill the gentleman ran was the only bill he intended to run today?

Mr. McCANN. If it had been 6 o'clock, even it would not have run. Six o'clock was the time.

MOTION TO ADJOURN WITHDRAWN

Mr. A. W. JOHNSON. Mr. Speaker, I will temporarily withdraw my motion to hear the reports from committees, providing it can be done expeditely and without undue delay.

The SPEAKER pro tempore. The gentleman from McKean withdraws his motion to adjourn.

REPORT FROM COMMITTEE

Mr. FILO from the Committee on Motor Vehicles, reported as amended, Senate Bill No. 79, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" authorizing the use of radio-microwave equipment in timing speed further regulating convictions prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways and prescribing penalties.

COMMITTEE MEETINGS

AGRICULTURE and DAIRY INDUSTRIES, Mr. Farabaugh, Chairman, Room 131-A, Tuesday, April 11, at 10 a.m.

APPROPRIATIONS, Mr. Polen, Chairman, Room 245, Tuesday, April 11, at 9:30 a.m.

BANKING and BUILDING and LOAN ASSOCIATIONS, Mr. Pariante, Chairman, Room 131-A, Tuesday, April 11, at 10 a.m.

BOROUGHS, Mr. Filo, Chairman, Room 324, Tuesday, April 11, at 10:30 a.m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, April 11, at 9:30 a.m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, April 11, at 10:30 a.m.

GAME and CONSERVATION, Mr. Curwood, Chairman, Room 321, Tuesday, April 11, at 10 a.m.

HIGHWAYS, Mr. Comer, Chairman, Room 521, Tuesday, April 11, at 10:30 a.m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, April 11, at 10 a.m.

MINES and MINERAL INDUSTRIES, Mr. Rovansek, Chairman, Room 131-E, Tuesday, April 11, at 11 a.m.

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, Tuesday, April 11, at 11 a.m.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair would like to welcome to the hall of the House a former member of the House, the gentleman from Lackawanna, Mr. Robert J. Cordier. Will the gentleman rise?

The gentleman served 15 years ago. It is certainly a pleasure to have you here, Mr. Cordier.

ADJOURNMENT

Mr. BUSH. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 11, 1961 at 2:30 p.m., e.s.t.

The motion was agreed to, and (at 6:12 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., TUESDAY, APRIL 11, 1961. No. 35.

SENATE

TUESDAY, APRIL 11, 1961

The Senate met at 2:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (Albert R. Pechan) in the Chair

PRAYER

The Chaplain, Reverend ANTHONY C. MARRA, of Mother of Grace Church, Hazleton, offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost. Amen.

O God, Creator and Lord of all things, Thou Who didst give order to the Universe and everything in it, graciously look down upon this selected group whose purpose is to formulate and enact laws for this great Commonwealth of ours.

Enlighten their minds so that they may clearly perceive the object of civil legislation; namely, the natural welfare of the State and of its individual members in order that they may live in peace and justice, with a sufficiency of those goods that are necessary for physical conservation and comfort, and with those moral conditions which are required for well-being and public prosperity. With this responsibility before them, grant them, O Supreme Lawmaker, the wisdom to see that all earthly laws are good and proper only if they flow from Divine Order. Grant them understanding so they may keenly become aware of the needs of the people whom they represent. Grant them fortitude so they may have the courage to do what is right; to speak and act against evil and insidious practices. Grant them piety so they may do Thy will in all things.

Finally, Dear God, grant them charity so they may be ever solicitous for the welfare of their fellow man for Thy Sake.

We ask these favors in the name of Thy Son, Jesus Christ. Amen.

In the name of the Father and of the Son and of the Holy Ghost. Amen.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. SEYLER, further reading was dispensed with, and the Journal was approved.

STUDENTS WELCOMED TO THE SENATE

Mr. VAN SANT. Mr. President, again, today, it is my pleasure to introduce an outstanding group of schoolchildren from Allentown. These children are excellent examples of the superb educational program that we have in the city of Allentown and here in the Commonwealth of Pennsylvania.

This group consists of the Fifth Grade Opportunity Class from the Jefferson Elementary School, in Allentown. Their teacher is Mrs. Ellen Boyer.

You might be interested to know, Mr. President, that there are those in this class of fifth graders who can type fifty-five words a minute, without making a mistake. They have had three years of German. They write theme papers, comparable to what many of us did when we were in the eighth, ninth and tenth grades. They are outstanding Opportunity School Students and I would like to present them to you, Mr. President.

The PRESIDENT. Would the students please rise, in order for them to be greeted by the Senate?

We are very happy to have these flowers from Lehigh County with us, Senator Van Sant. My congratulations on the good work which they are doing.

I have just gleaned another bit of knowledge about this group of students. Among the group of students we just greeted is Miss Nancy Van Sant, who is the president of the group. Will she please rise?

That applause is all for you, Nancy. I just broke your Dad down to tell me about that. However, we are glad that you brought your group here today.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations:

JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. JoAnn M. Georgino, Penfield, Clearfield County, for appointment as Justice of the Peace in and for the Town-

ship of Huston, Clearfield County, to serve until the first Monday of January 1962, vice John E. Boyer, deceased.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Chester A. Wajda, R. D. 4, Quakertown, Bucks County, for appointment as Justice of the Peace in and for the Township of Haycock, Bucks County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

REPORTS FROM COMMITTEES

Mr. DEVLIN, from the Committee on State Government, reported, as committed, **SB 475, HB 315, 558** and **648.**

Mr. YATRON, from the Committee on Highways, reported, as amended, **SB 191;** as committed, **SB 400** and **HB 560.**

Mr. KROMER, from the Committee on Local Government, reported, as amended, **SB 207;** as committed, **SB 482, 491** and **HB 365.**

Mr. STROUP, from the Committee on Local Government, reported, as committed, **SB 90, 239** and **346;** as amended, **SB 371.**

Mr. FLACK, from the Committee on Local Government, reported, as committed, **SB 463, 485, HB 276** and **620.**

Mr. CAMIEL, from the Committee on Local Government, reported, as amended, **SB 179;** as committed, **SB 493** and **HB 326.**

Mr. HAYS, from the Committee on Local Government, reported, as committed, **HB 195.**

Mr. HALUSKA, from the Committee on Local Government, reported, as committed, **SB 183, 381, 429, 479, 481, 501** and **HB 419;** as amended, **HB 811.**

Mr. STEVENSON, from the Committee on Local Government, reported, as committed, **SB 95, 338, 402, 483** and **484.**

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. DEVLIN, from the Committee on Executive Nominations, reported the following nominations, made by His Excellency, the Governor, which were laid on the table:

MAJOR GENERAL, PENNSYLVANIA NATIONAL NATIONAL GUARD

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Major General of the Adjutant General's Department in the Pennsylvania National Guard, to serve until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, 374 Byllesby Avenue, Meadville, Crawford County, for reappointment as a member of the Pennsylvania Fish Commission, until the second Tuesday of January 1969, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Anna M. Fisher, Box 403, R. D. 2, Chambersburg, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

PERMISSION TO ADDRESS SENATE

Mr. VAN SANT asked and obtained unanimous consent to address the Senate.

Mr. VAN SANT. Mr. President, since the 1955 Session, I have introduced bills in the interest of controlled epileptics. Controlled epileptics, throughout the Commonwealth of Pennsylvania, are large in number. However, unlike many retarded, crippled children, they have no State organization to champion their cause. For this reason, they have been handicapped over a period of years in many of their pursuits in earning a living, in attending school and in driving automobiles.

It is interesting to note that in 1959, one of the series of bills which I introduced, on behalf of the controlled epileptics, was a bill which would permit them to drive automobiles if their epilepsy were controlled. Unfortunately, the Director of the Bureau of Highway Safety at that time, opposed the bill and it died in committee. It was interesting to note that last February, when the Governor's Highway Safety Program was introduced, by administrative order, controlled epileptics could drive automobiles.

Therefore, Mr. President, today, I would like, along with two other bills affecting controlled epileptics, to present these bills with the hope that they will go on the record and the great advancements of medicine in this Commonwealth and in this Country will be recognized by the Senate, the House and the Governor of Pennsylvania.

BILLS INTRODUCED AND REFERRED

Mr. VAN SANT presented to the Chair **SB 512,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," providing in certain cases for the licensing of epileptics and persons suffering from other impairments.

Which was committed to the Committee on Highways.

He also presented to the Chair **SB 513,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for admission to colleges of certain persons.

Which was committed to the Committee on Education.

He also presented to the Chair **SB 514,** entitled:

An Act amending the act of June 2, 1915 (P. L. 736), entitled, as amended, "The Pennsylvania Workmen's Com-

pensation Act," providing for reimbursement by the Commonwealth to employers, the State Workmen's Insurance Fund and insurance carriers for awards of compensation and expenses paid in certain cases.

Which was committed to the Committee on Labor and Industry.

Mr. DiSILVESTRO presented to the Chair **SB 515,** entitled:

An Act prescribing qualifications and the procedure for the admission of certain United States Senators, Congressmen and members of the General Assembly to practice as attorneys-at-law; creating a committee to be appointed by the Lieutenant Governor, the President pro tempore of the Senate, and Speaker of the House of Representatives to function in connection therewith and imposing duties on the prothonotary of the Supreme Court of Pennsylvania.

Which was committed to the Committee on Judiciary General.

He also presented to the Chair **SB 516,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," removing nonresident provisions and providing for filing surety bonds after accidents.

Which was committed to the Committee on Highways.

Messrs. KROMER and SARRAF presented to the Chair **SB 517,** entitled:

An Act relating to the practice of massotherapy; providing for the examination, licensing, registration and regulation of practitioners of massotherapy; creating the State Board of Massotherapy Examiners; defining its powers and duties; conferring powers and imposing duties upon the Department of Public Instruction; and fixing penalties for violations.

Which was committed to the Committee on Education.

Messrs. YATRON, SEYLER and HAYS presented to the Chair **SB 518,** entitled:

An Act amending the act of June 5, 1947 (P. L. 426), entitled "The Pennsylvania Seed Act of 1947," defining treated seeds and providing for the sale thereof.

Which was committed to the Committee on Agriculture.

Mr. YATRON presented to the Chair **SB 519,** entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," permitting school bus signal lamps to be operated when the bus is not being used for transportation of school children to and from school.

Which was committed to the Committee on Highways.

The PRESIDENT. Gentlemen, the photographer is about ready to take the official photograph of the Senate. The Senate will be at ease until this has been completed.

(Official photograph was then taken.)

PERMISSION TO ADDRESS SENATE

Mr. PECHAN asked and obtained unanimous consent to address the Senate.

Mr. PECHAN. Mr. President, during the Session of 1957, I sponsored a bill which would construct a high level bridge over the Allegheny River at Freeport. The bridge has been designed and it is now in the process of being contracted for.

We would like to name this bridge in honor of a boy who gave his life for his Country during World War II and who was awarded the Congressional Medal of Honor. This movement has been spearheaded by various civic groups, the American Legion and the Veterans' of Foreign Wars of Armstrong County.

For the record, I would like to give some explanation as to why this bridge should be named in honor of Donald R. Lobaugh. He was cited for conspicuous galantry and intrepidity at the risk of his life, above and beyond the call of duty, near Afua, New Guinea, on July 22, 1944.

Private Lobaugh's Company was withdrawn from its position on July 21. The enemy attacked and cut off approximately one platoon of one troop. The platoon immediately occupied, organized and deferred a position which it held throughout the night.

Early on July 22, an attempt was made to effect its withdrawal but, during the preparation thereof, the enemy emplaced a machine gun, protected by the fire of rifles and automatic weapons, which blocked the only route over which the platoon could move. Knowing that it was the key to the enemy position, Private Lobaugh volunteered to attempt to destroy this weapon, even though, in order to reach it, he would be forced to work his way about thirty yards over ground devoid of cover. When part way across this open space, he threw a hand grenade, but exposed himself in the act and was wounded. Heedless of his wound, he boldly rushed the emplacement, firing as he advanced. The enemy concentrated their fire on him. He was struck repeatedly, but continued his attack and killed two more before he was himself slain.

Private Lobaugh's heroic actions inspired his comrades to press the attack and to drive the enemy from the position with heavy losses. His fighting determination and intrepidity in battle exemplified the highest traditions of the Armed Forces of the United States.

Private Lobaugh was awarded the Congressional Medal of Honor. He was a Private in the 127th Infantry of the 32nd Infantry Division. He was born in Freeport, Pennsylvania, and entered the Service from Freeport.

BILLS INTRODUCED AND REFERRED

Mr. PECHAN presented to the Chair **SB 520,** entitled:

An Act amending the act of May 27, 1957 (P. L. 203), entitled, as amended, "An act authorizing the Department of Highways, with the approval of the Governor, to erect and maintain a high level bridge over the Allegheny River, near Freeport, Armstrong County . . .," naming the bridge The Donald R. Lobaugh Bridge.

Which was committed to the Committee on Highways.

Messrs. SEYLER and WEINER presented to the Chair **SB 521,** entitled:

An Act amending the act of May 13, 1925 (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," changing provisions relating to the certificate of registration; requiring the disclosure of certain information; further limiting the amount of compensation which may be paid as a commission; including certain corporations within the provisions of the act, and making certain editorial changes.

Which was committed to the Committee on Judiciary General.

Messrs. DEVLIN and SARRAF presented to the Chair **SB 522,** entitled:

An Act amending the act of April 12, 1951 (P. L. 90),

entitled "Liquor Code," further regulating the issuance of new hotel licenses.

Which was committed to the Committee on Law and Order.

They also presented to the Chair **SB 523,** entitled:

An Act requiring the State Treasurer and other State officials to deduct the tax imposed by any city of the second class upon salaries, wages and other compensation paid to officers and employes of the Commonwealth domiciled or performing services within that city and to make a return and remit the tax so deducted to the treasurer of such city.

Which was committed to the Committee on State Government.

Messrs. STAISEY, ROONEY, HALUSKA and DEVLIN presented to the Chair **SB 524,** entitled:

A Joint Resolution proposing an amendment to article nine, section one of the Constitution of the Commonwealth of Pennsylvania exempting from taxation a portion of real property owned by certain persons sixty-five years of age or older.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEE

Mr. SILVERT, by unanimous consent, from the Committee on Judiciary General, reported, as committed, **SB 161, HB 346** and **394.**

RESOLUTION REPORTED FROM COMMITTEE

Mr. SILVERT, by unanimous consent, from the Committee on Judiciary General, reported without amendment, Senate Concurrent Resolution, **Serial No. 111,** entitled:

Directing the Joint State Government Commission to Make a Study of the Laws Relating to Mechanics' Liens.

The PRESIDENT. The resolution will be placed on the Calendar.

MISS DOROTHY LAMOUR PRESENTED TO SENATE

The PRESIDENT. Gentlemen, I have a particular treat in mind for you today. We are honored by the presence of a lovely lady whom I am sure all of you have known, if not personally, by her appearances on the screens of our Country. My public relations aide, Mr. Peter Wambach, is bringing forward Miss Dorothy Lamour. I wonder whether she would come to the rostrum.

Miss Lamour, would you say something to our Senators?

REMARKS BY MISS DOROTHY LAMOUR

Miss LAMOUR. I would be delighted to but actually you know I am a woman, and for the first time I think in my life I am speechless. That is really saying something.

I have had the pleasure of meeting your very fine Governor before, and quite a few of the gentlemen here and I do not want to impose upon any more of your time.

My heart is pounding; I mean it. To say it is a great thrill and pleasure to be here is putting it very mildly. Thank you for inviting me.

The PRESIDENT. I am very happy that one of the "Roads" Miss Lamour has starred in has brought her here to our Senate.

I have the feeling that Miss Lamour's presence has rendered not only her lovely self speechless, but perhaps it is a good time to bring up the question of Original Resolutions in this Body. Perhaps she has rendered some of you gentlemen speechless.

The Chair now recognizes the gentleman from Northampton, Senator Rooney.

Mr. ROONEY. Mr. President, my heart is pounding.

The PRESIDENT. Time out will be taken while Senator Rooney meets our lovely visitor.

Thank you so, Miss Lamour, for being here.

Now, Senator Rooney, you may proceed.

Mr. ROONEY. Mr. President, I think this is the first time I have ever been speechless on this floor.

SENATE RESOLUTION

TRIBUTE TO BISHOP JOSEPH McSHEA, OF ALLENTOWN

Messrs. ROONEY, VAN SANT, WAGNER, YATRON and SCOTT offered the following resolution **(Serial No. 38),** which was read, considered and adopted:

In the Senate, April 11, 1961.

The five county area of Berks, Carbon, Lehigh, Northampton and Schuylkill in this Commonwealth of Pennsylvania was recently created the Diocese of Allentown and the Most Reverend Joseph McShea, D.D., was appointed as its first Ordinary.

A Pennsylvania native and born in Lattimer, he was ordained to the priesthood in Rome and taught at St. Charles Seminary, Overbrook. He served in the Sacred Congregation for the Oriental Church in Rome and later served as Secretary to the Apostolic Delegate in Washington, D. C. He was named Titular Bishop of Mina and Auxiliary to Cardinal O'Hara in 1952.

He is known and respected for his administrative skill and learning, holding doctorates in both sacred theology and law.

The people of the Allentown Diocese can be justly proud to have as their spiritual leader such a distinguished prelate who has conducted himself in his work with distinction and honor; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania extends to the Most Reverend Joseph McShea, its deepest and fond wishes for continued success in his new undertaking as the first Bishop of the Diocese of Allentown; and be it further

Resolved, That a copy of this resolution be transmitted to the Most Reverend Joseph McShea, Bishop of Allentown, Allentown, Pennsylvania.

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, I would like to introduce at this time a more somber note inasmuch as tomorrow marks the anniversary of the death of one of the truly great Presidents of the United States, Franklin Delano Roosevelt, who served an unprecedented four terms, the fourth term of which was cut short by his untimely death. I think truly—and history will bear this out—he was one of the greatest men this Country has produced; a man who lived through a greatly trying time in a period of economic stress and a period of time when the world was thrown into a great conflict, which put American boys and women throughout every land in the world and where

many of them gave their lives. Through all of this, this man was the Commander-in-Chief of the greatest army the United States has ever put in the field. Truly, he died as a great soldier, as much so as the man who was killed on the battlefield.

On behalf of myself, and the entire Democratic Membership of the Senate, I am offering this resolution and ask for its immediate consideration and adoption.

SENATE RESOLUTION

TRIBUTE TO THE LATE FRANKLIN D. ROOSEVELT

Mr. WEINER, on behalf of the Democratic Membership of the Senate, offered the following resolution **(Serial No. 39)**, which was read as follows:

In the Senate, April 11, 1961.

On the 12th day of April, sixteen years ago, the entire free world mourned the loss of one of its best known and most dearly loved citizens, Franklin Delano Roosevelt.

This outstanding American who, through his unselfish and seemingly tireless efforts, raised our Country from the depth of depression and led us to victory over our enemies, skillfully moulded our future for many years to come.

Franklin D. Roosevelt, who gave his life for his country as surely as did any man killed on the battlefield, will rightfully be remembered as the greatest American of the century; therefore, be it

Resolved, That the Senate of the Commonwealth of Pennsylvania hereby pays tribute to Franklin D. Roosevelt upon the 16th anniversary of his untimely death, and recalls with admiration and respect his outstanding accomplishments and his contributions to our well-being, both individually and as a Nation; and, be it further

Resolved, That we look to the example set by Franklin D. Roosevelt as a man completely devoted to his fellow man, and that we reflect upon his leadership and strive toward the ideals which he has set for us; and, be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Franklin Delano Roosevelt at Hyde Park, New York.

On the question,

Will the Senate adopt the resolution?

Mr. BERGER. Mr. President, in connection with this resolution, many of us and many other Americans were in rather violent disagreement with some of the domestic policies of this great man. However, it cannot be doubted that he was a great patriot and a great leader during the time of the most terrible conflict in which this Country was ever engaged, and his impact upon the history of this Nation will remain for many, many years hereafter.

We, on this side, respect his accomplishments and we desire to join in this resolution by seconding its adoption.

And the question recurring,

Will the Senate adopt the resolution?

The resolution was adopted.

STUDENTS WELCOMED TO THE SENATE

Mr. YATRON. Mr. President, I would like to request that the Chair acknowledge the presence of a group of students from Berks County, with their teachers. They are students from the Wilson Joint School System in Berks County, who are here visiting our State Capitol under the direction of Mr. Griesmer and other teachers.

The PRESIDENT. Senator Yatron, this is the group that I met this morning?

Mr. YATRON. Yes, Sir.

The PRESIDENT. Thank you.

Would the group of students from the Wilson Joint School, Berks County, please rise?

On behalf of the Senate, we are very happy to have you here today. As I told you earlier when you first came into this room, I do hope that you will find your day of great interest, and that you will find in this the possibility of you also, as you grow older, aspiring to public service.

We are always glad to have youngsters see the future of America in public service for their fellow citizens. Thank you for coming.

It is now the Chair's privilege to turn the Presiding Officer's position over to our brother, Senator, Senator Sesler of Erie County.

The PRESIDING OFFICER (William G. Sesler) in the Chair.

SENATE CONCURRENT RESOLUTION

WEEKLY ADJOURNMENT

Mr. HALUSKA offered the following resolution, which was read, considered and adopted:

In the Senate, April 11, 1961.

Resolved (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene Monday, April 17, 1961 at THREE o'clock p. m. E.S.T., and when the House of Representatives adjourns this week, it reconvene Monday, April 17, 1961 at FOUR o'clock p.m, E.S.T.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, on behalf of Senator Stiefel, Senator Camiel and myself, all three great lovers of American history, I am offering this resolution and request its immediate adoption.

SENATE RESOLUTION

THANKS OF THE SENATE EXTENDED TO THE DESCENDANTS OF THOSE CITIZENS OF PENNSYLVANIA WHO FOUGHT IN THE CIVIL WAR

Messrs. McCREESH, STIEFEL and CAMIEL offered the following resolution **(Serial No. 40)**, which was read, considered and adopted:

In the Senate, April 11, 1961.

April 12, 1961 marks the 100th anniversary of the attack by the forces of the South against Fort Sumpter, in Charlestown, South Carolina. This was the beginning of one of the bloodiest wars on record. It was a war that ended in victory for the North but only after thousands of people had lost their lives in defense of the Union. Without the brave efforts of the Union men, we might stand today as a divided Nation.

The people of Pennsylvania played a very important role in gaining the victory. As all the world knows, the last great battle of the Civil War was fought here in Pennsylvania at Gettysburg. The contributions made by Pennsylvanians to preserve the Union are so great that it is impossible to enumerate them here.

There are many members of the General Assembly who have descendants who fought in the Civil War. To these people and to all the others who helped in this battle for preservation of the Union of States, we here in the Senate

of the Commonwealth of Pennsylvania want to say thanks; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania pause at this time to give our heartfelt note of thanks to the descendants of those citizens of our State who aided in keeping the United States an undivided Nation and a Nation that we can all be proud to live in; and be it further

Resolved, That a copy of this resolution be forwarded to the Historical and Museum Commission for safekeeping on this, the 100th anniversary of the Civil War.

EXECUTIVE NOMINATIONS

EXECUTIVE SESSION

A motion was made by Mr. DEVLIN and Mr. STAISEY,

That the Senate do now resolve itself into Executive Session for the purpose of considering certain nominations made by the Governor.

Which was agreed to.

CONSIDERATION OF EXECUTIVE NOMINATIONS

Mr. DEVLIN asked and obtained unanimous consent for immediate consideration of the nominations made by His Excellency, the Governor, and reported from committee at today's Session.

NOMINATIONS TAKEN FROM THE TABLE

Mr. DEVLIN. Mr. President, I call from the table for consideration the nominations reported from committee today.

The PRESIDING OFFICER. The Clerk will read the nominations.

The nominations were read by the Clerk as follows:

MAJOR GENERAL, PENNSYLVANIA NATIONAL GUARD

April 10, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Malcolm Hay, 201 Foxhurst Drive, Fox Chapel, Allegheny County, for appointment as Major General of the Adjutant General's Department in the Pennsylvania National Guard, to serve until terminated.

DAVID L. LAWRENCE.

MEMBER OF THE PENNSYLVANIA FISH COMMISSION

February 13, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wallace Dean, 374 Byllesby Avenue, Meadville, Crawford County, for reappointment as a member of the Pennsylvania Fish Commission, until the Second Tuesday of January 1969, and until his successor is appointed and qualified.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 4, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Anna M. Fisher, Box 403, R. D. 2, Chambersburg, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, to serve until the first day of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

On the question,

Will the Senate advise and consent to the nominations?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Miller,	Stevenson,
Berger,	Kalman,	Mullin,	Stiefel,
Camiel,	Keller,	Murray,	Stroup,
Chapman,	Kessler,	Pechan,	Taylor,
Confair,	Kromer,	Propert,	Van Sant,
Devlin,	Lane,	Ripp,	Wade,
DiSilvestro,	Madigan,	Rooney,	Wagner,
Donolow,	Mahady,	Sarraf,	Ware, III,
Ehrgood,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Seyler,	Wolfe,
Fleming,	McGinnis,	Shafer,	Yatron,
Haluska,	McMenamin,	Silvert,	Sesler,
Hawbaker,		Staisey,	Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. DEVLIN. Mr. President, I move that the Executive Session do now rise.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

CALENDAR

THIRD READING CALENDAR

BILLS OVER IN ORDER

HB 63, 71, 73 and **74**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 93—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 114—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. STAISEY. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. RIPP. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Bell,	Keller,	Mullin,	Taylor,
Berger,	Kessler,	Murray,	Wade,
Camiel,	Kromer,	Pechan,	Wagner,
Confair,	Madigan,	Propert,	Ware, III,
DiSilvestro,	McCreesh,	Scott,	Weiner,
Ehrgood,	McGinnis,	Seyler,	Wolfe,
Flack,	McMenamin,	Shafer,	Yatron,
Haluska,	Miller,	Stevenson,	Sesler,
Hawbaker,		Stiefel,	Presiding Officer

NAYS—7

Devlin,	Hays,	Ripp,	Stroup,
Fleming,	Mallery,	Stalsey,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 125—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

HB 132—Mr. WEINER. Mr. President, I request that House Bill No. 132 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, the reason for requesting that this bill go over in its order is that there are a number of amendments, and I would suggest that anyone who has amendments should either talk to Senator Hays, Senator Seyler or myself so that we can get them into proper form for next Monday. We would like to move this bill next Monday and pass it, or defeat it if we do not have the votes. We want it moved one way or the other.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

BILLS ON THIRD READING AND FINAL PASSAGE

SB 173—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Kalman,	Mullin,	Stevenson,
Berger,	Keller,	Murray,	Stiefel,
Camiel,	Kessler,	Pechan,	Stroup,
Confair,	Kromer,	Propert,	Taylor,
Devlin,	Lane,	Ripp,	Van Sant,
DiSilvestro,	Madigan,	Rooney,	Wade,
Donolow,	Mahady,	Sarraf,	Wagner,
Flack,	Mallery,	Scott,	Ware, III,
Fleming,	McCreesh,	Seyler,	Weiner,
Haluska,	McGinnis,	Shafer,	Wolfe,
Hawbaker,	McMenamin,	Silvert,	Yatron,
Hays,	Miller,	Stalsey,	Sesler,
			Presiding Officer

NAYS—2

Chapman,	Ehrgood,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 186—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll, the following occurred:)

Mr. BELL. Mr. President, having voted under a misapprehension, I desire to change my vote from "aye" to "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Devlin,	Mallery,	Ripp,	Stevenson,
DiSilvestro,	McCreesh,	Sarraf,	Wade,
Fleming,	McGinnis,	Scott,	Wagner,
Haluska,	McMenamin,	Seyler,	Weiner,
Hays,	Miller,	Silvert,	Yatron,
Kessler,	Mullin,	Stalsey,	Sesler,
Mahady,	Murray,		Presiding Officer

NAYS—17

Bell,	Flack,	Madigan,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor
Chapman,	Keller,	Propert,	Ware, III,
Confair,	Kromer,	Shafer,	Wolfe,
Ehrgood,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

SB 190 and **209**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

SB 213 and **291**—Without objection, the bills were passed over in their order at the request of Mr. WEINER.

SB 301 and **302**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON THIRD READING AND FINAL PASSAGE

HB 303—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Stalsey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HB 304—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SB 309—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Bell,	Hawbaker,	Miller,	Stevenson,
Berger,	Hays,	Mullin,	Stiefel,
Camiel,	Kalman,	Murray,	Stroup,
Chapman,	Keller,	Pechan,	Taylor,
Confair,	Kessler,	Propert,	Van Sant,
Devlin,	Kromer,	Ripp,	Wade,
DiSilvestro,	Lane,	Rooney,	Wagner,
Donolow,	Madigan,	Sarraf,	Ware, III,
Ehrgood,	Mallery,	Scott,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Sesler,
			Presiding Officer

NAYS—2

Mahady,	Seyler,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 336—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SB 419—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HB 570—Read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bell,	Hays,	Mullin,	Stevenson,
Berger,	Kalman,	Murray,	Stiefel,
Camiel,	Keller,	Pechan,	Stroup,
Chapman,	Kessler,	Propert,	Taylor,
Confair,	Kromer,	Ripp,	Van Sant,
Devlin,	Lane,	Rooney,	Wade,
DiSilvestro,	Madigan,	Sarraf,	Wagner,
Donolow,	Mahady,	Scott,	Ware, III,
Ehrgood,	Mallery,	Seyler,	Weiner,
Flack,	McCreesh,	Shafer,	Wolfe,
Fleming,	McGinnis,	Silvert,	Yatron,
Haluska,	McMenamin,	Staisey,	Sesler,
Hawbaker,	Miller,		Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 30—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 73—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 94—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 99—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

SB 294—Mr. BERGER. Mr. President, I request that Senate Bill No. 294 go over in its order.

The PRESIDING OFFICER. Is there objection?

Mr. BERGER. Mr. President, I have no particular antipathy to this bill, but I am still waiting for a good explanation as to what it is intended to accomplish. I understand that it is to bring the Pennsylvania law into line with the Interstate Commerce Commission.

However, Mr. President, I am wondering about the language on page 3. I believe we will be able to get an explanation on that next week. Therefore, I have requested that the bill go over in its order at this time.

The PRESIDING OFFICER. There being no objection, the bill will go over in its order.

HB 635 and **636**—Mr. BERGER. Mr. President, I request that House Bills Nos. 635 and 636 go over in their order.

The PRESIDING OFFICER. Is there objection?

Mr. WEINER. Mr. President, I would like for someone to tell me why we are delaying these two measures. They have been passed during previous Sessions. I am glad to see that my close friend, associate and colleague, from Delaware County will benefit as well as we will. The airport lies right up against his county. As a matter of fact, it is not only contiguous to it, but somewhat in his county.

I do not think that this continuous delay will help these measures in any way. Everyone agreed in committee that they were in favor of these bills. There was no one who spoke against them and they were reported from committee. These bills have passed the House, with Members on both sides voting for them. If somebody will tell me the inherent error or problem these bills are creating, I will be very happy to address myself to that.

Mr. BELL. Mr. President, I should be very happy to answer the inquiry of the gentleman from Philadelphia.

These bills deal with funds which go to the Pennsylvania Aeronautics Commission for expenditure in and about the airports and air-navigation aids.

Yesterday, this Senate confirmed Malcolm Hay as the Adjutant General of Pennsylvania. That action also confirmed him as the Chairman of the Pennsylvania Aeronautics Commission. I would, therefore, like thesse bills delayed until the new Adjutant General has had a chance to study them. This is not at his request. It is at my request.

I have served on that Aeronautics Commission and I believe there are very dangerous defects in this type of legislation. If these bills get to the Third Reading Calendar, I propose to debate them. However, I think, at this time, with due deference to the Governor's appointment of on Adjutant General, these bills should be held over until he has a chance to look at them and study them.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Bill.

The PRESIDING OFFICER. Will the gentleman from Delaware, Mr. Bell, permit himself to be interrogated?

Mr. BELL. I will, Mr. President.

Mr. WEINER. Mr President, would the gentleman please advise us whether he voted for these bills during the Session of two years ago?

Mr. BELL. Mr. President, I will be very happy to answer that question.

I not only voted against them, but I debated against them and called to the attention of the House of Representatives, at that time, the fact that these bills could result in a loss to the Commonwealth of revenues of $60,000 to $70,000 a year. As a member of the Pennsylvania Aeronautics Commission, I know this has resulted in a physical loss of at least $1,000 per month. If you take the amount of money which this could have meant, it represents a loss to the Commonwealth of some $60,000 a year. When you match that amount with matching funds, that means a quarter of a million dollars of airport construction which was lost.

In the present Session, the Aeronautics Commission is short of money. There is a bill in the House, appropriating $3,500,000 out of the General Fund to be used in airport construction, at the same time when we are raising taxes on the people to pay the cost of our schools.

Mr. WEINER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia, Mr. Weiner, will state his point of order.

Mr. WEINER. Mr. President, I merely asked for an answer and not a speech.

Mr. BELL. Mr. President—

Mr. WEINER. Mr. President, I believe I am the one who has the floor.

The PRESIDING OFFICER. I believe the gentleman asked a question and requested an answer.

Mr. BELL. Mr. President, the gentleman is getting an answer.

Mr. WEINER. Mr. President, I will be happy to debate these bills with the gentleman. That is not my point.

I would like the gentleman to please answer one more question, but no speeches, please; just an answer. Would the gentleman please advise us whether this has caused any harm to the airports in the Commonwealth?

Mr. BELL. Mr. President, I will answer that, but I will not give a "yes" or "no" answer. I will give a complete answer.

It has harmed the airports of Pennsylvania because the money from the tax on airplanes—on the gas and jet fuels—is being used to build all airports. These same jet liners, which are demanding so many millions of dollars for runway construction from this same Aeronautics Fund, want to have their fuels tax lowered.

In the city of Philadelphia, there is an airport and there is a runway which extends into my county. Shortly, additional moneys are to be sought to extend this jet aircraft runway. It is going to be paid for with a tax on all aircraft gasoline. That is why I say that this does hurt the airports in Pennsylvania.

Mr. WEINER. Mr. President, I wish to thank the gentleman for his courtesy and for the answers he gave us.

I also would like to point out that the gentleman is in error. These two bills have been supported by the people

who run the airports and everyone who is connected with flying. The reason for this is because these planes, before we enacted this legislation, used to arrive in Philadelphia and take on only the amount of jet fuel which they needed to get them out of there and into New York, Baltimore or wherever they were headed for. Since we enacted this legislation, it has resulted in a greater number of planes coming into the Philadelphia Airport and loading up. Therefore, we are now in this kind of a position: Suppose you do charge more money for your fuel, but no one buys it. What have you accomplished? On the other hand, if you reduce the price and a greater number of people take advantage of it, you will certainly make it up by the amount of volume which you pick up.

It has also helped the Philadelphia Airport to become a place where international flights will begin to take off and leave from there, rather than for our people going up to New York, Baltimore or Washington, D. C. I think that is more to be desired than the $60,000.

Mr. BERGER. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The gentleman will state it.

Mr. BERGER. Mr. President, I believe that the gentleman objected awhile ago to debating the bills and the desirability of it. The question before the Senate is only a request that the bill go over in order.

Mr. WEINER. Mr. President, the gentleman's point is well taken and I will subside.

The PRESIDING OFFICER. There being no objection, the bills will go over in their order.

BILLS ON FIRST READING

Mr. WEINER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. RIPP. Mr. President, I second the motion.

The motion was agreed to.

The bills were as follows: **SB 90, 95, 161, 179, 183, 191, 207, 239, 338, 346, 371, 381, 400, 402, 429, 463, 475, 479, 481, 482, 483, 484, 485, 491, 493, 501, HB 195, 276, 315, 326, 346, 365, 394, 419, 558, 560, 620, 648** and **811.**

And said bills having been read at length for the first time,

Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Messrs. PROPERT and SILVERT, by unanimous consent, presented to the Chair **SB 525,** entitled:

An Act authorizing members of any profession to organize an association to render the type of service which the members are authorized to render; providing for the regulation of the association and its members and employes and imposing powers and duties on the association and its members.

Which was committed to the Committee on Judiciary General.

Mr. FLEMING, on behalf of Messrs. SHAFER and McMENAMIN, by unanimous consent, presented to the Chair **SB 526,** entitled:

An Act amending the act of June 24, 1939 (P. L. 872), entitled "The Penal Code," defining the crimes of fraudulent use of credit cards and fraudulent obtaining of telecommunications service, and prescribing penalties.

Which was committed to the Committee on Judnciary General.

Messrs. WEINER, SCOTT, SARRAF and DiSILVESTRO, by unanimous consent, presented to the Chair **SB 527,** entitled:

An Act amending the act of October 27, 1955 (P. L. 744), entitled, as amended, "Pennsylvania Human Relations Act," increasing the membership of the commission; and changing quorum provisions.

Which was committed to the Committee on Law and Order.

PETITIONS AND REMONSTRANCES

Mr. BELL. Mr. President, since I have come to Harrisburg this week, I have had called to my attention a newspaper article which appeared in the Sunday edition of the Harrisburg Patriot-News. Then, again, I saw it in the Easton Express of Monday, April 10. Over a United Press International dateline, appears a story of a political meeting, in Chester, Pennsylvania, last Saturday, where the new Democratic State Chairman, Otis B. Morse, has charged the Delaware County Republican organization with responsibility for the recent closing of the Ford Motor Company plant there.

I charge this statement as not only being untrue, but extremely untimely. I condemn such political tactics as being irresponsible. I say this particularly because Mr. Morse should have known the facts, and these are the facts:

On February 14, there was a conference held in the office of His Honor, the Governor. Present at this conference were various representatives of the Department of Labor and Industry, the Governor's Administration, and also a Vice-President of the Ford Motor Company. The Vice-President of the Ford Motor Company stated that Ford was moving because of obsolescence of the plant and not for any other reason. Mr. Morse should have known that. I believe he was present at this conference. However, I will not say that as a fact.

This Ford Motor Plant was built in 1927. It was the oldest plant in the Ford Motor Company system. The cutback, as told to us, was in part due to the conversion from standard automobiles to compact cars. In talking to some of the United Auto Workers' representatives, I hear a rumor that it was because Ford was going to convert to unitized bodies. I do not even know what the word "unitized" means.

I have personal knowledge that Delaware County and Chester have a healthy labor and industrial climate. This is the reputation of both our county and the Chester city governments. Delaware County has had a constant gain in industries for the post-war years. We have hundreds of industries in Delaware County; to mention a few, Scott Paper Company, which has a wonderful new plant; Westinghouse Electric, Sun Oil and Sinclair. We have a healthy, local industrial and labor climate. Furthermore, there has been very close cooperation between our local officials and Governor Lawrence. I have complimented Governor Lawrence on this floor for this wonderful cooperation.

These are the facts, Mr. President, and they should have

been known to Mr. Morse. Why do I condemn these remarks made by Mr. Morse? Gentlemen, when a large industry leaves a neighborhood, it is heartless to try to make political mileage on the personal tragedies of those who face the grim future of no weekly pay checks, especially by using untruths.

Gentlemen, even if it were true—and it is not true—what the Democratic State Chairman said, if he were interested in restoring employment and industry in Pennsylvania, he should know that press reports of this nature from seemingly responsible governmental leaders would stop new industry from coming in.

Let us look at the record. If there is an unhealthy political or governmental atmosphere in Pennsylvania, it lies on the State level. Despite the splendid efforts of Governor Lawrence, Secretary Davlin and Secretary Batt to attract new industry to Pennsylvania, we have the following on record:

In 1955, Governor Leader had a brain child. He was going to put an excise tax on manufacturers. It passed the House and was killed in the Senate.

In Pennsylvania, in this Session, we passed an eighty per cent acceleration of the Capital Stock and Income Tax. In other words, those of us who are trying to bring new industry into Pennsylvania have to tell them that they must pay an admission tax to bring industry into Pennsylvania; an admission tax of prepayment of eighty per cent of their taxes.

We also have a very poorly defined manufacturer's exemption in the sales tax. In different parts of Pennsylvania, the maufacturer's exemption is interpreted different ways. I know that legislation has been cosponsored in the Senate and in the House of Representatives to correct this.

May I remind you, gentlemen, that industry and business pay thirty to thirty-five per cent of the sales tax? Pennsylvania has the prospect facing new industry of a possible four per cent unemployment compensation tax on gross wages.

Finally, Delaware County is just across the river from New Jersey. New Jersey has no sales tax, no general tax and even a lower gas tax. I am not going to suggest that Pennsylvania has an unhealthy tax climate. Such would be irresponsibility.

I sincerely hope that Governor Lawrence's remarks that Pennsylvania now has a healthy business tax climate is true, because if it is not, we are in real trouble.

Gentlemen, may I suggest that the Democratic State Chairman follow Governor Lawrence's example of using factual presentations in seeking new industries? I only pray that his irresponsible remarks in Chester last Saturday have not driven away from Pennsylvania those two industries that were contemplating purchasing the Ford Motor Company plant. If he has done this, may he assume full responsibility for his remarks of last Saturday.

Mr. WEINER. Mr. President, I do not want to get into a long wrangle about what somebody did or did not say, or what was quoted in the newspapers. I was not there and I did not hear it.

I do think it is interesting though that while the Senator is speaking about a good tax climate, he might think over his action on House Bill No. 635 and House Bill No. 636. This is part of an opportunity to bring industry to partake of the products that we have here in Pennsylvania without doing injury to anyone. This would be a very good time, Senator, to keep that climate a good one for this big industry, which is the airplane industry.

I think if you will vote for these bills, it will help all of the citizens and make our airport one of the foremost airports in the Country,—as we have done with our airport in Philadelphia—and you will be helping that business climate. You will be helping more people to get employment and also more of the products of Pennsylvania to pass through that area.

You, more than anyone else in this room, are familiar with the kind of work that goes on right in your own area. A tremendous amount of oil products and refined products go through Marcus Hook, and you are just giving incentive to an industry to partake of that product by making the price competitive and by keeping it in that area. It would also provide a jumping-off place for travel.

If this is what you want to do, I think, instead of words, deeds would certainly speak a lot louder. One of the deeds that you could do is to help us pass these bills by voting "aye" and stop impeding their progress. That will do more to wipe out what Otis Morse, you or I or anyone else has to say. I think this will speak louder than anything anyone can say, especially after the bills have passed the House and are now before us almost for Final Passage.

Mr. BELL. Mr. President, in so far as the Majority Leader is talking to me as a Dutch Uncle, I will answer him as a Dutch Nephew.

That is no excuse for what Otis Morse did in Chester. That is no excuse for spreading through the newspapers of Pennsylvania, and elsewhere, a story that is untrue; to the effect that there is an unhealthy business climate in the city of Chester.

When those bills come up, if they hit the floor,—those two bills to reduce the jet fuels tax on these big airliners —let us debate those bills at that time.

SENATE RESOLUTION, SERIAL NO. 34, TAKEN FROM THE TABLE

Mr. BERGER. Mr. President, this is not a petition nor is it a remonstrance. However, I would call from the table Senate Resolution, Serial No. 34, and move its immediate adoption.

The PRESIDING OFFICER. There being no objections, the Clerk will read the title of the resolution.

The title of the resolution was read by the Clerk as follows:

Urging the Governor and General State Authority to Reconsider Removal of Governor's Mansion from Harrisburg.

On the question,

Will the Senate adopt the resolution?

Mr. WEINER. Mr. President, for the reasons stated when this resolution was offered, to the effect that this matter was being studied by the General State Authority and others, and we ought to get the best place we possibly can for the Mansion, I am going to ask my colleagues to vote "no."

And the question recurring,

Will the Senate adopt the resolution?

A voice vote having been taken, the question was de-

termined in the affirmative and the resolution was adopted.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

The Clerk of the House of Representatives being introduced, informed the Senate that the House has concurred in resolution from the Senate, entitled:

Weekly Adjournment.

PERMISSION TO ADDRESS SENATE

Mr. HAWBAKER asked and obtained unanimous consent to address the Senate.

Mr. HAWBAKER. Mr. President, under the order of business that just transpired, I was unable to get here in time to indicate that I would like to remonstrate for just a few minutes.

If I may have the indulgence of my colleagues for just a moment, I should like to discuss a matter which I think is of the utmost importance to the people of Pennsylvania. I will try to be as brief as possible.

As we are all well aware, the time is now fast approaching when we will be observing the Centennial Anniversary of two of the most outstanding events in the history of Pennsylvania and, indeed, perhaps the most outstanding events in the history of our entire Nation. I am referring, of course, to the great American Civil War.

Throughout the Nation today, elaborate plans are under way for this Centennial Commemoration and already various incidents of this great event of a century ago have been re-enacted.

Two of the most important single events in connection with this great conflict took place here in Pennsylvania, in Adams County. I am referring, of course, to the great battle of Gettysburg and Lincoln's famous Gettysburg Address.

As most of you will recall, a few years ago the Legislature took action setting up a Commission, designed to make plans for this forthcoming commemoration. I am sorry to report that as of this moment, that Commission has not been very action. The Chairman of the Commission, General Biddle, is now in other pursuits outside the Country. The Vice-Chairman of that Commission, Mr. Rice, is also outside the Country, and the entire Commission seems to have somewhat bogged down.

I should like to remind the Administration that if this observance is to be effective, the responsibility must rest with the Governor's Office to initiate this program and see to it that it is carried through properly.

The people of Gettysburg are very anxious that this observance be effective and impressive. If this observance is to be effective and impressive, it is absolutely necessary that considerable advanced planning be engaged in. I would like to point out that this great American tragedy —is something that should be commemorated and not celebrated.

I was somewhat disturbed not long ago in reading, in one of our leading national weekly magazines, an article under the following heading: "Centennial of the Civil War; Business Booms Like the Cannons at Gettysburg."

One paragraph of this article I found especially disturbing and I would like to read that paragraph:

> "The Centennial will be a bonanza for such specialized industries as diorama-makers and civic celebration management firms. The fireworks industry looks for a one-third increase in annual sales. Publishers are already issuing Civil War books for the shelf. Advertisers will find Civil War tie-ins for everything from frozen foods to jet planes. Record firms will sell enough Civil War music to shatter the stillness at Appomattox. Americans will probably spend more money on or because of the Centennial than the nine billion dollars the North and South spent to fight the war. It will be a shot in the arm for the whole American economy."

It would appear, from the foregoing paragraph, that the theme for this commemoration has a tendency to be "a shot in the arm for the American economy." I would like to suggest, gentlemen, that the theme for this commemoration should be, in the words of the immortal Abraham Lincoln: "It is for us, the living, to be here dedicated to the great task that remains before us."

If this centennial is to serve any useful purpose, it should impress upon the minds of this generation the terrible price paid by our grandfathers in order that we might continue to enjoy the blessings of this great Nation. It seems to me that we, in this modern day and age, have a tendency to take these blessings for granted. It seems to me that we need to be reminded that freedom and liberty are not free, but they were bought for us by our ancestors with their blood. It seems to me that any commemoration of great events in American history should serve to remind us of the cost of our freedom. If we know the cost of our freedom, we may appreciate its value, and if we know the value of our freedom, we may be inclined to guard it more carefully.

I would like to insert at this point that if we know and appreciate the value and the cost of our freedom, we might be less likely to permit the government bureaucrats to buy it from us piece by piece with our own money.

Of course, there will be commercial aspects to this event. The people of Gettysburg have always provided for the comfort and convenience of the visitors to this great and historic shrine. However, I am proud to say, on behalf of the people of Gettysburg, that this top tourist attraction in our State has never been commercialized. The people in Gettysburg look out over the hills surrounding their town and see the grim reminders of those terrible days a century ago. The people of Gettysburg have had eyewitness accounts of those terrible days handed down from parents to children, and the people of Gettysburg find nothing in those stories to be either celebrated or commercialized.

Rather, the people of Gettysburg are most anxious that all America might be made to realize the sacrifice and suffering of those who fought and died in that historic struggle in order that this Nation might continue to be "one Nation under God, indivisible, with liberty and justice for all."

PERMISSION TO ADDRESS SENATE

Mr. WEINER asked and obtained unanimous consent to address the Senate.

Mr. WEINER. Mr. President, might I allay the gentleman's fears which he just expressed here by pointing out to him the fact that although General Biddle is leaving, he will be here until the end of this month, and although

the new Ambassador to The Netherlands, Colonel Rice, is leaving the scene, it does not mean that we are leaving this area. Also involved in this is the President of Gettysburg College, who has been very active on this Civil War Centennial Commission for the celebration of Lincoln's Gettysburg Address.

I think the Commonwealth of Pennsylvania acted wisely in using that as its general name and title for this organization as it set up the Commission. The reason I am convinced that the Commonwealth acted wisely is because, this afternoon, I had the pleasure of attending a luncheon given by the Federated Legislative Committee, here in Harrisburg, at which Bishop W. Vernon Middleton spoke. He is the Methodist Bishop of the Western Pennsylvania Area. One of the things he pointed out, and which I believe is very significant and is becoming more and more the thinking of some of the people in this Country, is that we are spending a great deal of time and money to arouse old fears, old hatreds and old customs that we have long since put aside. I think the Bishop put it very well when he was concerned about our spending this amount of money to celebrate this One Hundredth Anniversary and re-enacting these battles, which resulted in people not liking one another. I think we should, therefore, dwell, in the spending of that money, more on the brotherhood of man. I think the entire theme of the Gettysburg Address, which only took a few minutes for Lincoln to deliver, concerned brotherhood. It was for us who are the living to bind up the wounds, move on and get on with the business of living, and not worry about things which have taken place in the past.

I have served on this Commission and have attended a number of the meetings. We have contacted a number of people to partake in some sort of a panorama. All of this has been very expensive and costly and is the type of thing which you can only do once or twice. That is the end of it and you are left with a great deal of equipment that you can no longer use. However, we felt that by contacting the States which took part in this and having them put on a panorama on their own,—where it would cost the State no money—this would, perhaps, point out the futility of men fighting with each other. If they would get down to the business of living with each other, I think it would serve a greater purpose than putting on any kind of a display of that type.

I think that the area of Gettysburg, in this history of the United States and of the world, has a unique place as being the meeting place of these two great forces. This town will continue to thrive, whether we highlight it by this panorama or whether we just let it sit as it were. You cannot change history. You cannot change historic events nor the people's desire to go back to what is old and what has taken place in the past. It more or less acts as a shrine to the men who gave their lives for the Union to subsist and to continue on. I think we have to do little or nothing in this field. I believe the November 19th date, when Mr. Lincoln gave his historic address, will surely be pointed up as what the entire tenor of the centennial celebration is and should be; namely, the brotherhood of man and the ability of all of us to live together.

I am sure the people who live in that community are interested in the commercial aspect of it. I am certain their fears can be very easily allayed by the fact that there are a tremendous number of people who go there every single day. You only have to pass there to see the crowds that are constantly in Gettysburg, regardless of the time or season. I believe the electric map, which has become world-famous and which has appeared on television series a number of times in connection with the Civil War, is an attraction by itself. Therefore, without us doing anything, we still will have a great number of people who will go to this area.

I think the fact that these two men are leaving should not cause you any concern, because I believe the Commonwealth will continue on in handling this type of problem.

PERMISSION TO ADDRESS SENATE

Mr. BERGER asked and obtained unanimous consent to address the Senate.

Mr. BERGER, Mr. President, I certainly did not expect to engage in this discussion. I, too, was present at the Field Day which was held by the Federated Associations which joined together to make this a semi-annual event at the Mosque, in Harrisburg. I was tremendously impressed by the address given by Bishop Middleton. There was one thing in it, however, which I did disagree with and about which I felt a little bit shocked; namely, that the commemoration and the emphasis on the commemoration of the Civil War Centennial would give emphasis to old hatreds, old antagonisms and so forth. I cannot accept that as being the result of our attention to the great historic events which transpired not only here in Pennsylvania, but for four years over a great part of our southern and western States.

I believe, as Senator Hawbaker so well pointed out, that the commemoration of this great conflict will point up the value of the result which was accopmplished by the armies of the North and South and the people of the North and South in achieving a United Nation and point up the value of the liberties that we continue to enjoy.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

MONDAY, APRIL 17, 1961.

DEMOCRATIC CAUCUS .....1:00 P. M.
REPUBLICAN CAUCUS .....1:00 P. M.

COMMITTEE MEETINGS
TUESDAY, APRIL 18, 1961.

TIME	COMMITTEE	ROOM
10:00 A. M.	LABOR AND INDUSTRY (To discuss House Bill 369)	535

NOTICE

The Senate Committee on State Government will hold Public Hearings on Senate Bills 249, 252 and 253 in the Senate Majority Caucus Room at Harrisburg, on Tuesday, April 25, 1961, at 9:00 a. m.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Monday, April 17, 1961, at 3:00 p. m.

Mr. SEYLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:20 p.m.

HOUSE OF REPRESENTATIVES

TUESDAY, April 11, 1961

The House met at 2:30 p.m., e.s.t.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

O God, before Thy throne we bow
In humble obedience to our vow:
Of dedicated homage to Thy power
Which guides and motivates us in each hour.
Teach us Thy truth in precious Word,
And challenge us to bear Thy sword
Of righteousness to all mankind,
That they may know Thy Will and Mind.
Enable us in service true,
To serve as Thou wouldst have us do;
Enlighten us in talents strong,
To strive for right and shun the wrong.
Keep us ever in Thy gracious love,
And grant us Thy Spirit from above:
Through Jesus Christ, Thy Son, our Lord,
Who liveth and reigneth throughout the world.
Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Monday, April 10, 1961, will be postponed until printed.

The Chair hears none.

QUAKERTOWN JUNIOR HIGH SCHOOL STUDENTS WELCOMED

The SPEAKER. We have a number of visitors today. First we have a delegation of students from the Quakertown Junior High School, 9th grade Civics Class, with their teachers, Mr. Valen Sipple, Mr. Myers, and Mrs. Alvin D. Groff. They are the guests of the lady from Bucks, Mrs. Kooker, and the gentleman from Bucks, Mr. Williams.

GIRL SCOUT TROOP WELCOMED

The SPEAKER. We also have with us as visitors, a troop of Girl Scouts, the Lincoln Park Troop 122, with their leaders, Mrs. James Carmichael, Mrs. James Hafer, and Mrs. George Yost. They are the guests of the gentleman from Berks, Mr. Piper.

WILSON JOINTURE NINTH GRADE STUDENTS WELCOMED

The SPEAKER. We also have as visitors today a group of students from the Wilson Jointure School, 9th grade, who are here with their teachers, Mr. Gresimer, Mr. Mahan, Mr. Carl Wesalouski. They are the guests of the gentleman from Berks, Mr. Piper.

BILLS INTRODUCED AND REFERRED

By Messrs. KAMYK, FILO, DONALDSON and WILT. HOUSE BILL No. 1212.

An Act amending the act of July 5, 1917 (P. L. 693), entitled, "An Act authorizing and empowering the several counties of this Commonwealth to establish and maintain schools for the care and education of children * * *," providing for the transfer of schools to the Commonwealth of Pennsylvania and authorizing operation of schools to be terminated.

Referred to the Committee on Education.

By Messrs. HORST, WILT, KRAMER, CAULEY and ISAACS. HOUSE BILL No. 1213.

An Act amending the "Minor Judiciary Fee Bill," approved January 7, 1952 (P. L. 1841), fixing a fee for issuing search warrants.

Referred to the Committee on Judiciary.

By Messrs. HANKINS, VERONA, PRENDERGAST and SCHAAF. HOUSE BILL No. 1214.

An Act amending the "Public School Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 350), further defining "school employe" to include certain municipal employes and providing further for the purchase of credit for past service.

Referred to the Committee on Appropriations.

By Messrs. HAMILTON, IRVIS, WOOD and ASHTON. HOUSE BILL No. 1215.

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), fixing the maximum tax which may be assessed by school districts and other political subdivisions on the wages, salary, commissions or other earned income of the same individual.

Referred to the Committee on State Government.

By Messrs. PETROSKY, HEAVEY and BUCHANAN. HOUSE BILL No. 1216.

An Act authorizing the State Treasurer under certain conditions to transfer sums of money between the General Fund and certain funds; and subsequent transfers of equal sums between such funds; and making appropriations necessary to effect such transfers.

Referred to the Committee on Appropriations.

By Messrs. BRETH, TRUSIO, TOMPKINS and PETROSKY. HOUSE BILL No. 1217.

An Act amending the act of May 1, 1907 (P. L. 137), entitled "An act relating to the appointment of stenographers and assistant stenographers to report proceedings in the several courts of common pleas, and orphans' courts, courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace, of this Commonwealth * * *," increasing the compensation of official stenographers for copies of stenographic notes.

Referred to the Committee on Judiciary.

By Messrs. KING, BUSH, GAILEY, GELFAND ZEMBER and WHITTAKER. HOUSE BILL No. 1218.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), defining and prohibiting speed traps and prohibiting the use of evidence obtained by their use.

Referred to the Committee on Rules.

By Messrs. McCORMACK, SHERMAN, FINEMAN and EILBERG. HOUSE BILL No. 1219.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), preventing

the diminution of the present value of a superannuation retirement allowance for all classes of membership.

Referred to the Committee on Appropriations.

By Messrs. GALLAGHER, KORNS and STITELER. HOUSE BILL No. 1220.

An Act amending the act of October 21, 1959 (P. L. 1345), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 153.91 acres, more or less, of land in Bensalem Township, Bucks County, * * *" authorizing the conveyance of four appurtenant easements, authorizing the sale of less than all of the said tracts; * * *.

Referred to the Committee on State Government.

By Messrs. MUSTO, MEHOLCHICK, CROSSIN, SHUPNICK, CURWOOD, WARGO, STANK, TOMASICK, BONNER and BACHMAN. HOUSE BILL No. 1221.

An Act amending the "Anthracite Strip Mining Law," approved June 27, 1947 (P. L. 1095) further regulating anthracite strip mining operations; changing provisions with respect to bonds, backfilling restoration permits and registration, including certain persons within the provisions of the act and imposing penalties.

Referred to the Committee on Mines and Mineral Industries.

By Messrs. ROVANSEK, KORNICK, MURPHY, JIM, CAPANO, BUCHANAN, McNALLY, SAKULSKY, MAXWELL, COOLEY, WM. JAMES LONG, KORNS and VARNER. HOUSE BILL No. 1222.

An Act relating to bituminous coal mines; amending, revising, consolidating and changing the laws relating thereto; providing for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith; ***.

Referred to the Committee on Mines and Mineral Industries.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. PIPER asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

REPORTS FROM COMMITTEE

Mr. CAPANO from the Committee on Education, reported as amended, House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; ***" further regulating leaves of absence for presidents and faculty members of State Colleges.

Mrs. HENZEL from the Committee on Education, reported as amended, House bill No. 352, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), enittled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges; ***," increasing the minimum compensation and increments, and changing conditions of payment.

Mr. COOLEY from the Committee on Boroughs, reported as amended, House bill No. 409, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further regulating compensation to aged employes.

Mr. SAKULSKY from the Committee on Boroughs, reported as amended, House bill No. 410, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), further providing for the employment of a certified public accountant.

Mr. RENWICK from the Committee on State Government, reported as amended, House bill No. 893, entitled:

An Act amending the "Local Tax Enabling Act," approved June 25, 1947 (P. L. 1145), placing a limitation on occupation taxes levied by any political subdivision.

Mr. CIOFFI from the Committee on Highways, reported as committed, House bill No. 468, entitled:

An Act repealing section 8 act of July 5, 1957 (P. L. 479) entitled "An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes *** and making an appropriation" abolishing certain requirements.

Mr. MURPHY from the Committee on Judiciary, reported as committed, House bill No. 147, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), further regulating notice given to delinquent taxables.

Mr. MURPHY form the Committee on Boroughs, reported as committed, House bill No. 278, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing the reassessment of certain property and imposing liability for borough taxes upon the owners thereof.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 508, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 536, entitled:

An Act authorizing deductions from the wages or salary of any Commonwealth employe for the payment of contributions to a United Fund, Community Chest, or other similar united community organizations.

Mr. COOLEY from the Committee on Game and Conservation, reported as committed, House bill No. 659, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

Mrs. S. A. ANDERSON from the Committee on Education, reported as committed, House bill No. 722, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), by further providing for the termination of contracts of professional employees.

Mr. DENGLER from the Committee on Education, reported as committed, House bill No. 740, entitled:

An Act amending the "Public School Code of 1949" approved Mach 10, 1949 (P. L. 30), excluding music from supplies of the second class.

Mr. WILLARD from the Committee on Fisheries, reported as committed, House bill No. 812, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), integrating existing law, giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles, into the act; providing additional penalties for violation of provisions relating to frogs, tadpoles and turtles; and repealing certain acts.

Mr. GRAMLICH from the Committee on Fisheries, reported as committed, House bill No. 813, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing.

Mr. CURWOOD from the Committee on Fisheries, reported as committed, House bill No. 814, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

Mr. J. A. O'DONNELL from the Committee on Fisheries, reported as committed, House bill No. 817, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), deleting the requirement of reports by artificial propagation licenses.

Mr. ZIMMERMAN from the Committee on Fisheries, reported as committed, House bill No. 819, enittled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), regulating the sale of bait fish and changing the period for which purchased fish, bait fish or fish bait may be sold or held in possession.

Mr. EDWARDS from the Committee on Fisheries, reported as committed, House bill No. 821, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing in the inland waters, boundary lakes and boundary waters on Sunday.

Mr. O'DELL from the Committee on Fisheries, reported as committed, House bill No. 823, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the fishing license year.

Mr. MERRY from the Committee on Highways, reported as committed, House bill No. 892, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

Mr. DONALDSON from the Committee on Judiciary, reported as committed, House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) deleting certain limitations with respect to aids and services to the blind.

Mr. A .M. LEE fro mthe Committee on Education, reported as committed, House bill No. 934, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for a vote of the majority of electors to enlarge or form union districts.

Mr. DOUGHTEN from the Committee on Game and Conservation, reported as committed, House bill No. 935, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing that the commission shall not have the power to revoke the license of any hunter for the first offense of unlawfully killing game when game of the specie killed is in season.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 943, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled, "An act providing for the recovery and collection of municipal claims by action of assumpsit; ***" by extending the time within which actions of assumpsit may be brought to six years.

Mr. LAMB from the Committee on Judiciary, reported as committed, House bill No. 994, entitled:

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 992, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

Mr. DOUGHTEN from the Committee on Game and Conservation, reported as committed, House bill No. 1029, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provisions for special permits to certain disabled persons.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 1043, entitled:

An Act amending "The Administration Code of 1929," approved April 9, 1929 (P. L. 177), clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services, and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

Mr. WORLEY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1060, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) providing for the transportation of poultry in crates.

Mr. KISTLER from the Committee on Boroughs, reported as committed, House bill No. 1091, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), requiring auditors to elect a chairman and a secretary.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bedding

Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1119, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled, "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth; ***" removing compensation provisions for first aid and mine rescue workers.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1120, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; ***" removing salary provisions for electrical inspectors.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

Mr. GRAY from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1122, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), increasing the annual license fees on milk dealers.

Mr. KORNS from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1124, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), changing the limitation on appropriations which may be made for agricultural extension work.

Mr. MANBECK from the Committee on Agriculture and Dairy Industries, reported as committed, House bill No. 1125, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), increasing the limitations on appropriations which may be made for agricultural extension work.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1130, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to lease, under certain conditions, real property now under the jurisdiction of the Department of Public Welfare, and located at the Dixmont State Hospital, Allegheny County.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 1131, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 99.918 acres more or less of land situate in Kilbuck Township, Allegheny County.

Mr. E. S. WILLIAMS from the Committee on State Government, reported as committed, House bill No. 1135, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk, Venango County, Pennsylvania, with the approval of the Governor.

Mr. STIMMEL from the Committee on State Government, reported as committed, House bill No. 1136, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3 acres more or less of land situate in Somerset Township, Somerset County.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1137, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Public Welfare, to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township, Erie County.

Mr. POLASKI from the Committee on State Government, reported as committed, House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Norristown, Montgomery County, Pennsylvania, for use of Norristown State Hospital.

Mr. LUTTY from the Committee on State Government, reported as committed, House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

Mr. RUDISILL from the Committee on State Government, reported as committed, House bill No. 1166, entitled:

An Act authoriizng the Department of Property and Supplies, with the approval of the Governor, to acquire ninety acres of land, more or less in Canaan Township, Wayne County, for use of Farview State Hospital.

Mr. RENWICK from the Committee on State Government, reported as committed, House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth;"*** further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

Mr. SCHAAF from the Committee on Judiciary, reported as committed, House bill No. 1173, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), clarifying the definition of documents and transactions; providing for determination of deficiencies, redetermination, reviews and appeals therefrom; imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, House bill No. 1179, entitled:

An Act amending "The Administration Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Water and Power Resources Board by including the Secretary of Internal Affairs, the Secretary of Agriculture, and the Secretary of Commerce; and eliminating the engineer member of the board.

Mr. CROSSIN from the Committee on Mines and Mineral Industries, reported as committed, House bill No. 1181, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface waters under certain circumstances; prescribing the duties of the Water and Power Resources Board; and providing penalties.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, Senate bill No. 138, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

Mrs. S. A. ANDERSON from the Committee on State Government, reported as committed, Senate bill No. 139, entitled:

An Act amending the act of June 15, 1951 (P. L. 586) entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

Mr. J. A. SULLIVAN from the Committee on Boroughs, reported as committed, Senate bill No. 185, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

Mr. KLEIN from the Committee on Boroughs, reported as committed, Senate bill No. 189, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting council to appeal from findings of the Civil Service Commission.

Mr. RENWICK from the Committee on Game and Conservation, reported as committed, Senate bill No. 292, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" extending the hours for hunting woodchucks to include the month of June.

Mr. GOODRICH from the Committee on Game and Conservation, reported as committed, Senate bill No. 314, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" permitting unnaturalized foreign-born residents to possess or control dogs.

Mr. WILLARD from the Committee on Game and Conservation, reported as committed, Senate bill No. 372, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" changing provisions relating to shooting restrictions on regulated grounds.

Mr. RUDISILL from the Committee on State Government, reported as committed, Senate bill No. 174, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 278, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519) authorizing the reassessment of certain property and imposing liability for borough taxes upon the owners thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 508, entitled:

An Act amending "The Fiscal Code," approved April 9, 1929 (P. L. 343), authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 536, entitled:

An Act authorizing deductions from the wages or salary of any Commonwealth employe for the payment of contributions to a United Fund, Community Chest, or other similar united community organizations.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 659, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), limiting the number of persons who may hunt deer in unison or as a party.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 722, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), by further providing for the termination of contracts of professional employees.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 740, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), excluding music from supplies of the second class.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 812, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), integrating existing law, giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles, into the act; providing additional penalties for violation of provisions relating to frogs, tadpoles and turtles; and repealing certain acts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 813, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 814, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 817, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), deleting the requirement of reports by artificial propagation licenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 819, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), regulating the sale of bait fish and changing the period for which purchased fish, bait fish or fish bait may be sold or held in possession.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 821, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the number of devices to be used while fishing in the inland waters, boundary lakes and boundary waters on Sunday.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 823, entitled:

An Act amending "The Fish Law of 1959," approved December 15, 1959 (P. L. 1779), changing the fishing license year.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 892, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), deleting certain limitations with respect to aids and services to the blind.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 934, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30), providing for a vote of the majority of electors to enlarge or form union districts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 935, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), providing that the commission shall not have the power to revoke the license of any hunter for the first offense of unlawfully killing game when game of the specie killed is in season.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 943, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled, "An act providing for the recovery and collection of municipal claims by action of assumpsit; * * *" by extending the time within which actions of assumpsit may be brought to six years.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 994, entitled:

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 992, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1029, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), extending provisions for special permits to certain disabled persons.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1043, entitled:

An Act amending "The Administrative Code of 1929," (P. L. 177), clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services, and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1060, entitled:

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872) providing for the transportation of poultry in crates.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1091, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), requiring auditors to elect a chairman and a secretary.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1119, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled, "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth; * * *" removing compensation provisions for first aid and mine rescue workers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1120, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania; * * *" removing salary provisions for electrical inspectors.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846), entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1122, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417), increasing the annual license fees on milk dealers.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1124, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323), changing the limitation on appropriations which may be made for agricultural extension work.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1125, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723), increasing the limitations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1130, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to lease, under certain conditions, real property now under the jurisdiction of the Department of Public Welfare, and located at the Dixmont State Hospital, Allegheny County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1131, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 98.918 acres more or less of land situate in Kilbuck Township, Allegheny County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1135, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk, Venango County, Pennsylvania, with the approval of the Governor.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1136, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 3 acres more or less of land situate in Somerset Township, Somerset County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1137, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Public Welfare, to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township, Erie County.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire land in the Borough of Norristown, Montgomery County, Pennsylvania, for use of Norristown State Hospital.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township, Snyder County, Pennsylvania.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1166, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire ninety acres of land, more or less in Canaan Township, Wayne County, for use of Farview State Hospital.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth;" * * * further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1173, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742), clarifying the definition of documents and transactions; providing for determination of deficiencies, redetermination, reviews and appeals therefrom; imposing duties upon the Secretary of the Commonwealth and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1179, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), increasing the membership of the Water and Power Resources Board by including the Secretary of Internal Affairs, the Secretary of Agriculture, and the Secretary of Commerce; and eliminating the engineer member of the board.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1181, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface waters under certain circumstances; prescribing the duties of the Water and Power Resources Board; and providing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 138, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 139, entitled:

An Act amending the act of June 15, 1951 (P. L. 586) entitled "An act regulating the suspension removal furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class" validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 185, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 189, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 292, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" extending the hours for hunting woodchucks to include the month of June.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 314, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" permitting unnaturalized foreign-born residents to possess or control dogs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 372, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "The Game Law" changing provisions relating to shooting restrictions on regulated grounds.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 174, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled "The Third Class City Code" changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS RE-REFERRED

Mr. RUDISILL from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 150, entitled:

An Act amending the act of July 21, 1941 (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, * * *," providing that all witnesses be paid mileage daily.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

Mr. RUDISILL from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Judiciary, House bill No. 153, entitled:

An Act amending the act of May 22, 1933 (P. L. 851), entitled "An act fixing the pay and mileage of jurors and witnesses," providing that every juror shall be paid mileage daily.

The SPEAKER. The bill is re-referred to the Committee on Judiciary.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. CAPANO asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

Mr. POLEN asked and obtained permission for the Committee on Appropriations to meet during the session of the the House.

Mr. PARLANTE asked and obtained permission for the Committee on Banking to meet during the session of the House.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. JIM asked and obtained unanimous consent to add additional sponsors to a bill to be introduced by him.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair notes the presence in the hall of the House of a distinguished former member who served with distinction in this House and is now a judge of the Common Pleas Court of Allegheny County, the Honorable Homer S. Brown.

The Chair invites the judge to the rostrum to say a few words to the members.

JUDGE HOMER S. BROWN. Mr. Speaker and members of the House, I have with me today three of my colleagues from the Common Pleas Court of Allegheny County. With the permission of the Speaker, I should like them to take a bow: The Honorable Henry X. O'Brien, the Honorable Loran L. Lewis, and the Honorable William F. Cercone.

We are not here to get any pay raise at this time, but I am so very, very happy to have a chance to stand on this rostrum again and look out into your faces. I think it was James Barrie, one of the great writers of Scotland, who said that man is the only living animal that has a memory so that he can have roses in December. Of course that was years ago. I have roses in December because I remember the House of Representatives, and I can see now the faces of the men and women with whom I served seated as you are seated now.

The times call now for men and women of great strength and of great potentiality, and I know of no place within the confines of constitutional government where you can give that service better than in the hall of the House of Representatives.

I know my friend, Hi Andrews, will remember this, but I want to give it to the new members, and this is off the record. Coming in this morning, I said to one of the members that I always resented the Senators coming down the aisles to seats in the joint session and the House members rising for them. I did not understand why that was; I do not understand it today. They ought to rise for you. When the Constitution was adopted, and prior to the Constitution, when the people decided where tax measures should arise, they said they shall arise in the House. That is no accident.

Another thing, do you know that they considered, and considered carefully, the question of impeachment, because in the question of impeachment no judicial forum can overrule the General Assembly. When the House brings in a bill of impeachment and the Senate votes upon it, that is final. There is no appeal, not even to the Supreme Court of the United States, that can review the procedure.

But they did not trust that matter of initiating impeachment to the Senate; they put it in the House. I could go on and on because I love the House, but I will not. You will have to rise when the other body comes in from now on, for I understand if you do not, this great Speaker, this tower of strength, might come down and attach you in some way. Be standing there physically, but in your mental capacities be operating so that they are rising for you.

Thanks so very much. It is so very nice to be here. Good bye and good luck to all of you.

The SPEAKER. The Chair is sorry that we cannot enact the statements of the learned judge from Allegheny County into statutory law. If we could do that, we would have the Senate on the hip.

FORMER MEMBER WELCOMED

The SPEAKER. We have present in the hall of the House, Judge Joseph D. Burke of the Orphans Court of Philadelphia County, a former member of the House.

We also have present another judge, Judge Robert V. Bolger of the Orphans Court of Philadelphia County.

We are especially honored by the judiciary today.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. MAXWELL asked and obtained permission for the Committee on Public Health and Santitation to meet during the session of the House.

SENATE MESSAGE

TIME OF NEXT MEETING

The clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

Resolved, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvenes Monday, April 17, 1961 at three o'clock p. m., e. s. t., and when the House of Representatives adjourns this week, it reconvene Monday, April 17, 1961 at four o'clock p. m., e. s. t.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 273.

An Act to further the economic development of the Commonwealth providing for an economic message by the Governor creating a Governor's Council for Economic Development and an Interdepartmental Economic Advisory Committee and a Citizen's Action Committee on jobs and business climate and defining the powers and duties of these agencies.

Referred to the Committee on State Government.

JEFFERSON SCHOOL STUDENTS WELCOMED

The SPEAKER. There was present, and I hope they are still present, members of the Fifth Grade Opportunity Class of the Jefferson School of Allentown, who are here with their teacher, Mrs. Ellen L. Boyer.

They are the guests of the gentlemen from Lehigh, Messrs. Stimmel and Backenstoe.

NEW CUMBERLAND YOUTH GROUP WELCOMED

The SPEAKER. There is another delegation present, the New Cumberland Protestant Youth Group, who are here under the guidance of Mr. Richard R. Backenstoe.

They are the guests of the gentleman from Montgomery, Mr. Willaredt.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STONE asked and obtained permission for the Committee on Welfare to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale gift or use in Pennsylvania providing for registration of such manufacturers the paying of a fee for such registration the issuance of a seal of approval to such manufacturers * * * and providing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 79, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," authorizing the use of radio-microwave equipment in timing speed, further regulating convictions prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways and prescribing penalties.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

HOUSE RESOLUTION NO. 48

Mr. McCANN. Mr. Speaker, I call up on page 26 of today's calendar, House Resolution No. 48.

The resolution was read by the clerk as follows:

RESOLUTION PROPOSING AMENDMENT TO HOUSE RULE 47

In the House of Representatives, April 4, 1961.

Resolved That House Rule 47 which reads

"Bills on second reading shall be considered in their calendar order by sections or articles and be subject to amendment

The title of the bill shall be read last

No House bill on second reading shall be considered until called up by a Member"

is hereby amended by substituting therefor the following

Bills on second reading shall be considered in their calendar order and be subject to amendment

No House bill on second reading shall be considered until called up by a member

On the question,

Will the House adopt the resolution?

On a rising vote, more than one hundred and six members having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 31, entitled:

An Act amending "The First Class City Permanent Registration Act," approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FINEMAN offered the following amendments:

Amend Sec. 1 (Sec. 23), page 4, lines 3 and 4, by striking out "and has voted for THREE years."

Amend Sec. 1 (Sec. 23), page 4, line 5, by striking out "registered" and inserting: reregistered.

Amend Sec. 1 (Sec. 23), page 4, line 8, by inserting after "record": and further provided that such person has voted within three years of the date of such reregistration.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 55, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) requiring county election boards to submit additional reports with respect to registered electors and making the reports available.

The first section was read.

On the question,

Will the House agree to the section?

Mr. McCANN offered the following amendment:

Amend Sec. 1 (Sec. 302), page 2, line 13 by striking out "WITH" where it appears the second time.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 148, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for an assistant secretary of the board of school directors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 154, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) providing for an assistant township secretary.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend Sec. 1 (Sec. 543), page 2, line 6, by striking out "AND"

Amend Sec. 1 (Sec. 543), page 2, line 7, by inserting after "SERVICES" and shall be bonded.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 157, entitled:

An Act amendinng "The First Class Township Code," approved June 24, 1931 (P. L. 1206) providing for an assistant township secretary.

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend Sec. 1 (Sec. 901.1), page 2, line 6, by striking out "AND"

Amend Sec. 1 (Sec. 901.1), page 2, line 7, by inserting after "SERVICES" and shall be bonded.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 524, entitled:

An Act authorizing the taking and use of notes by jurors during any trial.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 579, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), regulating special waterfowl management areas.

The first section was read.

On the question,

Will the House agree to the section?

Mr. CURWOOD offered the following amendment:

Amend Sec. 1 (Sec. 939), page 2, line 4, by striking out "and Hunting"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 586, entitled:

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), eliminating the necessity of advertising in newspapers to change open seasons for shooting on special waterfowl management areas established by the Game Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 640, entitled:

An Act repealing section 2511 act of March 10, 1949 (P. L. 30) known as the "Public School Code of 1949," relating to payments on account of closed schools.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1083, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance by the board of identification cards and changing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1154, entitled:

An Act transferring inheritance tax commissions of the Register of Wills of Philadelphia County to the Department of Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1184, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669) entitled as amended "An act to provide revenue for school districts of the first class by imposing a tax on persons engaging in certain businesses professions occupations trades vocations and commercial activities therein providing for its levy and collection conferring and imposing powers and duties on the Board of Public Education receiver of school taxes and school treasurer in such districts and prescribing penalties" further defining "receipts" to exclude fresh or frozen seafood shell-fish and fish making such definition retroactive.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 188, entitled:

An Act amending the act of July 15, 1957 (P. L. 901) entitled "Optional Third Class City Charter Law" changing provisions relating to city charter commissioners.

And said bill having been read at length the second time, and agreed to.

Ordered, to be transcribed for third reading.

REPORTS FROM COMMITTEE

Mr. LAWSON from the Committee on Public Health and Sanitation, reported as amended, House bill No. 458, entitled:

An Act requiring toilet facilities to be furnished for employes and patrons of certain parking lots and fixing penalties.

Mr. YETTER from the Committee on Highways, reported as committed, House bill No. 663, entitled:

An Act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; * * * authorizing rules and regulations and providing penalties for violations thereof, and making an appropriation.

Mr. J. A. O'DONNELL from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 866, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624) requiring banks, bank and trust companies and savings banks to pay interest on certain savings accounts.

Mr. J. H. GOLDSTEIN from the Committee on Banking and Building and Loan Associations, reported as committed, House bill No. 880, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch, the period of public notice for the discontinuance of a branch, and the provisions relating to honorary directors, directors emeritus and members of advisory boards; * * *.

Mr. CAPANO from the Committee on Welfare, reported as committed, House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; * * *," further defining the liability of relatives and estates by the entireties.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1200, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, * * * and the salary and expenses of the members of the General Assembly, * * ," fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

Mr. McCANN from the Committee on Rules, reported as committed, House resolution No. 52.

Mr. McCANDLESS from the Committee on Agriculture and Dairy Industries, re-reported as amended, House bill No. 313, entitled:

An Act amending the "Soil Conservation Law" approved May 15, 1945 (P. L. 547) creating the State Soil and Water Conservation Commission and districts imposing powers and duties thereon * * * and making editorial corrections.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 663, entitled:

An Act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes; * * * authorizing rules and regulations and providing penalties for violations thereof, and making an appropriation.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 866, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624) requiring banks, bank and trust companies and savings banks to pay interest on certain savings accounts.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 880, entitled:

An Act amending the "Banking Code," approved May 15, 1933 (P. L. 624), changing provisions governing the change of the place of business of a branch, the period of public notice for the discontinuance of a branch, and the provisions relating to honorary directors, directors emeritus and members of advisory boards; * * *.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661), entitled "An act relating to the maintenance of insane, feeble-minded and other persons confined in the various institutions of the Commonwealth; fixing liability for their support; * * *," further defining the liability of relatives and estates by the entireties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1200, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959), entitled "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court, * * * and the salary and expenses of the members of the General Assembly, * * *," fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mrs. MARKLEY asked and obtained unanimous consent to address the House.

Approximately two weeks ago, I was one of the sponsors of a resolution introduced in this House asking that inquiry be made regarding the administration of the Bureau of Highway Safety.

My signature on this resolution was not an idle whim, nor was it politically motivated.

From 1950 when we issued over 3 million operators' licenses in this State, we have increased steadily so that by the end of 1960 there are now approximately over 5

million operators licensed in this State. And of course these citizens pay for this privilege. As a Representative in this House it has been very embarrassing to me to learn from time to time of the poor organization we have established which we call the Bureau of Highway Safety, under whose jurisdiction these operators fall.

We are all in accord with the need for greater safety on our highways. However, there is much disagreement in the manner in which we reach this accord.

Mr. Speaker, it is very distasteful to me to have to bring to the attention of the public the incompetency of this bureau, but I can no longer sit quietly by as we continue to persecute citizens of our State in the operation of this department.

Mr. Speaker, I want to know, why does an operator who has been suspended have to wait a week, two weeks or even longer to have his license reinstated after the suspension period has expired?

Why does an operator who is required to furnish proof of financial responsibility have to wait thirty days or more after the necessary proof is furnished to the department before he is reinstated? Why does an innocent citizen involved in an automobile accident lose both operator's license and license plates when the claim has been satisfied and the guilty party has assumed all responsibility?

Mr. Speaker, why does a member of the legislature or other official have to come to Harrisburg to intercede in behalf of these citizens?

A new development has come to my attention. It seems that in certain areas in this State reports of motor code violations have not been reported to the bureau. This is true in quite a few areas, and I mention only one, the city of Lancaster. What about the areas which did make such report? The individuals in these areas may have lost their operator's license and surrendered same to the bureau, while, in other areas, the operator went free. Such discrimination is without precedent. Why, when holders of an operator's privilege were required to take physical examinations, was the issuance of license withheld for several weeks?

Further, we are now considering enforcement by the use of radar. I voted for this measure on two occasions as a member of this House. Now I am wondering whether a vote for radar means there will be further persecutions to our holders of operators' licenses because of this disorganized Bureau of Highway Safety.

I ask you, ladies and gentlemen of the House, if they cannot cope with the case load which presently exists, how can they possibly assume any additional violations?

I plead with the Governor of this State, my colleagues in the General Assembly, that we assume the responsibility conferred upon us as elected officials, clear up this "mess" in the Bureau of Highway Safety and give the citizens who are operators of motor vehicles, an honest, fair administration of the motor vehicle code.

I would also plead with the press who editorialize the need for specific means of making our highways safer that they insist an investigation be made of this department to protect the public from further injustice.

I am not aiming criticism at any individual or employe. However, apparently sufficient study was not given to the far-reaching results when this octopus was created. Instead, we are continually becoming more and more involved and individuals who own an operator's privilege have become second-class citizens. I say to you that the operation of this department reeks of incompetence and the fault lies wholly in its administration.

I ask, Mr. Speaker, that this resolution be given immediate consideration.

I thank you.

PERMISSION TO ADDRESS HOUSE

Mr. ESHLEMAN asked and obtained unanimous consent to address the House

Mr. Speaker, I realize I am following the best in the House, but I would still like to be recognized.

I would like to read part of a news article that appeared in the Lancaster New Era last week and then also read an editorial in full in the same paper.

> "Drivers are escaping penalties in many parts of Pennsylvania.
>
> Lancaster is not the only place in which motorists are escaping penalties for moving traffic violations—it's happening in many parts of the State.
>
> "That became increasingly evident today with reports from Pittsburgh and Philadelphia on failure of magistrates to send in the controversial form OR 330, on which the Bureau of Traffic Safety bases suspensions of driving licenses.
>
> "The situation was brought to light in Lancaster a week and a half ago, when it was announced that 1,800 autoists arrested in the city were not being penalized. Investigation showed that many other aldermen—in the Harrisburg, Reading and Bethlehem areas—were not sending in the forms.
>
> "In Pittsburgh, an assistant district attorney said today that a few magistrates are sending in the forms—but many are not.
>
> "And in Philadelphia, no reports on stop sign violators have been sent in for the past year, even though this offense draws a penalty under the Governor's highway safety program."

The following editorial is entitled, "All Over the State."

> "It becomes more evident with every passing day that the failure of aldermen to report moving traffic convictions to the state bureau of traffic safety is not only a local problem.
>
> "Each time the New Era inquired in another part of the state, we found that the laxity exists there too.
>
> "In fact, it is a statewide problem that calls for a statewide investigation.
>
> "Pittsburgh and Philadelphia are the latest cities to be added to the growing list of those where many aldermen or justices of the peace are not sending in the violation report on which the state acts to suspend a driver's license.
>
> "An assistant district attorney in Pittsburgh reported that a few magistrates are sending in the forms, but many are not . . .
>
> "What this all adds up to is that thousands of drivers in every part of the state are driving free of suspensions they should have had.
>
> "If the Governor's traffic safety program is going to mean anything at all, something must be done to close the loopholes and end the slipshod manner of handling license suspensions for traffic violations."

I submit to the House that we are for highway safety on both sides of the aisle. I do not believe that we are for this kind of highway safety.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. McCANN. Mr. Speaker, I will take the opportunity to say that I know of no one who is more sympathetic to the situation as explained by the lady from Lehigh, Mrs. Markley, but I also want to bring to her attention and to the attention of the membership of this House that we are not debating the radar provisions, but radar is to be handled by the Pennsylvania State Police, period. Not by anyone else. I also would like to say that I believe I am aware of the situations that the lady has spoken about and, like you, I have heard of such complaints both personally and from other members. I am well aware that she has me at a great disadvantage today because my own Democratic membership is solidly behind her position, led by the Speaker, no less.

But I would honestly question her and all the other members as to whether they are not just as sincere in the highway safety program, and they will have their opportunity to vote. Some will be for it and some will be against it, and rightfully so.

As to these items that you speak of, I do not know if it is proper to say that there is, right now, a conference on the same things you state and in which your Senator is sitting with the Governor at this very minute. Senator Van Sant is in the conference that was arranged on this subject over a week ago.

I did not know that the lady intended to present this on the floor with the Senator presenting it to the Governor at this very minute, but the timing is excellent.

I will honestly say that her remarks will be carefully checked and I assure the lady and the membership of this House that we have no more right to tolerate those than we have to tolerate those who are not properly charged with the traffic violations that exist.

As to the gentleman from Lancaster who spoke, I will question very closely his statement dealing with magistrates' reports from Philadelphia and Pittsburgh. I think you will find that the other way, that the city of Philadelphia has submitted more so-called moving violations, that is, the moving violation where you slow down for a stop sign and the officer says you did not stop and they charge you with a violation. Those reports are received each and every month and are a matter of record. Every magistrate is required to send the proper report dealing with the violation of the motor code enacted two years ago under the direction of Mr. Isaacs, I believe. The magistrates' reports are required to be submitted each and every month; I believe it is 10 days or 20 days after the month. If they do not submit the report or any other vehicle violation report, they are then processed through to the Attorney General for necessary prosecution, I believe.

So I say to you, it does not exactly fit one circle or another. But I honestly say to each member of this House, and I say to the lady from Lehigh County, that she will get the greatest attention on what she said here today that was ever heard of when I call the next Democratic caucus.

Mr. Speaker, it is 4 o'clock and I certainly would like to start. We have 32 bills that I would like to vote on here today.

The SPEAKER. For what purpose does the minority leader rise?

Mr. A. W. JOHNSON. Mr. Speaker, while we are on this subject I have a few thoughts that I would like to express.

The SPEAKER. Everybody else has; go ahead.

Mr. A. W. JOHNSON. That is what I mean.

I do not know what the experience of the members of this House is, but I am only home a couple days a week and my time is almost taken up entirely by aggrieved motorists who are suffering under this schedule of penalties and are losing their licenses for 15, 30, 60, and 90 days.

I want to give you some of the things that I have picked up from motorists on how they feel about it statewide.

First of all, one fellow had clippings wherein the Governor announced in February of 1960 the 13 categories wherein if the motorist fell his license was suspended anywhere from 15 to 90 days. A motorist said to me, "I wish you would look in the statute books and see who has the power to issue that regulation or this schedule of penalties, days of violation." You look it up, and in the Motor Vehicle Code it is the Secretary of Revenue who has the power only to set up those schedules. But the Governor of Pennsylvania has seized that power and handed it to the Secretary of Revenue and said, "Here are the 13 categories. You can support them as Secretary of Revenue." A lot of motorists know that and they do not feel very good about it.

Secondly, I am hearing a lot about the out-of-State pinch. A driver who goes to Florida and is arrested in North Carolina, South Carolina, or Georgia, by local courts, by faulty radar, by other devices, and is fined $27.50 or $35, has his license suspended eventually in Georgia or North Carolina and then the first thing you know his license is suspended in Pennsylvania as well for 30 days or 60 days, depending upon the speed category he fits into in Pennsylvania. Many motorists feel that is double punishment and eminently unfair. I am just reporting to the House the things that are coming to my ears as we talk to the motorists back home.

Another thing they are talking about is the so-called hearings that they get. You get a message from the Secretary of Revenue that you are going to be suspended for 30 days, but you are entitled to a hearing. You look up the law and it says that the Secretary of Revenue cannot suspend you except after or on sufficient evidence he finds that you have violated a traffic law and therefore are subject to the penalty. Motorists say these hearings are a farce. The Commonwealth does not present any evidence at all. The examiners sit there; you are called in; you the motorist have to give evidence against yourselves. Later on, after this is typed up, the motorist gets a message from the Secretary of Revenue that, after this proper hearing and after finding on sufficient evidence, you are suspended for 30 days. That is going on and the motorists do not like it.

The next service that is being rendered: The motorist after he has paid his fine, after he has been subjected to the 30-day suspension in full force, the Secretary of Revenue sends out to all the newspapers the names of these people, and they are then presented in the newspapers saying that John Doe has been suspended for 30 days. People are getting pretty sore about that, particularly those who have filed an appeal to the Common Pleas Court and their appeal is pending. Even so, they get a notice in the paper that they have been suspended for 30 days.

Now, I am for highway safety and we of the legislature have set up all these procedures and I do not know

whether there is anything we can do about it, but I am just telling you the way the people feel about it.

The barons of 1215 at Runnymeade got from King John the Magna Carta, and one of these days there is going to be a march on Harrisburg by the average motorist of Pennsylvania. This is a report from back home that I have found.

The SPEAKER. For what purpose does the gentleman from Delaware, Mr. Isaacs, rise?

Mr. ISAACS. Mr. Speaker, I would like to have about two minutes inasmuch as my name was brought into the discussion, to straighten the matter out.

The SPEAKER. The Chair hears no objection. The gentleman will proceed.

Mr. ISAACS. Mr. Speaker, the majority leader was right when he said we passed a bill requiring magistrates to make reports. Those reports were reports of the money collected by them. It had nothing to do with the report to the Bureau of Highway Safety. There was an attempt in 1955 to pass such a bill through this House. It failed to get through in the shape that it was entered and yet the Bureau of Highway Safety, after two or three words were changed in section 1206, at the time, insisted the magistrates had to make these reports. Two years later, in 1957, those words were deleted and that is the way the law stands today. Many of the justices of the peace and aldermen, and I think many of the Philadelphia, reports are not processed. As a matter-of-fact, I have never made one. I believe that if the Bureau of Highway Safety wants these reports, they should go after the House and the General Assembly and pay the magistrates for making them. They are a page long; we want them in two copies on an appeal to the court. I might further suggest that Revenue and Safety apparently do not talk to one another. We have met with Safety to work out a form for the report on which we could agree, but the form has never been submitted. However, if Revenue and Safety would agree, perhaps one report would do for both of them with sufficient copies, and a lot of trouble would be saved for everybody.

Mr. McCANN. Mr. Speaker, we have 32 bills and two concurrences that are agreed to, and we will for two hours now vote and debate.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 727, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing for expenses in going to and returning from meetings.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Bill, page 2, by inserting after line 13:

Section 2. This act shall take effect the first Monday of January, 1962.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 731, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

On the question,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Bill, page 2, by inserting after line 8:

Section 2. This act shall take effect the first Monday of January, 1962.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 737, entitled:

An Act amending the "Transfer Inheritance Tax Law" approved June 20, 1919 (P. L. 521) increasing deductions to be made by administrators executors or other trustees from certain legacies or shares in the distribution of estates subject to tax.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Frascella,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fry,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Fulmer,	Leonard,	Royer,
Arlene,	Gailey,	Limper,	Rubin,
Ashton,	Gallagher,	Lippincott,	Rudisill,
Auker,	Gelfand,	Long, Wm. Jas.,	Sakulsky,
Bachman,	George,	Long, Wm. Jos.,	Scarcelli,
Backenstoe,	Gibb,	Lutty,	Schaaf,
Blair,	Gibbons,	Manbeck,	Seltzer,
Boles,	Goldstein, J. H.,	Markley,	Shelton,
Bonner,	Goodrich,	Marsh,	Sherman,
Bossert,	Gramlich,	Maxwell,	Shupnik,
Bower,	Gray,	May,	Simmons,
Bowman,	Gremminger,	McCann,	Slack,
Branca,	Guesman,	McDevitt,	Snare,

Breth,	Guthrie,	McDonald,	Stank,
Buchanan,	Hamilton,	McInroy,	Stimmel,
Bush,	Hankins,	McKeever,	Stiteler,
Capano,	Hartley,	McLaughlin,	Stone,
Capitolo,	Haudenshield,	McNally.	Sullivan, J. A.,
Cauley,	Heavey,	Meholchick,	Sullivan, T. F.,
Cianfrani,	Heffner,	Mihm,	Taylor,
Cioffi,	Helm,	Miller,	Tomascik,
Clarke,	Henzel,	Mills,	Tompkins,
Comer,	Holliday,	Monroe,	Ujobai,
Cooley,	Holman,	Morley,	Varner,
Crossin,	Irvis,	Mullen,	Verona,
Curwood,	Isaacs,	Murphy,	Wall,
Davis,	Jenkins,	Musto,	Walsh,
Dengler,	Jim,	O'Donnell, J. A.,	Wargo,
Dennison,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Donaldson,	Johnson, R. P.,	Ogilvie,	Welsh,
Dougherty,	Jones,	Odorisio,	Wescott,
Doughten,	Kamyk,	Parlante,	Whittaker,
Down,	Keiser,	Pashley,	Willard,
Edwards,	Kelly,	Perry,	Willaredt,
Eilberg,	Kernaghan,	Petrosky,	Williams, A. D.
Eshback,	Kessler,	Piper,	Williams, E. S.,
Eshleman,	Kistler,	Polaski,	Wilt,
Ewing,	Klein,	Polen,	Wood,
Farabaugh,	Knecht,	Prendergast,	Worley,
Fetterolf,	Kooker,	Pursley,	Yetter,
Filo,	Korns,	Reibman,	Zember,
Fineman,	Kramer,	Reidenbach,	Andrews,
Flynn,	Lamb,	Renwick,	Speaker
Foerster,	Lawson,		

NAYS—15

Elvey,	Hocker,	McCandless,	Strausser,
Foor,	Horst,	Merry,	Thompson,
Fox,	King,	O'Dell,	Zimmerman,
Gross,	Magee,	Rutherford,	

NOT VOTING—10

Goldstein, M. H.,	Munley,	Price,	Steckel,
Kornick,	Murray,	Schuster,	Trusio,
McCormack,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 741, entitled:

An Act amending "The County Code," approved August 9, 1955 (P. L. 323), requiring the offices of any county of the third class to remain closed on Saturday.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Mrs. HENZEL. Mr. Speaker, I rise in opposition to this motion. Those of us who were sponsors of this bill realize that it contains an item that was unique to a problem that existed in third class counties. Now we are faced with a motion of recommittal. There are various ways of killing a bill. Sometimes they go back for further study. I say that in relation to this bill I feel no further study is necessary. The bill is quite simple. It states very clearly exactly what is wanted and no further study could take place at a better place than here on the floor of the House.

With this type of motion we have no opportunity to debate the fine points of the bill to show how it would facilitate the services and the organization of third class counties under this situation. We who are sponsors of the bill do not object to opposition, but we would like the opportunity to present our point of view.

Therefore, I would request that we be given this opportunity by the members of the House to vote down this motion. I request a roll call.

Mr. PETROSKY. Mr. Speaker, being a member of the House from a third class county, I would request the membership of the House to support the motion for recommittal to the Committee on Rules.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mrs. HENZEL and Mr. TOMPKINS and were as follows:

YEAS—104

Anderson, S. A.,	Foerster,	Long, Wm. Jos.,	Riley,
Arlene,	Frascella,	Lutty,	Rovansek,
Auker,	Fry,	Maxwell,	Royer,
Bachman,	Gailey,	McCann,	Rubin,
Blair,	Gallagher,	McCormack,	Rudisill,
Boies,	Gelfand,	McDonald,	Rutherford,
Bonner,	Gray,	McKeever,	Sakulsky,
Branca,	Gremminger,	McLaughlin,	Scarcelli,
Breth,	Guesman,	McNally,	Schaaf,
Capano,	Hamilton,	Meholchick,	Schuster,
Capitolo,	Hankins,	Mihm,	Shelton,
Cauley,	Hartley,	Miller,	Sherman,
Cianfrani,	Irvis,	Monroe,	Stank,
Cioffi,	Jenkins,	Morley,	Stone,
Clarke,	Jim,	Mullen,	Sullivan, J. A.,
Comer,	Jones,	Musto,	Sullivan, T. F.,
Cooley,	Kamyk,	O'Dell,	Taylor,
Curwood,	Kelly,	O'Donnell, J. A.,	Tomascik,
Dougherty,	Klein,	O'Donnell, J. P.,	Verona,
Doughten,	Kooker,	Parlante,	Walsh,
Eilberg,	Kramer,	Pashley,	Wargo,
Eshleman,	Lamb,	Perry,	Welsh,
Farabaugh,	Lawson,	Petrosky,	Wood,
Filo,	Leonard,	Polen,	Yetter,
Fineman,	Limper,	Prendergast,	Zimmerman,
Flynn,	Long, Wm. Jas.,	Renwick,	Andrews, Speaker

NAYS—93

Adams,	Gibb,	Knecht,	Seltzer,
Anderson, J. H.,	Gibbons,	Korns,	Shupnik,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Simmons,
Backenstoe,	Goodrich,	Lee, K. B.,	Slack,
Bossert,	Gramlich,	Lippincott,	Snare,
Bower,	Gross,	Magee,	Stimmel,
Bowman,	Guthrie,	Manbeck,	Stiteler,
Buchanan,	Haudenshield,	Markley,	Strausser,
Bush,	Heffner,	Marsh,	Thompson,
Crossin,	Helm,	May,	Tompkins,
Davis,	Henzel,	McCandless,	Ujobai,
Dengler,	Hocker,	McDevitt,	Varner,
Dennison,	Holliday,	McInroy,	Wall,
Donaldson,	Holman,	Merry,	Weidner,
Down,	Horst,	Mills,	Wescott,
Edwards,	Isaacs,	Murphy,	Whittaker,
Elvey,	Johnson, A. W.,	Odorisio,	Willard,
Eshback,	Johnson, R. P.,	Ogilvie,	Willaredt,
Ewing,	Keiser,	Piper,	Williams, A. D.,
Fetterolf,	Kernaghan,	Polaski,	Williams, E. S.,
Foor,	Kessler,	Pursley,	Wilt,
Fox,	King,	Reibman,	Worley,
Fulmer,	Kistler,	Reidenbach,	Zember,
George,			

NOT VOTING—9

Goldstein, M. H.,	Munley,	Needham,	Steckel,
Heavey,	Murray,	Price,	Trusio,
Kornick,			

So the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 744, entitled:

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206), authorizing the establishment and maintenance of certain places used and maintained for the collection of storage and disposal of certain goods and materials to be licensed.

On the question,

Will the House agree to the bill on third reading?

Mr. HAMILTON asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 3 by inserting after "amended" May 27, 1949 (P. L. 1955) is amended

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 745, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), authorizing the licensing of junk dealers junk yards and scrap yards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Frascella,	Lawson,	Reidenbach,
Anderson, J. H.,	Fry,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Riley,
Arlene,	Gallagher,	Leonard,	Rovansek,
Ashton,	Gelfand,	Limper,	Royer,
Auker,	George,	Lippincott,	Rubin,
Bachman,	Gibb,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, J. H.,	Lutty,	Sakulsky,
Boies,	Goodrich,	Magee,	Scarcelli,
Bonner,	Gramlich,	Manbeck,	Schaaf,
Bossert,	Gray,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Seltzer,
Bowman,	Gross,	Maxwell,	Shelton,
Branca,	Guesman,	May,	Sherman,
Breth,	Guthrie,	McCandless,	Shupnik,
Buchanan,	Hamilton,	McCann,	Simmons,
Bush,	Hankins,	McCormack,	Slack,
Capano,	Hartley,	McDevitt,	Snare,
Capitolo,	Haudenshield,	McDonald,	Stank,
Cauley,	Heavey,	McInroy,	Stimmel,
Cianfrani,	Heffner,	McKeever,	Stiteler,
Cioffi,	Helm,	McLaughlin,	Stone,
Clarke,	Henzel,	McNally,	Strausser,
Comer,	Hocker,	Meholchick,	Sullivan, J. A.,
Cooley,	Holliday,	Merry,	Sullivan, T. F.,
Crossin,	Holman,	Mihm,	Taylor,
Curwood,	Horst,	Miller,	Thompson,
Davis,	Irvis,	Mills,	Tomascik,
Dengler,	Isaacs,	Monroe,	Tompkins,
Dennison,	Jenkins,	Morley,	Ujobai,
Donaldson,	Jim,	Mullen,	Varner,
Dougherty,	Johnson, A. W.,	Murphy,	Verona,
Doughten,	Johnson, R. P.,	Musto,	Wall,
Down,	Jones,	O'Dell,	Walsh,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wargo,
Eilberg,	Keiser,	O'Donnell, J. P.,	Weidner,
Elvey,	Kelly,	Odorisio,	Welsh,
Eshback,	Kernaghan,	Ogilvie,	Whittaker,
Eshleman,	Kessler,	Parlante,	Willard,
Ewing,	King,	Pashley,	Willaredt,
Farabaugh,	Kistler,	Perry,	Williams, A. D.,
Fetterolf,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Yetter,
Foerster,	Kramer,	Prendergast,	Zember,
Foor,	Lamb,	Reibman,	Zimmerman,

NAYS—5

Fox,	Pursley,	Wescott,	Worley,
Fulmer,			

NOT VOTING—9

Goldstein, M. H.,	Murray,	Price,	Trusio,
Kornick,	Needham,	Steckel,	Andrews,
Munley,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 746, entitled:

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), authorizing the regulation and licensing of junk dealers, junk yards and scrap yards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—188

Adams,	Frascella,	Lamb,	Renwick,
Anderson, J. H.,	Fry,	Lawson,	Riley,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Boies,	Goodrich,	Lutty,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Bowman,	Gross,	Maxwell,	Sherman,
Branca,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holliday,	Mihm,	Taylor,
Crossin,	Holman,	Miller,	Thompson,
Curwood,	Horst,	Mills,	Tomascik,
Davis,	Irvis,	Monroe,	Tompkins,
Dengler,	Isaacs,	Morley,	Ujobai,

Donaldson,	Jenkins,	Mullen,	Varner,
Dougherty,	Jim,	Murphy,	Verona,
Doughten,	Johnson, A. W.,	Musto,	Wall,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,
Edwards,	Jones,	O'Donnell, J. P.,	Wargo,
Eilberg,	Kamyk,	Odorisio,	Weidner,
Elvey,	Keiser,	Ogilive,	Welsh,
Eshback,	Kelly,	Parlante,	Whittaker,
Eshleman,	Kernaghan,	Pashley,	Willard,
Ewing,	Kessler,	Perry,	Willaredt,
Farabaugh,	King,	Petrosky,	Williams, A. D.,
Fetterolf,	Kistler,	Piper,	Williams, E. S.,
Filo,	Klein,	Polaski,	Wilt,
Fineman,	Knecht,	Polen,	Wood,
Flynn,	Kooker,	Prendergast,	Yetter,
Foerster,	Korns,	Reibman,	Zember,
Foor,	Kramer,	Reidenbach,	Andrews, Speaker

NAYS—6

Dennison,	Fulmer,	Wescott,	Worley,
Fox,	Pursley,		

NOT VOTING—12

Goldstein, M. H.,	McCandless,	Needham,	Steckel,
Kornick,	Munley,	O'Dell,	Trusio,
Magee,	Murray,	Price,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Butler, Mr. McCandless, rise?

Mr. McCANDLESS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. McCANDLESS. Mr. Speaker, I was talking to another member while this bill was being voted on. I would like to have noted on the record that I would have voted "aye" on this bill.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 747, entitled:

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing the establishment and maintenance of places used and maintained for the collection of storage and disposal of certain goods and materials to be licensed.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Frascella,	Lawson,	Reidenbach,
Anderson, J. H.,	Fry,	Lee, A. M.,	Renwick,
Anderson, S. A.,	Galley,	Lee, K. B.,	Riley,
Arlene,	Gallagher,	Leonard,	Rovansek,
Ashton,	Gelfand,	Limper,	Royer,
Auker,	George,	Lippincott,	Rubin,
Bachman,	Gibb,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, J. H.,	Lutty,	Sakulsky,
Boles,	Goodrich,	Magee,	Scarcelli,
Bonner,	Gramlich,	Manbeck,	Schaaf,
Bossert,	Gray,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Shelton,
Bowman,	Gross,	Maxwell,	Sherman,
Branca,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tompkins,
Curwood,	Horst,	Mills,	Ujobai,
Davis,	Irvis,	Monroe,	Varner,
Dengler,	Isaacs,	Morley,	Verona,
Dennison,	Jenkins,	Mullen,	Wall,
Donaldson,	Jim,	Murphy,	Walsh,
Dougherty,	Johnson, A. W.,	Musto,	Wargo,
Doughten,	Johnson, R. P.,	O'Dell,	Weidner,
Down,	Jones,	O'Donnell, J. A.,	Welsh,
Edwards,	Kamyk,	O'Donnell, J. P.,	Wescott,
Eilberg,	Keiser,	Odorisio,	Whittaker,
Elvey,	Kelly,	Ogilive,	Willard,
Eshback,	Kernaghan,	Parlante,	Willaredt,
Eshleman,	Kessler,	Pashley,	Williams, A. D.,
Ewing,	King,	Perry,	Williams, E. S.,
Farabaugh,	Kistler,	Petrosky,	Wilt,
Fetterolf,	Klein,	Piper,	Wood,
Filo,	Knecht,	Polaski,	Worley,
Fineman,	Kooker,	Polen,	Yetter,
Flynn,	Korns,	Prendergast,	Zember,
Foerster,	Kramer,	Pursley,	Zimmerman,
Foor,	Lamb,	Reibman,	Andrews, Speaker

NAYS—2

Fox,	Fulmer,

NOT VOTING—12

Goldstein, M. H.,	Munley,	Price,	Strausser,
Kornick,	Murray,	Seltzer,	Tomascik,
McCormack,	Needham,	Steckel,	Trusio,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. McCORMACK. Mr. Speaker, before we get down to the next bill, I would like the privilege of addressing myself to the question about a member voting or not voting and I would like particularly to call to the attention of the members of the House and also the Speaker, the language of the Speaker in 1955, when the very question of a member being privileged to vote or not to vote present was before the House.

The Speaker at that time, in an opinion that is set forth under Points of Order in the House, No. 300, quotes:

"If a member is not prepared to vote, the correct parliamentary recourse to him, under the rule, is to request the House to excuse him. He should not willfully and deliberately violate the rule by keeping silent or to refuse to vote and subject himself to possible contempt."

Now I might be a voice crying in the wilderness, and this might be a facetious matter, but in 1955 when the question was before the House, the Parliamentarian and the present Speaker took a lot of trouble to brief the law and to set forth an opinion on this very question. I think it is in derogation of the spirit of the rules of the House to treat this matter lightly and I think from now

that every member in his seat, including the Speaker, should vote.

The SPEAKER. The Chair will have nothing to say about that. That decision was made when there was a very serious issue pending and the House was divided. It was a session when the House declared its rights. That decision created a precedent. It stands, but if the gentleman wants to take the stand he does, and as I say, succeed Filo, Representative from Allegheny, as censor of the Chair, he is privileged to do so.

The Chair asks the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

SECRETARY OF COUNCIL OF STATE GOVERNMENT WELCOMED

The SPEAKER pro tempore. The Chair is happy to have present with us today a very distinguished visitor whom I would like to take the opportunity to present to this House.

We have with us the secretary of the Council on State Government of the National Legislative Conference and the southern representative of the Council of State Government, Mr. Herbert Willsey. He is here for a meeting to help plan the National Legislative Conference to be held in Philadelphia in September, and I would like to take this opportunity to present him to the House and ask him to come up and say a few words to us.

Mr. WILLSEY. Mr. Speaker, distinguished members of the Pennsylvania House of Representatives, this is unexpected but nonetheless very welcome.

I remind myself as I stand up here addressing the distinguished lawmakers of Pennsylvania of the mule that was once entered in the Kentucky Derby. He did not expect to distinguish himself, but he did hope to profit from the association. That is exactly my situation here. I am not here to distinguish myself but to profit from associating with you and the other distinguished legislators of Pennsylvania. Thank you very much.

The SPEAKER pro tempore. Thank you, Mr. Willsey, and we are very happy and privileged to have you with us, and hope that much good will come out of our meeting tonight.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House bill No. 809, printer's No. 891 and

House bill No. 832, printer's No. 914

were passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 850, entitled:

An Act amending "The Game Laws," approved June 3, 1937 (P. L. 1225), permitting the purchase and sale of the flesh of raccoons.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McCANN. This is House bill 850, dealing with the sale of flesh of raccoons.

Mr. A. W. JOHNSON. Mr. Speaker, I have been at parties where the flesh of raccoon was served, and if anybody in this hall has the salesmanship ability to sell raccoon meat, I am for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—104

Anderson, S. A.,	Frascella,	Kramer,	Renwick,
Arlene,	Gelfand,	Lawson,	Riley,
Bachman,	George,	Lee, A. M.,	Rubin,
Backenstoe,	Gibb,	Leonard,	Sakulsky,
Bowman,	Goldstein, J. H.,	Limper,	Scarcelli,
Branca,	Goodrich,	Lippincott,	Schaaf,
Capano,	Gramlich,	Long, Wm. Jas.,	Schuster,
Capitolo,	Gray,	Lutty,	Seltzer,
Cauley,	Gremminger,	Magee,	Sherman,
Clarke,	Gross,	May,	Shupnik,
Comer,	Guthrie,	McCann,	Simmons,
Cooley,	Hankins,	McDevitt,	Snare,
Crossin,	Haudenshield,	McKeever,	Stimmel,
Curwood,	Heavey,	McLaughlin,	Sullivan, J. A.,
Davis,	Helm,	Meholchick,	Sullivan, T. F.,
Donaldson,	Horst,	Merry,	Taylor,
Dougherty,	Irvis,	Mihm,	Thompson,
Down,	Isaacs,	Monroe,	Tomascik,
Edwards,	Jim,	Morley,	Verona,
Eilberg,	Johnson, A. W.,	Mullen,	Wall,
Elvey,	Jones,	O'Donnell, J. A.,	Walsh,
Eshback,	Kamyk,	O'Donnell, J. P.,	Wood,
Filo,	Kelly,	Parlante,	Worley,
Fineman,	Kernaghan,	Perry,	Yetter,
Flynn,	Kessler,	Petrosky,	Zimmerman,
Foerster,	Korns,	Prendergast,	Andrews, Speaker

NAYS—90

Adams,	Fox,	Lee, K. B.,	Rovansek,
Anderson, J. H.,	Fry,	Long, Wm. Jos.,	Royer,
Ashton,	Fulmer,	Manbeck,	Rudisill,
Auker,	Gallagher,	Markley,	Rutherford,
Blair,	Gibbons,	Marsh,	Slack,
Boies,	Guesman,	Maxwell,	Stank,
Bonner,	Hamilton,	McCandless,	Stiteler,
Bossert,	Hartley,	McCormack,	Stone,
Bower,	Heffner,	McDonald,	Strausser,
Breth,	Henzel,	McInroy,	Tompkins,
Buchanan,	Hocker,	McNally,	Ujobai,
Bush,	Holliday,	Miller,	Varner,
Cianfrani,	Holman,	Mills,	Wargo,
Cioffi,	Jenkins,	Murphy,	Weidner,
Dengler,	Johnson, R. P.,	O'Dell,	Welsh,
Dennison,	Keiser,	Odorisio,	Wescott,
Doughten,	King,	Ogilive,	Whittaker,
Eshleman,	Kistler,	Pashley,	Willard,
Ewing,	Klein,	Piper,	Willaredt,
Farabaugh,	Knecht,	Polaski,	Williams, A. D.,
Fetterolf,	Kooker,	Polen,	Williams, E. S.,
Foor,	Lamb,	Pursley,	Wilt,
		Reidenbach,	Zember,

NOT VOTING—12

Gailey,	Munley,	Needham,	Shelton,
Goldstein, M. H.,	Murray,	Price,	Steckel,
Kornick,	Musto,	Reibman,	Trusio,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 857, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Public Welfare to promote local social welfare

programs and to disburse Federal and State funds in connection therewith.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—167

Adams,	Frascella,	Long, Wm. Jos.,	Rutherford,
Anderson, J. H.,	Fry,	Lutty,	Sakulsky,
Anderson, S. A.,	Gallagher,	Manbeck,	Scarcelli,
Arlene,	Gelfand,	Markley,	Schaaf,
Bachman,	George,	Marsh,	Schuster,
Backenstoe,	Gibb,	Maxwell,	Seltzer,
Boies,	Gray,	McCann,	Shelton,
Bonner,	Gremminger,	McCormack,	Sherman,
Bossert,	Guesman,	McDevitt,	Shupnik,
Bower,	Guthrie,	McDonald,	Simmons,
Bowman,	Hamilton,	McInroy,	Snare,
Branca,	Hankins,	McKeever,	Stank,
Breth,	Hartley,	McLaughlin,	Stimmel,
Buchanan,	Haudenshield,	McNally,	Stiteler,
Bush,	Heavey,	Meholchick,	Stone,
Capano,	Heffner,	Merry,	Strausser,
Capitolo,	Helm,	Mihm,	Sullivan, J. A.,
Cianfrani,	Henzel,	Mills,	Sullivan, T. F.,
Cioffi,	Holman,	Monroe,	Taylor,
Clarke,	Horst,	Morley,	Thompson,
Comer,	Irvis,	Mullen,	Tomascik,
Cooley,	Isaacs,	Murphy,	Ujobai,
Crossin,	Jenkins,	Musto,	Varner,
Curwood,	Jim,	O'Donnell, J. P.,	Verona,
Dengler,	Johnson, R. P.,	Odorisio,	Wall,
Donaldson,	Jones,	Ogilive,	Walsh,
Dougherty,	Kamyk,	Parlante,	Wargo,
Doughten,	Keiser,	Pashley,	Weidner,
Down,	Kelly,	Perry,	Welsh,
Edwards,	Kernaghan,	Petrosky,	Whittaker,
Eilberg,	Kessler,	Piper,	Willard,
Elvey,	Klein,	Polaski,	Willaredt,
Eshback,	Knecht,	Polen,	Williams, A. D.,
Eshleman,	Kooker,	Prendergast,	Williams, E. S.,
Ewing,	Korns,	Pursley,	Wilt,
Farabaugh,	Kramer,	Reidenbach,	Wood,
Filo,	Lamb,	Renwick,	Worley,
Fineman,	Lawson,	Riley,	Yetter,
Flynn,	Lee, A. M.,	Rovansek,	Zember,
Foerster,	Leonard,	Royer,	Zimmerman,
Foor,	Limper,	Rubin,	Andrews,
Fox,	Long, Wm. Jas.,	Rudisill,	Speaker

NAYS—28

Ashton,	Gibbons,	Johnson, A. W.,	McCandless,
Auker,	Goldstein, J. H.,	King,	Miller,
Blair,	Goodrich,	Kistler,	O'Dell,
Davis,	Gramlich,	Lee, K. B.,	O'Donnell, J. A.,
Dennison,	Gross,	Lippincott,	Slack,
Fetterolf,	Hocker,	Magee,	Tompkins,
Fulmer,	Holliday,	May,	Wescott,

NOT VOTING—11

Cauley,	Kornick,	Needham,	Steckel,
Gailey,	Munley,	Price,	Trusio,
Goldstein, M. H.,	Murray,	Reibman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 868, entitled:

An Act amending "The Penal Code" aproved June 24, 1939 (P. L. 872), authorizing the production and performance of ice shows and ice hockey between certain hours on Sunday in cities of the first and second class.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I would like to make some remarks concerning this bill.

The SPEAKER pro tempore. The gentleman is in order and will proceed.

Mr. FOOR. Mr. Speaker, it has become a matter of great concern to me as a church member—and I believe every member of this body is a church member—with what seeming haste and carelessness this House has been considering and passing laws which make Sunday a day of economic gain and not one to be kept holy.

This is the third bill to come before this House for final vote in this session further liberalizing the laws pertaining to our Lord's Day. The first bill was Senate bill 28, which was to allow the sale of intoxicating beverages in Pittsburgh and Philadelphia on Sunday, and it was explained by the delegations from these two cities that this law was necessary in order to protect and strengthen the economy of these two great cities, as if the sale of intoxicating beverages would solve all their problems.

The second law was to enable the city of Pittsburgh to hold light opera on Sundays and this, too, it was explained, was needed in order to further the economy of the city of Pittsburgh. Do not misunderstand me, I am for music, but for the right reasons.

Now we are asked to pass a bill that would legalize the playing of hockey and holding ice shows in the cities of Pittsburgh and Philadelphia on Sundays after the hour of 2 p.m., again in order to help the economy of these two cities.

It was explained in committee that this bill was necessary inasmuch as the city of Pittsburgh had just completed a new ice arena and in order to help defray the expenses and costs of this project.

Each time a bill is presented to use Sunday for reasons other than to worship and glorify God it seems to carry with it the excuse that this law is necessary in order to further the economy of our State. Are we as a legislative body to use a price tag of wordly gain as our reason for considering and voting laws to take away from our people what is left of the Lord's Day?

It is my understanding that two years ago a bill was passed to legalize bowling on Sunday, and the reason given was that we needed this law in order that the National Bowling Congress could be induced to come into our State. This law, even though it was passed, did not induce the National Bowling Congress to come to Pennsylvania. And when Senate bill 28 was being debated, it was stated again that it was necessary to sell intoxicating beverages in our two leading cities on Sundays in order that the National Bowling Congress might be induced to come to Pennsylvania.

How are we, as responsible legislators, going to stop this downhill drift toward entirely eliminating the Lord's Day as a sacred day of worship? This great Nation of ours was founded under God, and we use God's name in our Pledge of Allegiance to our flag, "One nation under God." We have stamped upon our coins, "In

God we Trust." This Nation has become a great Nation because our forefathers had faith in God and worshiped Him. Are we now to gradually proceed, step by step, to take God out of our Nation?

Today the life of nations is breaking down. Riot and rebellion are in our midst. An ideology born in frustration and hatred challenges the world. The economic determinism of communism is pitted against free, God-fearing nations. A period of danger unparalleled in human history confronts us. Pennsylvania must stand and give the answer.

There is an answer. It lies in our citizens accepting the challenge to live by absolute moral standards and the guidance of God. William Penn put it straight when he said, "Men must choose to be governed by God, or they condemn themselves to be ruled by tyrants."

We cannot live crooked and think straight. We cannot put our worldliness first and still keep our liberty. Our immorality is communism's greatest asset. Chou En-lai of Red China says: "We can slip our Communist ideology in through the weak spots in men's characters." Trading the worship of God for a means to make money is one of these weak spots. Communism's greatest ambition is to break down our religious and moral standards.

Lip service to the faith of our fathers cannot counter an all-out devotion to an evil ideology. Human brilliance that does not obey the guidance of God cannot answer human brilliance dedicated to destroy God. A devotion to God and obedience to His will is our greatest source of strength to combat communism.

Abraham Lincoln knew the secret of God-control. He wrote: "If it were not for my firm belief in an over-ruling Providence, it would be difficult for me in the midst of such complications of affairs to keep my reason in its seat. I am satisfied that when the Almighty wants me to do or not to do any particular thing, He finds a way of letting me know it."

This is the missing factor in the planning and statesmanship of the world today—A God-created, a God-centered idealogy for democracy.

I feel that I would be remiss, since I have referred to myself as a church member, if I did not state that I believe the church is also to blame for this condition. It is my feeling that the church has become largely complacent and irrelevant to life's problems. Each year it allows itself to be squeezed into a smaller area of significance. The church, instead of being a goad, is, by and large, at peace with society. Throughout the world the church has tended to sanctify this regime. Jesus meant the church to be the yeast that leavened the whole loaf. The church is to stir, to dissatisfy, to perfect. This, I feel, we have not done. This is our challenge, that we meet the needs of society as they exist today.

It does not take much courage to drift with the tide. It does not take much courage to go along with the crowd, but it does take real courage to take a stand for our moral and religious convictions, for those things which are right and honorable. I should like to challenge this legislative body to think well before voting to further desecrate our Lord's Day.

Mr. DONALDSON. Mr. Speaker, no one in this House respects the opinions of the distinguished gentleman from Bedford more than I. On the other hand, there are people whom I believe are equally versed in our religious traditions, including members of the clergy, who would argue from a theological standpoint that the Sabbath was made for man and not man for the Sabbath.

I do not feel it is incumbent upon me to debate that principle today. The gentleman from Bedford has his decided opinion. Fortunately or unfortunately, we have moved far away from those opinions in Pensylvania and in this Nation. I do not think that even the gentleman from Bedford would say there is any difference between playing hockey on Sunday and playing professional football or professional baseball.

All this bill does is add another wholesome spectator sport to the list of those activities which we now permit in Pennsylvania. As I said, I believe people who are learned in theology could take opposite sides in this matter.

But I submit as a matter of fairness to members of this House, there is simply no difference between hockey and the other spectator and participator sports which we allow in this State and in this Nation. I would ask the members to support this legislation. I thank you.

Mr. McCANN. Mr. Speaker, I certainly will only take a minute of time to say to you that we who do not come from the county of Allegheny or the county of Philadelphia, also law-abiding people, who believe in churches but who also believe that the great city of Pittsburgh, in erecting that auditorium and other facilities that they are erecting, should have, on Sunday, during the hours designated in this piece of legislation, the asset of the law permitting our church people, if you please, to be able to go to that sport, of which they have been followers for a great number of years. These people hope to have the opportunity again in the near future, in Pittsburgh, to see an ice hockey franchise there.

As far as the situation is concerned we strongly urge that we are not breaking down, but that we are helping to build, an opportunity for people to see a wholesome, bona fide sport, as the gentleman has indicated, and that they be given the opportunity to do this on Sunday afternoons.

Mr. Speaker, I ask the membership of this House to vote in the affirmative on House bill 868.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—130

Adams,	Flynn,	Lee, A. M.,	Prendergast,
Anderson, S. A.,	Foerster,	Lee, K. B.,	Reibman,
Arlene,	Frascella,	Leonard,	Reidenbach,
Ashton,	Fry,	Limper,	Renwick,
Bachman,	Gailey,	Lippincott,	Riley,
Backenstoe,	Gallagher,	Long, Wm. Jas.,	Rovansek,
Blair,	Gelfand,	Long, Wm. Jos.,	Rubin,
Boies,	Gibb,	Lutty,	Rutherford,
Bonner,	Gibbons,	Markley,	Sakulsky,
Branca,	Goodrich,	Marsh,	Scarcelli,
Capano,	Gray,	McCann,	Schaaf,
Capitolo,	Gremminger,	McCormack,	Schuster,
Cauley,	Guesman,	McDevitt,	Shelton,
Cianfrani,	Hamilton,	McDonald,	Sherman,
Cioffi,	Hankins,	McKeever,	Shupnik,
Clarke,	Hartley,	McLaughlin,	Snare,
Comer,	Haudenshield,	McNally,	Stank,
Cooley,	Heavey,	Meholchick,	Stimmel,
Crossin,	Holman,	Mihm,	Stone,
Davis,	Irvis,	Monroe,	Sullivan, J. A.,
Dengler,	Isaacs,	Morley,	Sullivan, T. F.,
Donaldson,	Jim,	Mullen,	Taylor,
Dougherty,	Johnson, A. W.,	Musto,	Thompson,
Doughten,	Johnson, R. P.,	O'Dell,	Tomascik,

Down,	Jones,	O'Donnell, J. A.,	Verona,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Wargo,
Eshback,	Kelly,	Odorisio,	Welsh,
Eshleman,	Kernaghan,	Parlante,	Williams, A. D.,
Farabaugh,	Klein,	Pashley,	Williams, E. S.,
Fetterolf,	Kooker,	Perry,	Wilt,
Filo,	Kramer,	Petrosky,	Zember,
Fineman,	Lamb,	Piper,	Andrews,
	Lawson,	Polaski,	Speaker

NAYS—63

Anderson, J. H.,	George,	Knecht,	Slack,
Auker,	Goldstein, J. H.,	Korns,	Stiteler,
Bossert,	Gramlich,	Magee,	Strausser,
Bower,	Gross,	Manbeck,	Tompkins,
Bowman,	Guthrie,	May,	Ujobai,
Breth,	Heffner,	McCandless,	Varner,
Buchanan,	Helm,	McInroy,	Wall,
Bush,	Henzel,	Merry,	Weidner,
Curwood,	Hocker,	Miller,	Wescott,
Dennison,	Holliday,	Murphy,	Whittaker,
Elvey,	Horst,	Ogilive,	Willard,
Ewing,	Jenkins,	Polen,	Willaredt,
Foor,	Keiser,	Pursley,	Wood,
Fox,	Kessler,	Royer,	Worley,
Fulmer,	King,	Seltzer,	Yetter,
	Kistler,	Simmons,	Zimmerman,

NOT VOTING—13

Edwards,	Maxwell,	Murray,	Rudisill,
Goldstein, M. H.,	Mills,	Needham,	Steckel,
Kornick,	Munley,	Price,	Trusio,
			Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 869, printer's No. 954;

House bill No. 870, printer's No. 955 and

House bill No. 871, printer's No. 956,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 872, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), providing for the use of interest on patients' funds.

On the question,

Will the House agree to the bill on third reading?

Mr. A. W. JOHNSON. Mr. Speaker, I don't know whether Representative Kessler on our side has some new information about the bill which he would present to our caucus next Monday. We will be pleased to have the bill passed over until next Monday.

Mr. McCANN. We will be glad to do that, Mr. Speaker. The gentleman has received the information on the question of the bill being unconstitutional. He prefers it to be recommitted to its committee to work it out.

Mr. A. W. JOHNSON. We will not object to that, Mr. Speaker.

On the question recurring,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. STONE. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare.

The motion was agreed to.

BILLS PASSED OVER

There being no objection

House bill No. 873, printer's No. 958;

House bill No. 874, printer's No. 959;

House bill No. 875, printer's No. 960 and

House bill No. 876, printer's No. 961,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 879, entitled:

An Act reenacting and amending the act of May 15, 1933 (P. L. 796), entitled as amended "An act providing for the preservation of the records or photographic film reproductions * * * of banks * * " extending the provisions thereof to employes' mutual banking associations.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Anderson, J. H.,	Fry,	Lee, A. M.,	Royer,
Anderson, S. A.,	Fulmer,	Lee, K. B.,	Riley,
Arlene,	Gailey,	Leonard,	Rovansek,
Ashton,	Gallagher,	Limper,	Rubin,
Auker,	Gelfand,	Lippincott,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, J. H.,	Lutty,	Scarcelli,
Boies,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Bowman,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Capitolo,	Haudenshield,	McInroy,	Stimmel,
Cauley,	Heavey,	McKeever,	Stiteler,
Cianfrani,	Heffner,	McLaughlin,	Stone,
Cioffi,	Helm,	McNally,	Strausser,
Clarke,	Henzel,	Meholchick,	Sullivan, J. A.,
Comer,	Hocker,	Merry,	Sullivan, T. F.,
Cooley,	Holliday,	Mihm,	Taylor,
Crossin,	Holman,	Miller,	Thompson,
Curwood,	Horst,	Monroe,	Tompkins,
Davis,	Irvis,	Morley,	Ujobai,
Dengler,	Isaacs,	Mullen,	Varner,
Dennison,	Jenkins,	Murphy,	Verona,
Donaldson,	Jim,	Musto,	Wall,
Dougherty,	Johnson, A. W.,	O'Dell,	Wargo,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Down,	Jones,	O'Donnell, J. P.,	Welsh,
Edwards,	Kamyk,	Odorisio,	Wescott,
Eilberg,	Keiser,	Ogilvie,	Whittaker,
Elvey,	Kelly,	Parlante,	Willard,
Eshback,	Kernaghan,	Pashley,	Willaredt,
Eshleman,	Kessler,	Perry,	Williams, A. D.,
Ewing,	King,	Petrosky,	Williams, E. S.,
Farabaugh,	Kistler,	Piper,	Wilt,
Fetterolf,	Klein,	Polaski,	Wood,
Filo,	Knecht,	Polen,	Worley,
Fineman,	Kooker,	Prendergast,	Yetter,
Flynn,	Korns,	Pursley,	Zember,
Foor,	Kramer,	Reibman,	Zimmerman,
Fox,	Lamb,	Reidenbach,	Andrews,
Frascella,	Lawson,	Renwick,	Speaker

NAYS—0

NOT VOTING—15

Adams,	Kornick,	Murray,	Tomascik,
Foerster,	Maxwell,	Needham,	Trusio,
George,	Mills,	Price,	Walsh,
Goldstein, M. H.,	Munley,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

Mr. MAXWELL. Mr. Speaker, I voted "aye" on this bill, but my vote was not recorded.

The SPEAKER pro tempore. The remarks of the gentleman will be noted in the Journal.

BILLS PASSED OVER

There being no objection

House bill No. 886, printer's No. 975;

House bill No. 888, printer's No. 977, and

House bill No. 936, printer's No. 1363,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 947, entitled:

An Act amending the "Municipal Claim and Tax Lien Law" approved May 16, 1923 (P. L. 207) extending the period for revival of suggestions and averments of nonpayment and default and the time for the filing and renewal of all taxes and municipal claims in cities and school districts of the first class to twenty years.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Frascella,	Lee, A. M.,	Riley,
Anderson, J. H.,	Fry,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Fulmer,	Leonard,	Royer,
Arlene,	Gailey,	Limper,	Rubin,
Ashton,	Gallagher,	Lippincott,	Rudisill,
Auker,	Gelfand,	Long, Wm. Jas.,	Rutherford,
Bachman,	George,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gibb,	Lutty,	Scarcelli,
Blair,	Gibbons,	Magee,	Schaaf,
Boies,	Goldstein, J. H.,	Manbeck,	Schuster,
Bonner,	Goodrich,	Markley,	Seltzer,
Bossert,	Gramlich,	Marsh,	Shelton,
Bower,	Gray,	Maxwell,	Sherman,
Bowman,	Gremminger,	May,	Shupnik,
Branca,	Gross,	McCandless,	Simmons,
Breth,	Guesman,	McCann,	Slack,
Buchanan,	Guthrie,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Stimmel,
Capitolo,	Hartley,	McInroy,	Stiteler,
Cauley,	Haudenshield,	McKeever,	Stone,
Cianfrani,	Heavey,	McLaughlin,	Strausser,
Cioffi,	Heffner,	McNally,	Sullivan, J. A.,
Clarke,	Helm,	Meholchick,	Sullivan, T. F.,
Comer,	Henzel,	Merry,	Taylor,
Cooley,	Hocker,	Mihm,	Thompson,
Crossin,	Holliday,	Miller,	Tomascik,
Curwood,	Holman,	Mills,	Tompkins,
Davis,	Horst,	Monroe,	Ujobai,
Dengler,	Irvis,	Morley,	Varner,
Dennison,	Isaacs,	Mullen,	Verona,
Donaldson,	Jenkins,	Murphy,	Wall,
Dougherty,	Jim,	O'Donnell, J. A.,	Wargo,
Doughten,	Johnson, A. W.,	O'Donnell, J. P.,	Weidner,
Down,	Johnson, R. P.,	Odorisio,	Welsh,
Edwards,	Jones,	Ogilvie,	Whittaker,
Eilberg,	Kamyk,	Parlante,	Willard,
Elvey,	Keiser,	Pashley,	Willaredt,
Eshback,	Kelly,	Perry,	Williams, A. D.,
Eshleman,	Kernaghan,	Petrosky,	Williams, E. S.,
Ewing,	Kessler,	Piper,	Wilt,
Farabaugh,	King,	Polaski,	Wood,
Fetterolf,	Kistler,	Polen,	Worley,
Filo,	Klein,	Prendergast,	Yetter,
Fineman,	Knecht,	Pursley,	Zember,
Flynn,	Kooker,	Reibman,	Zimmerman,
Foerster,	Korns,	Reidenbach,	Andrews,
Foor,	Kramer,	Renwick,	Speaker
Fox,	Lawson,		

NAYS—1

O'Dell,

NOT VOTING—12

Goldstein, M. H.,	Munley,	Needham,	Trusio,
Kornick,	Murray,	Price,	Walsh,
Lamb,	Musto,	Steckel,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 953, printer's No. 1054;

House bill No. 973, printer's No. 1074, and

House bill No. 974, printer's No. 1364,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 976, entitled:

An Act amending "The Third Class City Code" approved June 23, 1931 (P. L. 932) changing the minimum requirements for retirement of firemen.

On the question,

Will the House agree to the bill on third reading?

Mr. McNALLY asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "firemen" and permitting the city to determine when a fireman is to retire

Amend Sec. 1 (Sec. 4321), page 2, line 7, by inserting after "may" in the discretion of the city

Amend Sec. 1 (Sec. 4321), page 2, lines 7 and 8, by inserting brackets before and after "or elect to be retired"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House bill No. 979, printer's No. 1080, and

House bill No. 983, printer's No. 1085

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 984, entitled:

A Supplement to the act of May 28, 1915 (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities * * *" providing a period during which certain persons may join the pension fund created under the act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Frascella,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Fry,	Lee, K. B.,	Riley,
Anderson, S. A.,	Fulmer,	Leonard,	Rovansek,
Arlene,	Gailey,	Limper,	Royer,
Ashton,	Gallagher,	Lippincott,	Rubin,
Auker,	Gelfand,	Long, Wm. Jas.,	Rudisill,
Bachman,	George,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibb,	Lutty,	Sakulsky,
Blair,	Gibbons,	Magee,	Scarcelli,
Boles,	Goldstein, J. H.,	Manbeck,	Schaaf,
Bonner,	Goodrich,	Markley,	Schuster,
Bossert,	Gramlich,	Marsh,	Seltzer,
Bower,	Gray,	Maxwell,	Shelton,
Bowman,	Gremminger,	May,	Sherman,
Branca,	Gross,	McCandless,	Shupnik,
Breth,	Guesman,	McCann,	Simmons,
Buchanan,	Guthrie,	McCormack,	Slack,
Bush,	Hamilton,	McDevitt,	Snare,
Capano,	Hankins,	McDonald,	Stank,
Capitolo,	Hartley,	McInroy,	Stimmel,
Cauley,	Haudenshield,	McKeever,	Stiteler,
Cianfrani,	Heavey,	McLaughlin,	Stone,
Cioffi,	Heffner,	McNally,	Strausser,
Clarke,	Helm,	Meholchick,	Sullivan, J. A.
Comer,	Henzel,	Merry,	Sullivan, T. F.,
Cooley,	Hocker,	Mihm,	Taylor,
Crossin,	Holliday,	Miller,	Thompson,
Curwood,	Holman,	Mills,	Tomascik,
Davis,	Horst,	Monroe,	Tompkins,
Dengler,	Irvis,	Morley,	Ujobai,
Dennison,	Isaacs,	Mullen,	Varner,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Musto,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	O'Donnell, J. P.,	Welsh,
Eilberg,	Kamyk,	Odorisio,	Wescott,
Elvey,	Keiser,	Ogilvie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Korns,	Prendergast,	Yetter,
Foerster,	Kramer,	Pursley,	Zember,
Foor,	Lamb,	Reibman,	Zimmerman,
Fox,	Lawson,	Reidenbach,	Andrews, Speaker

NAYS—0

NOT VOTING—10

Goldstein, M. H.,	Munley,	Price,	Trusio,
Knecht,	Murray,	Steckel,	Walsh,
Kornick,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 985, printer's No. 1087
House bill No. 987, printer's No. 1089
House bill No. 990, printer's No. 1092
House bill No. 995, printer's No. 1097
House bill No. 1005, printer's No. 1107
House bill No. 1006, printer's No. 1108
House bill No. 1007, printer's No. 1109
House bill No. 1045, printer's No. 1162
House bill No. 1048, printer's No. 1165, and
House bill No. 1049, printer's No. 1166

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1082, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) further regulating the time for opening and closing polls.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—108

Adams,	Frascella,	Long, Wm. Jos.,	Reibman,
Anderson, S. A.,	Fry,	Lutty,	Reidenbach,
Arlene,	Gailey,	Maxwell,	Renwick,
Bachman,	Gallagher,	McCann,	Riley,
Boles,	Gelfand,	McCormack,	Rovansek,
Branca,	Gray,	McDevitt,	Rubin,
Breth,	Gremminger,	McDonald,	Rudisill,
Buchanan,	Guesman,	McKeever,	Sakulsky,
Capano,	Hamilton,	McLaughlin,	Scarcelli,
Capitolo,	Hankins,	McNally,	Schaaf,
Cauley,	Hartley,	Meholchick,	Schuster,
Cianfrani,	Heavey,	Mihm,	Shelton,
Cioffi,	Heffner,	Mills,	Sherman,
Clarke,	Irvis,	Monroe,	Shupnik,
Comer,	Jenkins,	Morley,	Stank,
Cooley,	Jim,	Mullen,	Stone,
Crossin,	Jones,	Musto,	Sullivan, J. A.,
Curwood,	Kamyk,	O'Donnell, J. A.,	Sullivan, T. F.,
Dougherty,	Kelly,	O'Donnell, J. P.,	Taylor,
Doughten,	Klein,	Parlante,	Tomascik,
Eilberg,	Kooker,	Pashley,	Verona,
Farabaugh,	Kramer,	Perry,	Walsh,
Filo,	Lamb,	Petrosky,	Wargo,
Fineman,	Lawson,	Piper,	Welsh,
Flynn,	Leonard,	Polaski,	Williams, A. D.,
Foerster,	Limper,	Polen,	Yetter,
Fox,	Long, Wm. Jas.,	Prendergast,	Andrews, Speaker

NAYS—90

Anderson, J. H.,	Fulmer,	King,	Seltzer,
Ashton,	George,	Kistler,	Simmons,
Auker,	Gibb,	Knecht,	Slack,
Backenstoe,	Gibbons,	Korns,	Snare,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Bonner,	Goodrich,	Lee, K. B.,	Stiteler,
Bossert,	Gramlich,	Lippincott,	Strausser,
Bower,	Gross,	Magee,	Thompson,
Bowman,	Guthrie,	Manbeck,	Tompkins,
Bush,	Haudenshield,	Markley,	Ujobai,
Davis,	Helm,	Marsh,	Varner,
Dengler,	Henzel,	May,	Wall,
Dennison,	Hocker,	McCandless,	Weidner,
Donaldson,	Holliday,	McInroy,	Wescott,
Down,	Holman,	Merry,	Whittaker,
Edwards,	Horst,	Miller,	Willard,
Elvey,	Isaacs,	Murphy,	Willaredt,
Eshback,	Johnson, A. W.,	O'Dell,	Williams, E. S.,

Eshleman,	Johnson, R. P.,	Odorisio,	Wilt,
Ewing,	Keiser,	Ogilvie,	Wood,
Fetterolf,	Kernaghan,	Pursley,	Worley,
Foor,	Kessler,	Royer,	Zember,
		Rutherford,	Zimmerman,

NOT VOTING—8

Goldstein, M. H.,	Munley,	Needham,	Steckel,
Kornick,	Murray,	Price,	Trusio,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House bill No. 1084, printer's No. 1201
House bill No. 1036, printer's No. 1203
House bill No. 1100, printer's No. 1217
House bill No. 1101, printer's No. 1218
House bill No. 1102, printer's No. 1219
House bill No. 1105, printer's No. 1222, and
House bill No. 1106, printer's No. 1236

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate bill No. 39, entitled:

A Joint Resolution proposing an amendment to article twelve of the Constitution of the Commonwealth of Pennsylvania repealing section three thereof which disqualifies persons from public office for dueling.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we on the minority side have come to the conclusion that the only reason this joint resolution is on the calendar is to point up, perhaps statewide, the need that some people feel for a constitutional convention to re-write our State Constitution. There are many people, of course, who feel that our grand old Constitution is fine and should be amended in a piecemeal manner as has been done heretofore.

This particular resolution standing alone, without any rhyme or reason, is, in a way, a ridiculous matter on our calendar, and it seems that we should not lend to the cost of balloting statewide on a situation for doing away with the crime of dueling. I believe that is what it is about. I, therefore, ask our members to vote against this resolution for the reason stated.

The SPEAKER pro tempore. Does the majority leader desire to be recognized?

Mr. McCANN. Mr. Speaker, all I can say is that there is no question in the minds of many people that a constitutional convention is needed, but Senate bill 39 would be a constitutional provision in this Commonwealth which forbids anyone to hold public office, disqualifies persons from public office, for participating in a duel. I was wondering when the last duel may have taken place in this Commonwealth?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I believe there is a record of a duel in 1931 and it was fatal to both parties. A tremendous drive has been made down through the centuries to do away with dueling. They succeeded by putting it in the Constitution, and I see no reason for whipping out this amendment. I think that standing alone and expecting the people of Pennsylvania to vote on this is asking too much. I think we are just creating a ridiculous situation here.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. McCormack.

Mr. McCORMACK. Mr. Speaker, I do not want to debate this resolution at length, but, inasmuch as the majority leader did ask that question, I might mention that there was a rather interesting story in the Sunday supplement of the Philadelphia paper a couple weeks ago. I brought it up here with me in case a question would come up.

I would like to inform the majority leader and the House that in the Commonwealth of Pennsylvania there have only been two duels in the last 120 years. The minority leader was correct when he said that the last duel took place in March of 1931 in Schuylkill County. That involves a very interesting story which I will not go into at this time. but, if there is anyone particularly interested, I have this story here and they are free to peruse it at any opportunity they might find. It seems to me that it is certainly something we ought to vote for. It points up the ridiculous situation of constitutional provisions that are no longer necessary.

One more remark. I have the bill and a joint resolution in there for a constitutional convention. It seems to me, if we are really interested in amending or having a new Constitution, we ought to report that bill out. I would like the majority leader to give me some expression concerning that.

The SPEAKER pro tempore. That is not in order at this time. If anyone would like to read the article the gentleman from Philadelphia has, I am sure if they contact him he will be glad to let them do it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—86

Adams,	Foerster,	Leonard,	Polen,
Anderson, S. A.,	Frascella,	Limper,	Reibman,
Arlene,	Galley,	Long, Wm. Jas.,	Renwick,
Auker,	Gallagher,	Lutty,	Riley,
Bachman,	Gelfand,	Maxwell,	Rovansek,
Boles,	Gray,	McCann,	Rubin,
Bonner,	Gremminger,	McCormack,	Rudisill,
Branca,	Guesman,	McDevitt,	Sakulsky,
Breth,	Hankins,	McKeever,	Schuster,
Capano,	Hartley,	McLaughlin,	Shelton,
Cauley,	Henzel,	Meholchick,	Sherman,
Cianfrani,	Irvis,	Mihm,	Stank,
Clarke,	Jenkins,	Monroe,	Sullivan, J. A.,
Comer,	Jim,	Morley,	Sullivan, T. F.,
Cooley,	Jones,	Mullen,	Taylor,
Curwood,	Kamyk,	O'Donnell, J. A.,	Verona,
Dougherty,	Kelly,	O'Donnell, J. P.,	Welsh,
Doughten,	Klein,	Parlante,	Williams, A. D.,
Eilberg,	Kramer,	Pashley,	Yetter,
Filo,	Lamb,	Perry,	Andrews,
Fineman,	Lawson,	Petrosky,	Speaker
Flynn,	Lee, A. M.,	Polaski,	

NAYS—108

Anderson, J. H.,	George,	Korns,	Schaaf,
Ashton,	Gibb,	Lee, K. B.,	Seltzer,
Backenstoe,	Gibbons,	Lippincott,	Shupnik,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Simmons,
Bossert,	Goodrich,	Magee,	Slack,
Bower,	Gramlich,	Manbeck,	Snare,
Bowman,	Gross,	Markley,	Stimmel,
Buchanan,	Guthrie,	Marsh,	Stiteler,
Bush,	Hamilton,	May,	Strausser,
Cioffi,	Haudenshield,	McCandless,	Thompson,
Crossin,	Heavey,	McDonald,	Tompkins,
Davis,	Heffner,	McInroy,	Ujobai,
Dengler,	Helm,	McNally,	Varner,
Dennison,	Hocker,	Merry,	Wall,
Donaldson,	Holliday,	Miller,	Walsh,
Down,	Holman,	Mills,	Wargo,
Edwards,	Horst,	Murphy,	Weidner,
Elvey,	Isaacs,	O'Dell,	Wescott,
Eshback,	Johnson, A. W.,	Odorisio,	Whittaker,
Eshleman,	Johnson, R. P.,	Ogilvie,	Willard,
Ewing,	Keiser,	Piper,	Willaredt,
Farabaugh,	Kernaghan,	Prendergast,	Williams, E. S.,
Fetterolf,	Kessler,	Pursley,	Wilt,
Foor,	King,	Reidenbach,	Wood,
Fox,	Kistler,	Royer,	Worley,
Fry,	Knecht,	Rutherford,	Zember,
Fulmer,	Kooker,	Scarcelli,	Zimmerman,

NOT VOTING—12

Capitolo,	Munley,	Needham,	Stone,
Goldstein, M. H.,	Murray,	Price,	Tomascik,
Kornick,	Musto,	Steckel,	Truslo,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASON FOR VOTE

Mr. SCHAAF filed the following reason for his vote on Senate bill No. 39.

Mr. Speaker, I voted against Senate bill No. 39, printer's number 6, because I believe it to be ridiculous to have this type of legislation before us.

BILLS ON THIRD READING POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of House bill No. 417, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) providing for certain traffic courts in cities of the third class.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware, Mr. Isaacs.

Mr. ISAACS. Mr. Speaker, I rise to oppose the passage of House bill 417, printer's No. 782.

I think it might be well to retrace a little of the history of this bill. It was originally entered and came out of committee to provide for the rotation of aldermen in a traffic court in a third class city. The bill was amended, and the amendments were passed as non-controversial, although they were highly controversial amendments and the gentleman who offered them, the gentleman from York, Mr. Gailey, debated the same amendment in a similar bill in 1959 in this House.

On March 13, by amendment, I tried to put the bill back in its original form and failed.

This same bill in the 1959 session was Senate bill 112. It was amended in the House and I would like to read a part of the debate at that time. This bill was being debated by the majority leader, Mr. McCann, and by Mr. T. H. W. Jones. "Mr. McCann: Mr. Speaker, in the amendments offered by Mr. Jones to Senate bill 112, do I understand these amendments to say that in the boroughs and townships first class, the aldermen would be rotated from those areas into the third class?

"Mr. Jones: That is not correct, as I understand it, Mr. Speaker. The amendments did two things. There were two of us on this side of the House who wished to amend this bill. It was my original desire to amend it so that traffic courts could be set up, not only in third class cities, but also in boroughs and townships of the first class. The reasons for confining the traffic court to those political subdivisions was simply that I do not think the second class townships have any need for it.

"Mr. Isaacs from Delaware County wished to amend the bill to provide that the aldermen or justices of the peace, as the case may be, whether you had a city or a borough, would be rotated evenly, and I decided that it would be preferable to combine my amendments with his. It was not the intention that you could have aldermen serving in a township or anything of that nature.

"Mr. McCann. Mr. Speaker, I thank the gentleman very kindly.

"Mr. Speaker, the amendments to Senate bill 112 which the gentleman from Montgomery, Mr. Jones, is offering, in which the traffic courts would be permitted to be established in boroughs and townships of the first class, we would like to favor these amendments and request that they be voted into this bill, Senate bill 112."

Mr. Jones, again: "Mr. Speaker, I appreciate the statement of the majority leader.

"I do not wish to prolong the debate, but it just so happens that in my borough we have 12 justices of the peace. This is a little unusual; most boroughs have only two, but we have 12. Three of them are Democratic, nine are Republican. It has been the practice for many years for the burgess of the community to designate only those justices of the peace to serve on a de facto traffic court which has no legal status, as suits his political fancy. I do not say this in derogation of the present burgess, but simply because that has been the rule.

"If the bill stays the way it is, which is what Mr. Bowman would like, it would mean that the three Democrat justices of the peace would never get to serve, nor would anybody else who was out of favor with the incumbent burgess. While this might be pleasing to some of us, I hardly think that is good public policy."

I will read Mr. McCann's answer and then I will quit quoting the Journal for 1959.

"Mr. McCann. Mr. Speaker, I certainly want to thank the gentleman. I did not want to bring that point out, but I appreciate very kindly the forthright statement and I think in this case we certainly should be fair, if the situation exists, as it would in many areas, I think it should be handled in just that situation rather than cutting out, whether it be Democrat or Republican, either one.

"Therefore, Mr. Speaker, I ask that on our side the amendments to Senate bill 112 be voted upon favorably."

I hope the majority leader takes the same position he did two years ago.

Mr. Speaker, under House bill 417 as it presently is constituted, presently reads, a mayor of a third class city

could appoint an alderman for 30 days and keep reappointing him for 30 days for the entire time the mayor was in office.

In 1929 it was recognized, when the Vehicle Code was first written, the provision to take the defendant before the nearest available magistrate in the jurisdiction was put in there to abolish rackets, to cut our rackets. Under House bill 417 as it is presently constituted, while I can find nothing wrong with its title, with a renegade burgess and one bad alderman, you could really create a racket such as we have never seen in traffic in this Commonwealth. I think this bill should be titled, "Rackets, Incorporated."

I ask the members on both sides of the House to defeat this bill.

Mr. GAILEY. Mr. Speaker, I am certainly not going to rehash the argument over the question of rotation of aldermen after all the answers and debates in this House. Some weeks ago this House refused to insert amendments providing for rotation of aldermen. I think the majority of us who live in third class cities think this bill will promote proper enforcement of our traffic laws, a more just result for the citizens who use the highways and streets in our cities. We feel it is a progressive step and those of us who live in third class cities would earnestly request the membership on both sides of the House to vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Adams,	Gallagher,	Long, Wm. Jos.,	Rubin,
Anderson, S. A.,	Gelfand,	Lutty,	Rudisill,
Arlene,	George,	Maxwell,	Rutherford,
Bachman,	Goodrich,	McCann,	Sakulsky,
Boies,	Gray,	McCormack,	Scarcelli,
Bonner,	Guesman,	McDevitt,	Schaaf,
Bowman,	Hamilton,	McDonald,	Schuster,
Branca,	Hankins,	McKeever,	Shelton,
Breth,	Heavey,	McLaughlin,	Sherman,
Capano,	Heffner,	McNally,	Shupnik,
Capitolo,	Hocker,	Meholchick,	Slack,
Cauley,	Holman,	Mihm,	Snare,
Cianfrani,	Irvis,	Monroe,	Strausser,
Clarke,	Jenkins,	Mullen,	Sullivan, T. F.,
Comer,	Jim,	Musto,	Taylor,
Cooley,	Jones,	O'Donnell, J. P.,	Tomascik,
Crossin,	Kamyk,	Ogilvie,	Ujobai,
Curwood,	Keiser,	Parlante,	Verona,
Davis,	Kelly,	Pashley,	Walsh,
Doughten,	Kessler,	Petrosky,	Wargo,
Ellberg,	Kistler,	Polaski,	Weidner,
Eshleman,	Klein,	Polen,	Welsh,
Filo,	Kramer,	Prendergast,	Wescott,
Flynn,	Lamb,	Reibman,	Williams, A. D.,
Foerster,	Lawson,	Renwick,	Yetter,
Frascella,	Leonard,	Riley,	Zember,
Fry,	Limper,	Rovansek,	Zimmerman,
Gailey,	Long, Wm. Jas.,	Royer,	Andrews, Speaker

NAYS—78

Anderson, J. H.,	Fetterolf,	Johnson, R. P.,	O'Donnell, J. A.,
Ashton,	Foor,	Kernaghan,	Odorisio,
Auker,	Fox,	King,	Piper,
Backenstoe,	Fulmer,	Knecht,	Pursley,
Blair,	Gibb,	Kooker,	Seltzer,
Bossert,	Gibbons,	Korns,	Simmons,
Bower,	Goldstein, J. H.,	Lee, A. M.,	Stank,
Buchanan,	Gramlich,	Lee, K. B.,	Stimmel,
Bush,	Gremminger,	Lippincott,	Stiteler,
Dengler,	Gross,	Magee,	Thompson,
Dennison,	Guthrie,	Manbeck,	Tompkins,
Donaldson,	Hartley,	Markley,	Varner,
Dougherty,	Haudenshield,	Marsh,	Wall,
Down,	Helm,	May,	Whittaker,
Edwards,	Henzel,	McCandless,	Willard,
Elvey,	Holliday,	McInroy,	Willaredt,
Eshback,	Horst,	Miller,	Williams, E. S.,
Ewing,	Isaacs,	Mills,	Wilt,
Farabaugh,	Johnson, A. W.,	Morley,	Wood,
		O'Dell,	Worley,

NOT VOTING—16

Cioffi,	Merry,	Needham,	Steckel,
Fineman,	Munley,	Perry,	Stone,
Goldstein, M. H.,	Murphy,	Price,	Sullivan, J. A.,
Kornick,	Murray,	Reidenbach,	Trusio,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate for concurrence.

Mr. McCANN. Mr. Speaker, we are going to vote on Senate bill 1. It is agreed to and there is going to be an immediate caucus of both sides for five minutes. There must be a caucus, and I ask when I make the motion that all Democratic members come to the caucus immediately.

BILL ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on third reading of Senate bill No. 1, entitled:

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Fox,	Lamb,	Reibman,
Anderson, J. H.,	Frascella,	Lawson,	Renwick,
Anderson, S. A.,	Fry,	Lee, A. M.,	Riley,
Arlene,	Fulmer,	Lee, K. B.,	Rovansek,
Ashton,	Gailey,	Leonard,	Royer,
Auker,	Gallagher,	Limper,	Rubin,
Bachman,	Gelfand,	Lippincott,	Rudisill,
Backenstoe,	George,	Long, Wm. Jas.,	Rutherford,
Blair,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Boies,	Gibbons,	Lutty,	Scarcelli,
Bonner,	Goldstein, J. H.,	Magee,	Schaaf,
Bossert,	Goodrich,	Manbeck,	Schuster,
Bower,	Gramlich,	Markley,	Seltzer,
Bowman,	Gray,	Marsh,	Shelton,
Branca,	Gremminger,	Maxwell,	Sherman,
Breth,	Gross,	May,	Shupnik,
Buchanan,	Guesman,	McCandless,	Simmons,
Bush,	Guthrie,	McCann,	Slack,
Capano,	Hamilton,	McCormack,	Snare,
Capitolo,	Hankins,	McDevitt,	Stank,
Cauley,	Hartley,	McDonald,	Stimmel,
Cianfrani,	Haudenshield,	McInroy,	Stiteler,
Cioffi,	Heavey,	McKeever,	Strausser,
Clarke,	Heffner,	McLaughlin,	Sullivan, J. A.,
Comer,	Helm,	McNally,	Sullivan, T. F.,
Cooley,	Henzel,	Meholchick,	Taylor,
Crossin,	Hocker,	Merry,	Thompson,
Curwood,	Holliday,	Mihm,	Tomascik,
Davis,	Holman,	Miller,	Tompkins,
Dengler,	Horst,	Mills,	Ujobai,
Dennison,	Irvis,	Monroe,	Varner,
Donaldson,	Isaacs,	Morley,	Verona,
Dougherty,	Jenkins,	Mullen,	Wall,
Doughten,	Jim,	Musto,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,

Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Wescott,
Eshback,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foerster,	Korns,	Prendergast,	Yetter,
Foor,	Kramer,	Pursley,	Zember,

NAYS—2

Murphy,	Zimmerman,

NOT VOTING—12

Goldstein, M. H.,	Munley,	Price,	Stone,
Johnson, A. W.,	Murray,	Reidenbach,	Truslo,
Kornick,	Needham,	Steckel,	Andrews, Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

CAUCUSES

Mr. McCANN. Mr. Speaker, I am going to ask for a five-minute caucus and I ask for every Democrat member to please come immediately to the caucus room. Leave all your papers on the desk. There will be an immediate caucus for five minutes, and every member please come to the caucus room immediately. We are coming back to the hall of this House.

Mr. A. W. JOHNSON. Mr. Speaker, we are also calling a Republican caucus to be held immediately in the House caucus room for the same period. We will try to be down as promptly as possible.

RECESS

The SPEAKER pro tempore. Without objection the Chair declared a recess until 5:45. The Chair hears no objection.

AFTER RECESS

The time of recess having expired, the House was called to order.

THE SPEAKER (Hiram G. Andrews) IN THE CHAIR

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 114.

An Act reenacting and amending section 13 and Article VII of Chapter II of the act of December 15, 1959 (P. L. 1779) entitled "The Fish Law of 1959" removing the requirement that fishermen be licensed in order to fish in certain regulated fishing lakes further regulating the issuance of permits or bills of sale for fish caught in such lakes changing penalties relating to such lakes and harmonizing language of existing law.

Referred to the Committee on Fisheries.

SENATE BILL No. 125.

A Joint Resolution proposing an amendment to article three of the Constitution of the Commonwealth of Pennsylvania authorizing and validating legislation establishing emergency interim government.

Referred to the Committee on Judiciary.

SENATE BILL No. 173.

An Act amending the act of May 1, 1933 (P. L. 103) entitled "The Second Class Township Code" authorizing the condemnation of land fill purposes.

Referred to the Committee on Townships.

SENATE BILL No. 186.

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" authorizing the purchase or condemnation of unobstructed views at curves and intersections.

Referred to the Committee on Boroughs.

SENATE BILL No. 309.

An Act amending the act of May 17, 1921 (P. L. 682) entitled "The Insurance Comany Law of 1921" providing for the merger or consolidation of domestic and foreign life insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 336.

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3.68 acres more or less of land situate in Indiana Borough Indiana County.

Referred to the Committee on State Government.

SENATE BILL No. 419.

An Act amending the act of May 17, 1921 (P. L. 789) entitled as amended "The Insurance Department Act of 1921" constituting insurance agents and brokers fiduciaries with respect to funds received as insurance agents or brokers and prescribing penalties for the violation thereof.

Referred to the Committee on Insurance.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 303.

An Act amending the act of April 30, 1929 (P. L. 885) entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

HOUSE BILL No. 304.

An Act amending the act of June 12, 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit * * *" further providing for the annulling vacating and forfeiting of the

articles of associations and letters patent issued to such associations * * *.

HOUSE BILL No. 570.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) requiring the Board of Finance and Revenue to make and certify annual reports to the Governor.

With the information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEE

Mr. BOIES from the Committee on Appropriations, re-reported as committed, House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned rebuilt or used weighing or measuring devices regulating the conduct of such business and providing penalties.

Mr. WILLAREDT from the Committee on Appropriations, re-reported as committed, House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

Mr. BONNER from the Committee on Workmen's Compensation, reported as committed, House bill No. 605, entitled:

An Act regulating the payment of wages or compensation for labor or services in certain private employments; establishing regular pay days; imposing duties upon employers; conferring powers and duties upon the Department of Labor and Industry; imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages; imposing civil and criminal penalties for violations of the act; and providing for their collection and disposition.

Mr. BOIES from the Committee on Appropriations, re-reported as amended, House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

Mr. GELFAND from the Committee on Appropriations, re-reported as committed, House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926) adding a definition changing tag stamp and registration provisions providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

Mr. HAMILTON from the Committee on Appropriations, re-reported as committed, House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518) changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits inspections and certificates.

Mr. WARGO from the Committee on Appropriations, re-reported as committed, House bill No. 739, entitled:

An Act relating to apprenticeship and training creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

Mr. WILT from the Committee on Appropriations, re-reported as committed, House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 changing the measure of relief for disability or death of personnel on active duty.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 605, entitled:

An Act regulating the payment of wages or compensation for labor or services in certain private employments; establishing regular pay days; imposing duties upon employers; conferring powers and duties upon the Department of Labor and Industry; imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages; imposing civil and criminal penalties for violations of the act; and providing for their collection and disposition.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

The SPEAKER. What is the pleasure of the majority leader?

Mr. McCANN. Mr. Speaker, the only thing I ask of the House, there are a couple of bills that are ready with amendments, after resolutions, and I ask the members to remain so we can put the amendments in the bills.

Mr. Speaker, I ask that you move to the order of business of resolutions and that all other bills on today's calendar go over in order, except the two bills that I will call up for amendments.

The SPEAKER. The Chair hears no objection and now proceeds to the order of resolutions. Resolutions being the order of the day, the Chair recognizes the minority leader.

RESOLUTION

DISCHARGING COMMITTEE ON HOUSE BILL No. 905

Mr. A. W. JOHNSON offered a resolution which was read by the clerk as follows:

In the House of Representatives, April 11, 1961.

Resolved, That House bill No. 905, printer's No. 994, entitled "An act amending the act of December 22, 1959 (P. L. 1978), entitled 'An act providing for and regulating harness racing with pari-mutuel wagering on the results thereof; creating the State Harness Racing Commission as a departmental administrative commission within the Department of Agriculture and defining its powers and duties; providing for the establishment and operation of harness racing plants subject to local option; imposing taxes on revenue of such plants; disposing of all moneys received by the commission and all moneys collected from the taxes; authorizing penalties; and making appropriations,' prohibiting public officers, public employes and party officers from having an interest in pari-mutuel racing activities," having been referred to the Committee on Rules on March 13, 1961, and the committee not having reported the same to the House for a period of over fifteen days, the committee be discharged from further consideration thereof.

GEORGE C. MAGEE
ALBERT E. STRAUSSER
JAMES E. WILLARD
RUSSEL C. KEISER

On the question,

Will the House adopt the resolution?

Mr. A. W. JOHNSON. Mr. Speaker, I suppose many of the members both on this side and on the other side will say, well, that is one thing I thought I never would see Representative Johnson doing, presenting a discharge resolution, after all the years that we have fought them.

In 1959, however, our caucus decided that we would change our time-honored stand against discharge resolutions and, if you recall, we did put one in in 1959 on the cities-county consolidation bill.

Thursday, when I was here after everybody had gone home, the papers were replete with stories about the granting of a race track franchise in Philadelphia and the implications of those who hold stock in it being officials, and so forth.

The SPEAKER. The Chair reminds the minority leader that he is quite as conscious of the rules as the Chair, and that the merits or demerits of a motion are not debatable.

Mr. A. W. JOHNSON. Mr. Speaker, I am aware of that. I have discussed it with the majority leader and I promised to be very circumspect and be very short in my remarks. I am just giving you the reason for the resolution.

The SPEAKER. As long as the majority leader does not object to your remarks, the Chair will entertain them.

Mr. A. W. JOHNSON. I am nearly through, Mr. Speaker, but I thank you for your admonition. It is a point very well taken.

The bill 905 has been in committee, as the resolution states, since, I believe, March 13, 1961. It is a matter of tremendous public interest at the present time and this type of bill was born in the state of New York following the Moreland investigation back in 1954.

I am asking all of the members in this House to support this resolution. It is a very, very timely bill and is much needed in Pennsylvania.

I would like to have my remarks spread upon the record.

The SPEAKER. The gentleman's remarks will be spread upon the Journal.

Mr. A. W. JOHNSON submitted the following statement for the record:

> House bill 905, which bans political officers and employees and party officials from having financial interests in harness racing tracks is the same bill as one which was passed by the New York State Legislature in 1954.
>
> And why was that law passed? On August 28, 1953, Thomas F. Lewis, a union leader involved with the harness race track in Yonkers, New York, was murdered. Subsequent investigations by New York newspapers and later by a special commission appointed by Governor Dewey revealed an ugly pattern of corruption involving politicians of both parties, influence peddling, and secret tie-ins with the underworld.
>
> If you are interested in the details, go over to the State library and look at the files of the New York Times of February, March, and April of 1954, when disclosures at hearings of the Moreland Commission of scandal in high places were at their height.
>
> Look at page one of the New York Times of March 2, 1954. You will find, "politicians and persons with underworld backgrounds or friendships were found yesterday to have been the hidden owners of close to a million dollars worth of stock in several New York racing tracks.
>
> "Among those who were shown to have secretly struck it rich was former Assemblyman Elmer J. Kellam (a Republican); Irving Sherman, political intimate of former Mayor William O'Dwyer (a Democrat) and admitted friend of gangsters: Frank J. Erickson, son of the convicted gambler, and Samuel J. Stirratt, an ex-convict with a long police record.
>
> "Additional testimony was introduced indicating that loans from racketeers had helped the original incorporators of the Algam Corporation to purchase Yonkers Empire City Race Track."
>
> Still quoting the Times: "Alfred De Meo, former assistant district attorney of Nassau County, a former stockholder in Roosevelt Raceway was questioned concerning an arrangement whereby he received five percent of the profits from the food and liquor concession at the track because he had been instrumental in getting the concession for one Harry M. Stevens, the concessionaire . . .
>
> "De Meo testified he received $281,770 between 1951 and 1953 as a kickback from Stevens. He gave half of that sum to William De Koning, Sr., Nassau County labor boss. De Koning is now under indictment for extorting money from workers at Roosevelt Raceway."
>
> De Koning, by the way, pleaded guilty to charges of extortion and was sentenced to an eighteen-month jail term.
>
> But just get the picture about this one tie-up between a politician, a businessman, and a labor racketeer. The assistant district attorney gets a concession at a race track for a man who kicks back nearly $300,000 to him in three years and splits the take with a labor boss who is sent to jail for extorting money from workers at the same track.
>
> Influence peddling and corruption were not confined to members of one party. On March 2, 1954, the New York Times disclosed that Thomas T. Curran, Secretary of State under Governor Dewey, received a check for $10,000 in the negotiation that led to the establishment of the Yonkers Raceway.
>
> On March 14, the Moreland Act Commission sent to Governor Dewey a report that 35 percent of stock in all New York State Raceways was owned by politicians or political officers of both parties.
>
> On March 15, 1954, Governor Dewey proposed that all public officials and major political leaders be barred from having any connections with horse racing of any kind in New York State . . . Dewey said that such a drastic prohibition was necessary to avoid the risk of conflict between public responsibility and private interests.
>
> Speaking to the Legislature Dewey said: "Conceding the legality of ownership of race track stock by anyone, it seems to me that so long as political ownership is possible, there will always remain the opportunity of private gain through political influence."
>
> This then is a brief summary of what happened in New York State when politicians, businessmen and racketeers formed an unholy alliance to control the immensely profitable harness racing business.
>
> House Bill 905 is not a blanket indictment of politicians as such. It is a bill that should be passed to prevent a small minority of unscrupulous persons in positions of political power and influence to use that power and influence in a selfish and unscrupulous way.
>
> The experience of New York State stands as a warning to us as we begin to introduce harness racing here in Pennsylvania. If we do not act immediately to cut the ties between politicians and harness racing, we stand the risk of being plagued with the same kind of tragic and ugly conse-

quences that began to reach the public in New York State on August 18, 1953 when the murder of a union official unleashed a scandal that racked that state and led to the same legislation we are proposing today.

Mr. McCANN. Mr. Speaker, I rise to oppose the discharge resolution presented to this House today regarding House bill No. 905, which the House history clearly indicates is in the possession of the Rules Committee.

I rise to oppose the motion and ask that the membership, the entire membership of this House, oppose this motion because we can debate the issues in this forum, and we certainly are prepared to debate them.

Today we can only handle the discharge resolution and I ask that we oppose the discharge resolution pertaining to House bill 905, and I certainly will not waste the time of this House.

I will also insist upon a roll call, which is what they are going to do.

The SPEAKER. For what purpose does the gentleman from Allegheny rise?

Mr. WALSH. Mr. Speaker, I do not wish to file my reasons; I want to state my reasons.

I have consistently voted against every horse racing bill that was ever brought up in this House. I have also voted at all times against the discharge of any committee. At this time I am going to vote against the discharge of the committee as a matter of principle, not on the merits of this resolution.

On the question recurring,

Will the House adopt the resolution?

The yeas and nays were required by Messrs. A. W. JOHNSON and McCANN and were as follows:

YEAS—90

Adams,	Fox,	Kistler,	Simmons,
Anderson, J. H.,	Fulmer,	Knecht,	Slack,
Ashton,	George,	Kooker,	Snare,
Auker,	Gibb,	Korns,	Stimmel,
Backenstoe,	Gibbons,	Lee, A. M.,	Stiteler,
Blair,	Goldstein, J. H.,	Lee, K. B.,	Strausser,
Bossert,	Gramlich,	Lippincott,	Thompson,
Bower,	Gross,	Magee,	Tompkins,
Bowman,	Guthrie,	Manbeck,	Ujobai,
Buchanan,	Haudenshield,	Marsh,	Varner,
Bush,	Helm,	May,	Wall,
Davis,	Henzel,	McCandless,	Weidner,
Dengler,	Holliday,	McInroy,	Wescott,
Donaldson,	Holman,	Merry,	Whittaker,
Down,	Horst,	Miller,	Willard,
Edwards,	Isaacs,	O'Dell,	Willaredt,
Elvey,	Johnson, A. W.,	Odorisio,	Williams, A. D.,
Eshback,	Johnson, R. P.,	Ogilvie,	Williams, E. S.,
Eshleman,	Keiser,	Piper,	Wilt,
Ewing,	Kernaghan,	Pursley,	Wood,
Fetterolf,	Kessler,	Royer,	Worley,
Foor,	King,	Rutherford,	Zember,
		Seltzer,	Zimmerman,

NAYS—104

Anderson, S. A.,	Frascella,	Long, Wm. Jos.,	Polen,
Arlene,	Fry,	Lutty,	Prendergast,
Bachman,	Gailey,	Markley,	Reibman,
Boles,	Gallagher,	Maxwell,	Reidenbach,
Bonner,	Gelfand,	McCann,	Renwick,
Branca,	Gray,	McCormack,	Riley,
Breth,	Gremminger,	McDevitt,	Rovansek,
Capano,	Guesman,	McDonald,	Rubin,
Capitolo,	Hamilton,	McKeever,	Sakulsky,
Cauley,	Hankins,	McLaughlin,	Scarcelli,
Cianfrani,	Hartley,	McNally,	Schaaf,
Cioffi,	Heavey,	Meholchick,	Schuster,
Clarke,	Hocker,	Mihm,	Shelton,
Comer,	Irvis,	Mills,	Sherman,
Cooley,	Jenkins,	Monroe,	Shupnik,
Crossin,	Jim,	Morley,	Stank,
Curwood,	Jones,	Mullen,	Sullivan, J. A.,
Dennison,	Kamyk,	Murphy,	Sullivan, T. F.,
Dougherty,	Kelly,	Musto,	Taylor,
Doughten,	Klein,	O'Donnell, J. A.,	Tomascik,
Eilberg,	Kramer,	O'Donnell, J. P.,	Verona,
Farabaugh,	Lamb,	Parlante,	Walsh,
Filo,	Lawson,	Pashley,	Wargo,
Fineman,	Leonard,	Perry,	Welsh,
Flynn,	Limper,	Petrosky,	Yetter,
Foerster,	Long, Wm. Jas.,	Polaski,	Andrews, Speaker

NOT VOTING—12

Goldstein, M. H.,	Kornick,	Needham,	Steckel,
Goodrich,	Munley,	Price,	Stone,
Heffner,	Murray,	Rudisill,	Trusio,

So the question was determined in the negative and the resolution was not adopted.

Mr. McCANN. Mr. Speaker, I would ask the membership to bear with us for just a minute. We have two bills to amend.

I am going to ask for a meeting of the Elections Committee immediately. We were not able to get all the committee meetings in as they were scheduled today.

I also want to say to the membership of the House that we will convene tomorrow morning at 10 a. m. We will caucus off the floor on final-passage and third-reading calendar and we will be in a position to vote on approximately 35 to 40 bills tomorrow.

I will ask, Mr. Speaker, that the chairman of the Committee on Elections, Mr. Eilberg, asks for a meeting of the committee on elections in the room to the left of the rostrum immediately.

Mr. HELM. Mr. Speaker, I would like to ask if we have passed over the order of resolutions? Since the resolution to discharge the Committee on Rules from consideration of the bill was defeated. I wish at this time to offer an investigatory resolution and ask for its referral to the proper committee.

RESOLUTION

Mr. HELM offered a resolution which was filed with the clerk under the rules.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. EILBERG asked and obtained permission for the Committee on Elections to meet during the session of the House.

BILLS CALLED OUT OF ORDER

Mr. McCANN. Mr. Speaker, I request permission to call up bills out of order for amendment and recommittal.

I call up on page 14 of today's calendar, bills on third reading, House bill No. 682.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 682, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto" further providing for retirement of members of the General Assembly.

On the question,

Will the House agree to the bill on third reading?

Mr. MIHM asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Section 4 (Sec. 401), page 6, line 6, by inserting after "Assembly" the following: "The total superannuation retirement allowances payable to a member of Class D-1 after election of an option as provided in section 404 of this article shall not exceed one hundred (100) percent of his final average salary."

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 420, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing county commissioners to exercise certain additional powers.

On the question,

Will the House agree to the bill on third reading?

Mr. CIOFFI asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 512), page 2, line 8, by striking out "county and its finances" and inserting: "government and finances of the county"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 141, entitled:

An Act amending the act of September 29, 1951 (P. L. 1645) entitled "An act authorizing the orphans' courts of the several counties upon application therefor to place documents defined as historical documents in the temporary custody of certain associations maintaining facilities for public display of historical writings * * *" extending the provisions of the act to the recorder of deeds the clerk of courts and the prothonotary and imposing duties on the court of common pleas.

On the question,

Will the House agree to the bill on third reading?

Mr. SCHAAF asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 1), page 3, line 2, by inserting after "prothonotary" "except documents relating to adoption, divorce or custody"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 583, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled "An act concerning gave and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" providing that proof of issuance of warrant survey or patent shall not be required incident to acquisition of land by the Pennsylvania Game Commission.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 355, entitled:

An Act amending "The General State Authority Act of one thousand nine hundred forty-nine" approved March 31, 1949 (P. L. 372) permitting additional members of the Authority to designate other persons to act on their behalf.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 356, entitled:

An Act amending the "State Public School Building Authority Act" approved July 5, 1947 (P. L. 1217) permitting certain members of the Authority to designate other persons to act on their behalf.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 387, entitled:

An Act amending the "State Highway and Bridge Authority Act" approved April 18, 1949 (P. L. 604) permitting certain members of the Authority to designate certain other persons to act on their behalf.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 309, printer's No. 338, on page 8 of today's calendar, bills on final passage postponed.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER. The Chair hears no objection.

REPORT FROM COMMITTEE

Mr. J. A. SULLIVAN from the Committee on Elections, reported as committed, House bill No. 1144, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the appointment of additional clerks at polling places in counties of the third class.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1144, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), providing for the appointment of additional clerks at polling places in counties of the third class.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

ANNOUNCEMENT BY CLERK

All former members of the Legislative Chorus will meet Wednesday in this room one-half hour before session. Rehearsals will be held in the Majority caucus room.

REQUEST FOR MEETING

Mr. McCANN. Mr. Speaker, I would like to know if the vice chairman of the Committee on Military Affairs and the members of the Military Affairs Committee would step off to the corner here. I would like to have a discussion with them since Mr. Needham is in the hospital and will be there for two weeks. I would like to have a discussion with them regarding a bill.

The SPEAKER. The vice chairman of the Committee on Military Affairs is asked to convene the members of his committee for a discussion between the members of that committee and the majority leader.

Mr. McCANN. Mr. Speaker, I am informed the Military Affairs Committee will meet off the floor tomorrow to take care of it.

COMMITTEE MEETINGS

MUNICIPAL CORPORATIONS, Mr. Polaski, chairman, Room 331, Wednesday, April 12, at 9:45 a.m.

TOWNSHIPS, Mr. Flynn, chairman, Room 131-A, Wednesday, April 12, at 9:30 a.m.

ADJOURNMENT

Mrs. PASHLEY. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 12, 1961, at 10 a.m., e.s.t.

The motion was agreed to, and (at 6:35 p.m., e.s.t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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Vol. 38. HARRISBURG, PA., WEDNESDAY, APRIL 12, 1961. No. 36.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 12, 1961.

The House met at 10 a.m., e. s. t.
The SPEAKER (Hiram G. Andrews) in the Chair.

PRAYER

The Chaplain, Reverend David R. Hoover, offered the following prayer:

In the quiet of this morning hour, we look upward unto Thee with the awareness that Thou art ever near to speak to us in every hour of need. As the trying pressures of life and the pressing problems of this hour crowd in upon us, we are extremely grateful for the assurance which Thou hast given to Thine own in days gone by. O Father, we humbly pray that Thou wilt continue to bless these servants of Thine in every trying hour, and enable them by Thy counsel to find release from the tensions which plague us constantly, so that service worthy of praise toward Thee and their fellowmen may be their contribution in this day. In the name of the Holy Trinity, Father, Son and Holy Ghost, world without end. Amen.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Tuesday, April 11, 1961, will be postponed until printed.

The Chair hears none.

BILLS INTRODUCED AND REFERRED

By Mr. MARSH. HOUSE BILL No. 1223.

An Act authorizing the distribution of seed packets to certain recipients of surplus foods or other relief measures and imposing duties upon the Departments of Agriculture and Public Welfare.

Referred to the Committee on Welfare.

By Messrs. PIPER, FINEMAN, HAMILTON, Mrs. REIBMAN and Mrs. MARKLEY.
HOUSE BILL No. 1224.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30) providing for the payments by the Commonwealth for certain equipment used for the instruction of handicapped children.

Referred to the Committee on Education.

By Messrs. McLAUGHLIN, BACHMAN, DENNISON and Mrs. MARKLEY. HOUSE BILL No. 1225.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further providing for the use of operators' licenses prior to the license period.

Referred to the Committee on Motor Vehicles.

By Mr. WALSH. HOUSE BILL No. 1226.

An Act amending the act of June 25, 1947 (P. L. 1145), entitled as amended, "An act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, townships of the second class, school districts of the second class, school districts of the third class, and school districts of the fourth class to levy, assess, and collect * * *," prohibiting the levy of per capita poll or other similar head taxes upon persons sixty-five years of age, or over.

Referred to the Committee on State Government.

By Messrs. FARABAUGH and HELM.
HOUSE BILL No. 1227.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), including chiropractors within school health programs.

Referred to the Committee on Education.

By Messrs. PETROSKY and McCANN.
HOUSE BILL No. 1228.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), establishing certain miscellaneous fees.

Referred to the Committee on Motor Vehicles.

By Messrs. RENWICK, GOODRICH, FARABAUGH and EILBERG. HOUSE BILL No. 1229.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), providing an exemption from electric clearance lamp requirements for logging trucks.

Referred to the Committee on Motor Vehicles.

By Messrs. O'DELL and BLAIR.
HOUSE BILL No. 1230.

An Act making an appropriation to the Pennsylvania Fish Commission for the purpose of dredging Edinboro Lake in Erie County.

Referred to the Committee on Appropriations.

By Messrs. FINEMAN and BOWMAN.
HOUSE BILL No. 1231.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), allowing a credit for suspensions imposed on Pennsylvania operators by another state.

Referred to the Committee on Rules.

By Messrs. FINEMAN and BOWMAN.
HOUSE BILL No. 1232.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), requiring the notice of conviction for violations in other states to contain a certified record of the conviction and requiring the same to be made available.

Referred to the Committee on Rules.

By Messrs. WELSH, J. A. SULLIVAN, MUSTO and FRASCELLA. HOUSE BILL No. 1233.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), requiring immunization against poliomyelitis and imposing duties on school directors, superintendents, principals and other persons in charge of public, private, parochial and other schools.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WELSH, FLYNN, J. A. SULLIVAN and LAWSON. HOUSE BILL No. 1234.

An Act amending "The Pennsylvania Workmen's Compensation Act," approved June 2, 1915 (P. L. 736), increasing liability for burial costs.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, FLYNN, TAYLOR, MELHOLCHICK and MUSTO. HOUSE BILL No. 1235.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051) prohibiting the encumbrance of real property used as a home for repayment of public assistance, cancelling such existing obligations and providing for reconveyance of real property so encumbered.

Referred to the Committee on Rules.

By Messrs. WELSH, FLYNN, ROVANSEK and WARGO. HOUSE BILL No. 1236.

An Act prohibiting the sale to the general public of convict made wares.

Referred to the Committee on State Government.

By Messrs. WELSH, LEONARD, GREMMINGER and GALLAGHER. HOUSE BILL No. 1237.

An Act amending the act of May 18, 1937 (P. L. 654), entitled, as amended, "An act to provide for the safety and to protect the health and morals of persons while employed; * * * and fixing penalties," increasing penalties.

Referred to the Committee on Public Health and Sanitation.

By Messrs. WELSH, T. F. SULLIVAN, TAYLOR, McDEVITT, SCARCELLI and WARGO. HOUSE BILL No. 1238.

An Act relating to apprenticeship and training; creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, J. A. SULLIVAN, LAWSON and McDEVITT. HOUSE BILL No. 1239.

An Act prohibiting discrimination in leases or rental agreement against occupancy by children, making unlawful refusal to enter into a lease or actual agreement because of occupancy by children and providing penalties therefor.

Referred to the Committee on Judiciary.

By Messrs. WELSH, MEHOLCHICK, SCARCELLI and PERRY. HOUSE BILL No. 1240.

An Act amending the "Public Assistance Law," approved June 24, 1937 (P. L. 2051), providing for eligibility for assistance in the case of aliens.

Referred to the Committee on Welfare.

By Messrs. WELSH, McKEEVER, McDEVITT and WARGO. HOUSE BILL No. 1241.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), including services of industrial insurance agents within the definition of employment.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, McDEVITT, ROVANSEK and LEONARD. HOUSE BILL No. 1242.

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (1937 P. L. 2897), authorizing compensation for employes whose employment has been terminated pursuant to a collective bargaining agreement.

Referred to the Committee on Labor Relations.

By Messrs. WELSH, McKEEVER, T. F. SULLIVAN and TAYLOR. HOUSE BILL No. 1243.

An Act providing that public employes of the Commonwealth of Pennsylvania or any political subdivision thereof in the absence of statutory law to the contrary shall not be forbidden by a superior officer to exercise the privilege of participating or engaging in political activities.

Referred to the Committee on Rules.

By Messrs. WELSH, KAMYK, PERRY and FRASCELLA. HOUSE BILL No. 1244.

An Act repealing the act of June 27, 1939 (P. L. 1184).

Referred to the Committee on Welfare.

By Messrs. A. M. LEE, ASHTON, BOWMAN and KING. HOUSE BILL No. 1245.

An Act to provide for the information of the Governor and the General Assembly, a schedule of the construction projects which the Department of Highways proposes to undertake in the year for which it is requesting budget funds, and in several of the ensuing years beyond such year.

Referred to the Committee on Highways.

By Messrs. WELSH, SCARCELLI, LAWSON and McKEEVER. HOUSE BILL No. 1246.

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing the sale of liquor for consumption off the premises in certain cases.

Referred to the Committee on Liquor Control.

By Messrs. WELSH, McDEVITT, PERRY and McKEEVER. HOUSE BILL No. 1247.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing and fixing the salaries of certain officers and employes in the Department of Labor and Industry.

Referred to the Committee on State Government.

By Messrs. PETROSKY and McCANN.
HOUSE BILL No. 1248.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), changing the provisions relating to leaves for certain State employes.

Referred to the Committee on State Government.

By Messrs. SNARE, RENWICK and ELVEY.
HOUSE BILL No. 1249.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), permitting the Game Commission to sell deer killed by accident.

Referred to the Committee on Game and Conservation.

By Messrs. YETTER, PRENDERGAST, WESCOTT and ESHBACK. HOUSE BILL No. 1250.

An Act amending "The Game Law," approved June 3, 1937 (P. L. 1225), prohibiting the use of spotlights, headlights, or other artificial lights on big game between twelve-thirty antemeridian and sunrise of the same day, whether carrying firearms or not.

Referred to the Committee on Law and Order.

By Messrs. GELFAND, GRAY, SHERMAN and LAWSON. HOUSE BILL No. 1251.

An Act amending the "State Employes' Retirement Code of 1959" approved June 1, 1959 (P. L. 392), further providing for the reduction of superannuation and withdrawal allowances.

Referred to the Committee on Appropriations.

By Messrs. POLEN, WOOD, BOWER and MIHM.
HOUSE BILL No. 1252.

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," limiting superannuation retirement allowances of members of the General Assembly.

Referred to the Committee on Rules.

By Messrs. FLYNN and CAPANO.
HOUSE BILL No. 1253.

An Act amending the "Pennsylvania Cigarette Tax Act of 1957," approved July 8, 1957 (P. L. 594), authorizing refund of the tax for stamps lost by theft.

Referred to the Committee on Ways and Means.

By Messrs. MILLS, KRAMER, Mrs. HENZEL and Mr. DONALDSON. HOUSE BILL No. 1254.

An Act amending the act of April 25, 1929 (P. L. 723), entitled "An act regulating the investment of funds by administrative departments, boards, commissions, and officers of the State Government," authorizing investment in certain obligations secured by a mortgage and by the assignment of moneys due under a lease.

Referred to the Committee on Judiciary.

By Messrs. FLYNN, CAPANO, GOODRICH and PURSLEY. HOUSE BILL No. 1255.

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting certain vehicles from the requirement to be so constructed or equipped as to bar road surface substances from being thrown from their rear wheels.

Referred to the Committee on Motor Vehicles.

By Messrs. T. F. SULLIVAN, FILO, HAUDENSHIELD and DONALDSON. HOUSE BILL No. 1256.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), increasing the maximum expenses to be paid to school directors for attendance at meetings of educational or financial advantage to the school district.

Referred to the Committee on Education.

By Messrs. JIM, CURWOOD, BRETH, STIMMEL, WILLARD and GRAMLICH. HOUSE BILL No. 1257.

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177) changing the title of fish warden to water patrol officer.

Referred to the Committee on Fisheries.

By Messrs. JIM, CURWOOD, BRETH, WILLARD, DOWN and STIMMEL. HOUSE BILL No. 1258.

An Act amending the act of May 28, 1931 (P. L. 202), entitled "An act providing for the licensing and regulation of motor boats operated or navigated upon any public stream * * * within the Commonwealth; * * * and prescribing penalties," transferring certain powers and duties from the Pennsylvania Fish Commission to the Department of Revenue, further providing for the licensing and regulation of motor boats, and boats electrically propelled and providing for liability for damages caused by the negligent operation of boats; * * *.

Referred to the Committee on Fisheries.

By Mr. COMER. HOUSE BILL No. 1259.

An Act relating to State highways, roads and bridges and certain use thereof; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto; establishing the State Highway System; providing for the construction, abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System; * * *.

Referred to the Committee on Highways.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. MARSH. RESOLUTION No. 55.

In the House of Representatives, April 11, 1961.

November eleventh, called Veterans Day, has been designated a legal holiday in honor of the men and women who served our country in her armed forces during times of war. It is an acknowledgment of the great debt we owe these patriots who sacrificed so much for the ideals of Americanism; therefore, be it

Resolved, That the members of the House of Representatives call upon our people to celebrate this day with the solemnity that its noble purpose deserves, to close down all but the most essential business establishments, to refrain from all but necessary work or labor, to sponsor, promote and participate in patriotic exercises and parades, and to assemble for worship and thanksgiving to God; and we urge each individual Pennsylvanian on that day to reflect upon the measure of gratitude he personally owes to the men and women who have protected our country from ambitious aggressors who would make slaves of us all.

Referred to the Committee on Rules.

By Messrs. HOCKER, HELM and TOMPKINS.
(Concurrent) RESOLUTION No. 56.

In the House of Representatives, April 11, 1961.

Recently the State Harness Racing Commission of the

Commonwealth of Pennsylvania issued the first license under its authority. This license was issued, despite the opposition of the chairman of the commission, L. B. Sheppard, to a harness racing corporation headed by James Clark, a prominent member of the Democratic Party of Pennsylvania. He is at the present time Finance Chairman of the Democratic Party in Philadelphia.

Considerable criticism and opposition has arisen throughout the Commonwealth due to the issuance of this license; therefore be it

Resolved (the Senate concurring), That the President Pro Tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House, who together shall constitute a committee to inquire into the administration of the State Harness Racing Commission to determine if their policies are being carried out in the proper manner, and be it further

Resolved, That the committee shall elect a chairman and such additional officers as it may deem necessary, that the committee may hold hearings, take testimony and make its investigations at such places as it shall deem necessary within this Commonwealth. It may issue subpoenas under the hand and seal of its chairman, commanding any person to appear before it and to answer questions touching matters properly being inquired into by the committee and to produce such books, papers, records and documents as the committee deems necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Any person who wilfully neglects or refuses to testify before the committee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such case. Each member of the committee shall have power to administer oaths and affirmations to witnesses appearing before the committee, and be it further

Resolved, That the committee shall report its findings together with a recommendation for appropriate legislation as soon as possible.

Referred to the Committee on Rules.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled, "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" further regulating leaves of absence for presidents and faculty members of State Colleges.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 352, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111) entitled, "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * *" increasing the minimum compensation and increments and changing conditions of payment.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 409, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) further regulating compensation to aged employes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 410, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) further providing for the employment of a certified public accountant.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 458, entitled:

An Act requiring toilet facilities to be furnished for employes and patrons of certain parking lots and fixing penalties.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 893, entitled:

An Act amending the "Local Tax Enabling Act" approved June 25, 1947 (P. L. 1145) placing a limitation on occupation taxes levied by any political subdivision.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. ARLENE asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. MERRY asked and obtained unanimous consent to add additional sponsors to two bills to be introduced by him.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 147, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368) further regulating notice given to delinquent taxables.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 245, entitled:

An Act authorizing the registration of persons engaged in the business of repairing condemned, rebuilt or used

weighing or measuring devices; regulating the conduct of such business and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 278, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) authorizing the reassessment of certain property and imposing liability for borough taxes upon the owners thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 473, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) further regulating the price to be paid for State forest lands.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 508, entitled:

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) authorizing the Treasury Department to invest certain moneys of the Commonwealth in certain types of prime commercial paper.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 536, entitled:

An Act authorizing deductions from the wages or salary of any Commonwealth employe for the payment of contributions to a United Fund Community Chest or other similar united community organizations.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 605, entitled:

An Act regulating the payment of wages or compensation for labor or services in certain private employments establishing regular pay days, imposing duties upon employers, conferring powers and duties upon the Department of Labor and Industry, imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages; imposing civil and criminal penalties for violations of the act, and providing for their collection and disposition.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 608, entitled:

An Act relating to plumbing and providing for the establishment of plumbing standards and the licensure of persons engaged in plumbing.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 659, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) limiting the number of persons who may hunt deer in unison or as a party.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 663, entitled:

An Act providing for the construction, erection and maintenance of roadside rests adjacent to State highway routes * * * authorizing rules and regulations and providing penalties for violations thereof and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 26, 1937 (P. L. 926) adding a definition changing tag, stamp and registration provisions; providing for licenses and certain fees, reports; prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 722, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) by further providing for the termination of contracts of professional employees.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 728, entitled:

An Act amending the "Elevator Regulation Law" approved May 2, 1929 (P. L. 1518) changing the definition of "elevator" and regulating the repairing and renovating of elevators requiring permits and fixing fees for permits, inspections and certificates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 735, entitled:

An Act regulating the manufacture of stuffed toys intended for sale, gift or use in Pennsylvania providing for registration of such manufacturers, the paying of a fee for such registration, the issuance of a seal of approval to such manufacturers * * * and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 739, entitled:

An Act relating to apprenticeship and training, creating a State Apprenticeship and Training Council in the Department of Labor and Industry to formulate an apprenticeship and training policy and program and defining its powers and duties and providing for administration.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 740, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) excluding music from supplies of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 812, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) integrating existing law, giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles into the act; providing additional penalties for violation of provisions relating to frogs, tadpoles and turtles and repealing certain acts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 813, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) changing the number of devices to be used while fishing.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 814, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 817, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) deleting the requirement of reports by artificial propagation licenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 819, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) regulating the sale of bait fish and changing the period for which purchased fish, bait fish and fish bait may be sold or held in possession.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 821, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) changing the number of devices to be used while fishing in the inland waters, boundary lakes and boundary waters on Sunday.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 823, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) changing the fishing license year.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 828, entitled:

An Act amending "The Military Code of 1949" approved

May 27, 1949, changing the measure or relief for disability or death of personnel on active duty.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 866, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624) requiring banks, bank and trust companies, and savings banks to pay interest on certain savings accounts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 880, entitled:

An Act amending the "Banking Code" approved May 15, 1933 (P. L. 624) changing provisions governing the change of the place of business of a branch, the period of public notice for the discontinuance of a branch, and the provisions relating to honorary directors, directors emeritus and members of advisory boards * * *.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 892, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 929, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) deleting certain limitations with respect to aids and services to the blind.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FLYNN asked and obtained permission for the Committee on Townships to meet during the session of the House.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 934, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for a vote of the majority of electors to enlarge or form union districts.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 935, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) providing that the commission shall not have the power to revoke the license of any hunter for the first offense of unlawfully killing game when game of the specie killed is in season.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 943, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit * * *" by extending the time within which actions of assumpsit may be brought to six year.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 992, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) conforming provisions relating to preparation of the State budget to correspond with the fiscal year.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 994, entitled:

An Act relating to the uniform rendition of prisoners as witnesses in criminal proceedings.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1029, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) extending provisions for special permits to certain disabled persons.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1043, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) clarifying the Department of Public Welfare's powers and duties concerning plans for institution over which it has supervision.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1060, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872) providing for the transportation of poultry in crates.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1075, entitled:

An Act amending the act of June 1, 1915 (P. L. 661) entitled "An act relating to the maintenance of insane, feeble-minded, and other persons confined in the various institutions of the Commonwealth fixing liability for their support * * *" further defining the liability of relatives and estates by the entireties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1076, entitled:

An Act providing for the creation of a commission to formulate a plan with respect to State and local administration of public welfare services and to prepare codifications of laws relating thereto and appropriate legislation in connection therewith.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1091, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519) requiring auditors to elect a chairman and a secretary.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1107, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) creating the Bedding Advisory Board within the Department of Labor and Industry and prescribing its powers and duties.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1119, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth * * *" removing compensation provisions for first aid and mine rescue workers.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1120, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania * * *" removing salary provisions for electrical inspectors.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1122, entitled:

An Act amending the "Milk Control Law" approved April 28, 1937 (P. L. 417) increasing the annual license fees on milk dealers.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1124, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) changing the limitation on appropriations which may be made for agricultural extension work.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1125, entitled:

An Act amending the "Second Class County Code" approved July 28, 1953 (P. L. 723) increasing the limitations on appropriations which may be made for agricultural extension work.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1130, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to lease under certain conditions real property now under the jurisdiction of the Department of Public Welfare and located at the Dixmont State Hospital, Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1131, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 98.918 acres more or less of land situate in Kilbuck Township Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1135, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey land situate in the borough of Polk Venango County Pennsylvania with the approval of the Governor.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1136, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey 3 acres more or less of land situate in Somerset Township Somerset County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1137, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey certain lots or tract of ground with improvements thereon in Millcreek Township Erie County.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1139, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land in the Borough of Norristown Montgomery County Pennsylvania for the use of Norristown State Hospital.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1144, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) providing for the appointment of additional clerks at polling places in counties of the third class.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1149, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire land for use of Selinsgrove State School in Penns Township Snyder County Pennsylvania.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1166, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor to acquire ninety acres of land more or less in Canaan Township Wayne County for use of Farview State Hospital.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1169, entitled:

An Act amending the act of May 29, 1956 (P. L. 1803) entitled "An act providing for the establishment of forestry conservation camps by the Department of Forests and Waters for the development and conservation of the forests of this Commonwealth and for the rehabilitation and training of male youth * * *" further regulating the acceptance and transfer of campers and providing for the payment by counties of a part of the operating expenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1173, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) clarifying the definition of documents and transactions providing for determination of deficiencies redetermination reviews and appeals therefrom imposing duties upon the Secretary of the Commonwelath and conferring additional powers and duties upon the Department of Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1179, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), increasing the membership of the Water and Power Resources Board by including the Secretary of Internal Affairs, the Secretary of Agriculture, and the Secretary of Commerce and eliminating the engineer member of the board.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1181, entitled:

An Act creating an Anthracite Mine Law Study Commission for the purpose of making a study and investigation of all laws relating to underground anthracite coal mines and the preparation of a modern code relating thereto.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1191, entitled:

An Act relating to the conservation of water resources and the protection and regulation of surface and subsurface waters under certain circumstances, prescribing the duties of the Water and Power Resources Board, and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1200, entitled:

An Act amending the act of June 1, 1956 (P. L. 1959) entitled, "An act fixing the salaries and compensation of the Chief Justice and judges of the Supreme Court * * * and the salary and expenses of the members of the General Assembly * * *" fixing the allowance of members of the General Assembly for clerical assistance and other expenses.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 79, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" authorizing the use of radio-micro-wave equipment in timing speed; further regulating convictions; prescribing powers and duties of the Secretary of Revenue and the Secretary of Highways and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 138, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled "The Borough Code" validating certain actions of boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 139, entitled:

An Act amending the act of June 15, 1951 (P. L. 586) entitled, "An act regulating the suspension, removal, furloughing and reinstatement of police officers in boroughs and townships of the first class having police forces of less than three members and in townships of the second class"; validating certain actions of townships and boroughs heretofore taken with respect to the appointment of policemen.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 174, entitled:

An Act amending the act of June 23, 1931 (P. L. 932) entitled, "The Third Class City Code," changing the time within which copies of budget ordinances shall be filed in the office of the Department of Internal Affairs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 185, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled, "The Borough Code," providing for a vice-president of council and specifying certain duties of the president and vice-president of council.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 189, entitled:

An Act amending the act of May 4, 1927 (P. L. 519) entitled, "The Borough Code," permitting council to appeal from findings of the Civil Service Commission.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 292, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled, "The Game Law," extending the hours for hunting woodchucks to include the month of June.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 314, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled, "The Game Law," permitting unnaturalized foreign-born residents to possess or control dogs.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 372, entitled:

An Act amending the act of June 3, 1937 (P. L. 1225) entitled, "The Game Law," changing provisions relating to shooting restrictions on regulated grounds.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WELSH asked and obtained permission for the Committee on Law and Order to meet during the session of the House.

The SPEAKER. While the Chair recovers his breath from the second-reading race, he will ask the gentleman from Armstrong, Mr. Helm, to preside temporarily.

Mr. HELM IN THE CHAIR

REPORTS FROM COMMITTEE

Mr. CIANFRANI from the Committee on Municipal Corporations, reported as amended, House bill No. 320, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs, towns and townships, and the regulation and maintenance thereof; * * *," changing the age at which a member of a police force may retire.

Mr. GIBBONS from the Committee on Municipal Corporations, reported as committed, House bill No. 359, entitled:

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

Mr. RILEY from the Committee on Municipal Corporations, reported as committed, House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

Mr. GIBB from the Committee on Law and Order, reported as committed, House bill No. 948, entitled:

An Act amending "The Penal Code" aproved June 24, 1939 (P. L. 872) prohibiting the purchase, acceptance, receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

Mr. STITELER from the Committee on Military Affairs, reported as committed, House bill No. 1167, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

Mr. STRAUSSER from the Committee on Highways, reported as committed, Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 359, entitled:

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 948, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the purchase, acceptance, receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1167, entitled:

An Act amending "The Military Code of 1949" approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code" granting the power to the Secretary of Highways to establish speed limits.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BIRTHDAYS

The SPEAKER pro tempore. The Chair has been informed that today we have several members celebrating their birthdays, the gentleman from Delaware, Mr. Lippincott, and the gentleman from Chester, Mr. Slack. The Chair calls the attention of Dr. Dengler to this fact and asks that he takes the microphone.

Mr. DENGLER. I think we should sing "Happy Birthday, dear Ted and Tim." We can do this in one operation.

(Members joined in singing "Happy Birthday")

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence, Mr. Fox. For what purpose does the gentleman rise?

Mr. FOX. Mr. Speaker, I would like to inform the House that the gentleman from Bedford, Mr. Foor, also has a birthday today.

The SPEAKER pro tempore. Let's do it again. The gentleman from Bedford, Mr. Foor, also has a birthday today. His first name is Percy.

(Members joined in singing "Happy Birthday")

The SPEAKER pro tempore. The Chair thanks the gentleman from Delaware, Mr. Dengler, and recognizes the gentleman from Bedford, Mr. Foor.

Mr. FOOR. Mr. Speaker, I want to thank the assembly for the salute. The other evening going down the walk I had tried to bribe Mrs. Kooker into planting the osculatory salute on my cheek, and she ran out on me. She got kissed the other day and I do not get kissed.

The SPEAKER pro tempore. Birthdays are very important occasions, particularly to the men who are celebrating them.

The Chair recognizes the gentleman from Chester, Mr. Slack.

Mr. SLACK. Mr. Speaker, I wish to thank Dr. Dengler for leading the singing; however, I am glad he does not consider me a kissing cousin.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The third gentleman I am going to recognize, I believe, is operating under a handicap and I know it is going to be rather difficult for him to say anything, but I insist. Will the gentleman from Delaware, Mr. Lippincott, say a few words?

Mr. A. W. JOHNSON. Mr. Speaker, I am his amanuensis today, if you will allow me.

The SPEAKER pro tempore. The Chair does not know what the word means.

Mr. A. W. JOHNSON. Mr. Speaker, substituting for Mr. Lippincott, it is very gratifying to me when I see my name in the paper and it says elderly Smethport attorney, Albert Johnson, age 54.

I am pleased that now Ted Lippincott, like the rest of us, is getting older, and, as he mellows with age, he has authorized me to express his appreciation to the members of the House for the kindnesses they have extended to him and to say that he does not like getting older.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair is aware that the gentleman has lost his voice completely, but would like to have him stand up and take a bow.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 194, 224, 240, 302, 305 and 312.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 194, Printer's No. 392, entitled "An Act amending the act of May 4, 1927 (P. L. 519), entitled 'The Borough Code,' exempting certain appointees in police and fire forces from civil service examination."

DAVID L. LAWRENCE.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 224, Printer's No. 655, entitled "An Act amending the act of June 19, 1941 (P. L. 143), entitled 'An act designating certain days of each year as Arbor Days and Bird Days one of which days shall be the ninth day of April except when the ninth day of April falls on Saturday Sunday or Good Friday providing that the week of the ninth of April be proclaimed as Conservation Week and directing suitable observance of Arbor Days and Bird Days in public schools under the direction of superintendents and teachers' further providing for the designation of Arbor Day and Conservation Week."

DAVID L. LAWRENCE.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 240, Printer's No. 248, entitled "An Act providing for the apopintment of a registered nurse for the members of the General Assembly."

DAVID L. LAWRENCE.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 302, Printer's No. 687, entitled "An Act amending the act of May 29, 1956 (P. L. 1795), entitled 'Pennsylvania Fertilizer Law of 1956,' providing for the filing of reports and statements by certain persons changing the method of sampling inspection and analysis."

DAVID L. LAWRENCE.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 305, Printer's No. 334, entitled "An Act amending the act of September 23, 1959 (P. L. 933), entitled 'An act providing for the regulation of the propagation of domestic mink in captivity and providing penalties,' further defining domestic mink and the raising thereof, changing the time for the expiration of permits and the contents of the applications for the same expanding the purpose for which the fund may be used, further regulating fences and deleting certain requirements relating to the keeping of records."

DAVID L. LAWRENCE.

April 11, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 312, Printer's No. 341, entitled "An Act amending the act of June 30, 1947 (P. L. 1154), entitled as amended 'An act to regulate the manufacture, sale, transportation, possession, use and advertising of oleomargarine, butterine and other similar products and to prohibit the sale, possession or use thereof in certain cases to provide for license fees to be paid by manufacturers, wholesale and retail dealers and by proprietors of hotels, restaurants, dining-rooms and boarding-houses to prevent and punish fraud and deception in such manufacture, sale, use and advertising to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture,' providing for the use of the word margarine."

DAVID L. LAWRENCE.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Eilberg for Mr. NEEDHAM because of illness.

Mr. Eilberg for Mrs. MUNLEY because of illness.

Mr. Tompkins for Mr. WESCOTT for today to attend funeral.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair has been asked to make an announcement that the pictures which were taken in the hall of the House a few days ago are now available in the lobby of the House and can be seen there. Any members who wish to order them may do so from the lady in attendance.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, I would like to inform the membership of the House as to our schedule which will begin immediately. We have a total of 11 bills that were caucused on by both parties that are in a position for vote. I will indicate those bills. We will vote on those bills before we go to lunch and have a short caucus. Upon return from caucus we will have a series of bills we will vote on, definitely getting out of here as early as we can this afternoon.

Mr. Speaker, there is a total of 12 bills and two concurrences on which we will attempt to vote before we have a break for lunch. I will ask permission to start the House by turning to page 35 for concurrence in Senate amendments.

Bill on concurrence in Senate amendments, House bill 54, printer's No. 1014, for the first roll call.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 54.

An Act Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing departments boards and commissions to purchase certain manuscripts relics furnishings microfilms film strips recordings and tests.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the Amendments.

The clerk read the amendments as follows:

Amend Title, page 2, line 11, by inserting after the word "certain" the following words: "manuscripts relics furnishings microfilms;" Section 1, subsection (5), page 3, line 17, by striking out after the word "books" the word "and" and inserting immediately thereafter the following words: "manuscripts historical relics antique furnishings for historical buildings microfilms."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fox,	Kramer,	Pursley,
Anderson, J. H.,	Frascella,	Lamb,	Reidenbach,
Anderson, S. A.,	Fry,	Lawson,	Renwick,
Arlene,	Fulmer,	Lee, A. M.,	Riley,
Ashton,	Gallagher,	Lee, K. B.,	Rovansek,
Auker,	Gelfand,	Leonard,	Rubin,
Bachman,	George,	Limper,	Rudisill,
Backenstoe,	Gibb,	Lippincott,	Sakulsky,
Blair,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Boies,	Goldstein, J. H.,	Lutty,	Schaaf,
Bonner,	Goodrich,	Magee,	Seltzer,
Bossert,	Gramlich,	Manbeck,	Shelton,
Bower,	Gray,	Markley,	Sherman,
Bowman,	Gremminger,	Marsh,	Shupnik,
Branca,	Gross,	Maxwell,	Simmons,
Breth,	Guesman,	May,	Slack,
Buchanan,	Guthrie,	McCandless,	Snare,
Bush,	Hamilton,	McCann,	Stank,
Capano,	Hankins,	McCormack,	Stimmel,
Capitolo,	Hartley,	McDevitt,	Stiteler,
Cauley,	Haudenshield,	McDonald,	Stone,
Cianfrani,	Heavey,	McInroy,	Strausser,
Cioffi,	Heffner,	McKeever,	Sullivan, T. F.,
Clarke,	Helm,	McLaughlin,	Taylor,
Comer,	Henzel,	McNally,	Thompson,
Cooley,	Hocker,	Meholchick,	Tompkins,
Crossin,	Holliday,	Merry,	Ujobai,
Curwood,	Holman,	Mihm,	Varner,
Davis,	Horst,	Miller,	Verona,
Dengler,	Irvis,	Monroe,	Wall,
Dennison,	Isaacs,	Morley,	Walsh,
Donaldson,	Jenkins,	Mullen,	Wargo,
Dougherty,	Jim,	Murphy,	Weidner,
Doughten,	Johnson, A. W.,	Musto,	Welsh,
Down,	Johnson, R. P.,	O'Dell,	Whittaker,
Edwards,	Jones,	O'Donnell, J. A.,	Willard,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Willaredt,
Elvey,	Keiser,	Odorisio,	Williams, A. D.,
Eshback,	Kelly,	Ogilvie,	Williams, E. S.,
Ewing,	Kernaghan,	Parlante,	Wilt,
Farabaugh,	Kessler,	Pashley,	Wood,
Fetterolf,	King,	Perry,	Worley,
Filo,	Kistler,	Petrosky,	Yetter,
Fineman,	Klein,	Piper,	Zember,
Flynn,	Knecht,	Polaski,	Zimmerman,
Foerster,	Kooker,	Polen,	Andrews,
Foor,	Korns,	Prendergast,	Speaker

NAYS—0

NOT VOTING—19

Eshleman,	Mills,	Reibman,	Sullivan, J. A.,
Gailey,	Munley,	Royer,	Tomascik,
Goldstein, M. H.,	Murray,	Rutherford,	Trusio,
Kornick,	Needham,	Schuster,	Wescott,
Long, Wm. Jas.,	Price,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 332.

An Act amending the act of July 5, 1957 (P. L. 485), entitled "An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks prohibiting the sale offering or exposing for sale exchange or giving away thereof unless registered providing for licensing of places of manufacture regulating the manufacture compounding labeling sanitation and ingredients of non-alcoholic drinks and the display of presses of fruit prohibiting misbranding and adulteration of registered and non-registered non-alcoholic drinks authorizing promulgation of rules regulations and standards and providing for penalties and for injunctions in certain cases and the disposition of fees and fines" changing the expiration dates of licenses and registrations and further providing for the marking of labels.

With the information that the Senate had passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the amendments as follows:

Amend Section 1, page 4, line 16, by striking out after the word "container" the word "should" and inserting in lieu thereof the word "does"; line 19 by striking out after the word "be" the words "available to" and inserting in lieu thereof the words "placed on file"; page 5, line 2, by striking out at the begining of the line the words "upon request" and inserting in lieu thereof the following: "within thirty days of their adoption and shall be available to any person upon request".

Section 2, page 5, line 5, by striking out after the word "effect" the word and figures "April 1, 1961" and inserting in lieu thereof the word "immediately".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. McCANN. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Adams,	Fox,	Lamb,	Reidenbach,
Anderson, J. H.,	Frascella,	Lawson,	Renwick,
Anderson, S. A.,	Fulmer,	Lee, A. M.,	Riley,
Arlene,	Gailey,	Lee, K. B.,	Rovansek,
Ashton,	Gallagher,	Leonard,	Rubin,
Auker,	Gelfand,	Limper,	Rudisill,
Bachman,	George,	Lippincott,	Rutherford,
Backenstoe,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Blair,	Gibbons,	Lutty,	Scarcelli,
Boies,	Goldstein, J. H.,	Magee,	Schaaf,
Bonner,	Goodrich,	Manbeck,	Seltzer,
Bossert,	Gramlich,	Markley,	Shelton,
Bower,	Gray,	Marsh,	Sherman,
Bowman,	Gremminger,	Maxwell,	Shupnik,
Branca,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McInroy,	Stone,
Cianfrani,	Heavey,	McKeever,	Strausser,
Cioffi,	Heffner,	McLaughlin,	Sullivan, T. F.,
Clarke,	Helm,	McNally,	Taylor,
Cooley,	Henzel,	Meholchick,	Thompson,
Crossin,	Hocker,	Merry,	Tompkins,
Curwood,	Holliday,	Mihm,	Ujobai,
Davis,	Holman,	Miller,	Varner,
Dengler,	Horst,	Monroe,	Verona,
Dennison,	Irvis,	Morley,	Wall,
Donaldson,	Isaacs,	Mullen,	Walsh,
Dougherty,	Jenkins,	Murphy,	Wargo,
Doughten,	Jim,	Musto,	Weidner,
Down,	Johnson, A. W.,	O'Dell,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,
Eilberg,	Jones,	O'Donnell, J. P.,	Willard,
Elvey,	Kamyk,	Odorisio,	Willaredt,
Eshback,	Keiser,	Ogilvie,	Williams, A. D.,
Eshleman,	Kernaghan,	Parlante,	Williams, E. S.,
Ewing,	Kessler,	Pashley,	Wilt,
Farabaugh,	King,	Perry,	Wood,
Fetterolf,	Kistler,	Petrosky,	Worley,
Filo,	Klein,	Piper,	Yetter,
Fineman,	Knecht,	Polaski,	Zember,
Flynn,	Kooker,	Polen,	Zimmerman,
Foerster,	Korns,	Prendergast,	Andrews,
Foor,	Kramer,	Pursley,	Speaker

NAYS—0

NOT VOTING—19

Comer,	Long, Wm. Jas.,	Price,	Sullivan, J. A.,
Fry,	Mills,	Reibman,	Tomascik,
Goldstein, M. H.,	Munley,	Royer,	Trusio,
Kelly,	Murray,	Schuster,	Wescott,
Kornick,	Needham,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk inform the Senate accordingly.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the gentleman from Cambria, Mr. Andrews, rise?

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ANDREWS. Mr. Speaker, I rise to a question of personal privilege on behalf of every member of this House.

In a statement recently issued, one O. D. Shipley, was asked why he had been subjected to criticism by members of this House, and with an unparalleled arrogance he replies, "They apparently feel that it is politically expedient to do so."

Now on the part of an agent of government it is just an instance of damnable holier-than-thou hypocrisy for anybody connected with this administration to intimate than any criticism leveled at a particular department is motivated by sheer partisan politics.

Something should be done about that man because as long as he reigns supreme as the lone agent here on Capitol Hill, incorruptible, with everybody else who disagrees with him supposedly grovelling in the depths of despicable party partisanship, there is a quarrel pending that is irreconcilable except by his change of heart or his eviction from the official status.

STATEMENT BY MINORITY LEADER

Mr. A. W. JOHNSON. Mr. Speaker, speaking as a Republican, I do not know whether we want Mr. Shipley removed from office or not. As I said yesterday on the floor, when I go back home over the weekend, I have quite a number of people come to me about the way they are being treated by the Department of Safety. I understand they are suspending 5,000, 6,000 to 7,000 licenses a week and if you multiply that by 52 weeks in the year, it brings the number to 200,000 and 300,000 people, and there is a gubernatorial election next year and, if all those people are mad, this certainly should rebound to the benefit of the Republican Party. So I do not know whether I want to recommend Mr. Shipley's removal or not.

STATEMENT BY MAJORITY LEADER

The SPEAKER pro tempore. The Chair recognizes the gentleman. Does the gentleman care to make a statement?

Mr. McCANN. Mr. Speaker, at one time I am chastised publicly for going out of turn in the operation of this House; the next time I am condemned for doing this, but I say that we abide by the rules and then we shift the rules and it seems all right. It depends upon the occasion. Therefore, all I have to say is—page 17, House bill 337, the next order of business.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 337, entitled:

An Act providing for the issuing administration enforcement and termination of marketing orders on apples imposing powers and duties on the Secretary of Agriculture providing for the creation and operation of an advisory board prescribing the contents of orders and providing for the imposition and collection of fees.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. Mr. Speaker, this bill raises serious constitutional questions, some of which are that it creates a special tax, it creates a special appropriation, it violates Article III, section 7, of the Pennsylvania Constitution since the classification is not reasonable, it cannot be sustained by police power or general welfare since the sole purpose here is to benefit a few big apple growers to get a free ride while the Secretary of Agriculture of Pennsylvania pushes an apple tax down the little growers' throats.

It is also improper delegation of legislative power to the Secretary of Agriculture to legislate laws in the form of marketing orders and apple taxes for this General Assembly without reasonable standards.

We, the members of this General Assembly, are the law-making body and not the Secretary of Agriculture. The duty of the executive branch is to enforce the law and not to make the law. When legislative power and executive power are merged, you have a government of men and not of law, which we commonly refer to as a dictatorship.

Mr. Speaker, as the only Representative from the largest apple-producing county in this Commonwealth, the County of Adams, I say that even though this bill should happen to be held constitutional by the Pennsylvania Supreme Court, the bill is nevertheless very bad on merits. I say that a majority of the apple growers of Pennsylvania and a majority of the people of Pennsylvania are against this apple-tax bill.

I have fifty letters against it, and only eleven letters for the bill. I also hold here in my possession the signatures of hundreds of apple farmers on petitions against this bill, and these signers are from Adams, Franklin, Lancaster, and York Counties, and I even have one from Cambria County. They are all apple producers on the lands of those counties.

If we start this with apples, there will be no end. Every Tom, Dick, and Harry will want to use State government machinery for his own ends; and if you let one do it, you cannot stop the others. You will probably find eventually the Department of Commerce will be advertising booze, cigarettes, and rouge, and the Department of Agriculture will eventually be bossing the farmers all around with taxes and marketing orders on every crop the farmer grows.

Remember this, Mr. Speaker, that only those who sell in Pennsylvania will be taxed under House bill No. 337, printer's No. 1158, but those who sell outside Pennsylvania will get the greatest benefit since they do not have to pay the tax under the definition of "producer," on page

3 of the bill. This is extremely unfair since the bill creates free rides to those who sell outside the State. Do you see what a few big apple growers would be doing to the poor little growers who sell inside the State? Let me illustrate how this works. United States Senator Byrd, as Democratic Party boss of the Commonwealth of Virginia, forced a somewhat similar apple tax through the Virginia Legislature. After this law was enacted, Byrd avoids payment of the tax on his own large production of apples by shipping his apples across the State line into West Virginia. The little apple growers of Virginia were too poor to ship their apples across State lines to avoid the tax and so the little apple growers of Virginia paid all the apple taxes that were collected to advertise all the apples of Virginia, while Byrd, the biggest producer of Virginia apples, got the greatest benefit from the advertising apple tax and at the same time got a free ride without paying any tax.

Now I do not think that the statesmen of this House will want to create such a bird in Pennsylvania, and I do not think the members of this House will permit any bird to rob the nests of the poor in order to give the rich a free ride. And I do not think that my city friends in the hall of this old House will want to raise food prices on apples to the consumer through an apple tax.

My fellow members, I say to you, let us vote this bill down in the interest of justice and fairness to all the people in this Commonwealth.

Mr. PIPER. Mr. Speaker, I would like to disagree with my colleague. It appears that someone is trying to sabotage a good bill that the apple growers want.

I represent small apple growers in Berks County and I would like to read two letters that I have received from some of these apple growers.

One of the letters I have is from Ontelaunee Orchards, reading as follows:

ONTELAUNEE ORCHARDS

Leesport, Pennsylvania, March 16, 1961.

Hon. William G. Piper,
202 Harvard Blvd.,
Lincoln Park, West Lawn, Pa.
Dear Mr. Piper: Re. House Bill 337.

I wish to go on record personally as well as Ontelaunee Orchards favoring the enactment of the above H. B. 337.

For over 20 years we have been supporting a voluntary program of raising funds to advertise apples. Naturally on such a program eventually you have less than half supporting the program and the others riding along free.

What we are trying to do in H. B. 337 is to permit the apple growers to vote on whether or not they want to tax themselves to pay for advertising and research to help their own field of agriculture. We are interested in this bill only so far as it applies to apples. We feel that it is something that is needed if we are to have some orderly marketing in the future, when the industries young trees come into bearing.

We urge your support of this bill, and if possible discuss same with the other Berks County Representatives.

As to House Bill 336, which I understand would remove Act No. 144, which the administration claims the apple growers want. As I understand Act No. 144, approved May 24, 1927, relates to the marketing of closed packages of apples. The Horticultural Society did not to my knowledge at any time ask for the repeal of this act. They did several years ago ask for the enforcement of the grading and marketing laws, already on the books.

If H. B. 336, simply removes Act No. 144, because there is a later bill on the books that will do the same purpose, then it appears to be a matter of taking something off the books, that is no longer being used; and we would not oppose it. At the same time both bills should be tied together.

Very truly yours,
ONTELAUNEE ORCHARDS
John R. Mengel, Sales Manager

Another letter from Mt. Aetna Orchards reads:

MT. AETNA ORCHARDS

Mt. Aetna, Pennsylvania

Hon. Mr. Wm. G. Piper.
Dear Sir:

As an observer of what is happening with H. B. 337, at Capitol Hill, it intrigues me. For by this time I suppose the Administration has everyone partially confused. Let us keep our head and nose clear.

I with some other apple growers helped in drafting of the original bill. Today it looks as if apple growers were all Lawrence's Group.

The original Bill as we wanted it, and I urge you to consider it. The Bill (337) should read apples and apples only. We want no other commodities attached, hooked, or assumed in any way shape or form.

Trusting your vote and confidence in apple growers, I would urge you to speak to the other constituents from Berks County to include apples only. Please cast your vote for apples

I am Sincerely Yours,
Orville F. Stauffer

P.S. You know apples are good.

About two weeks ago I met with the legislative committee of the Pennsylvania Farmers Association of Berks County. At that time they indicated that they wished we would vote for this bill, House bill 337. Also, the Grange of Berks County is highly in favor of passing this bill.

I urge the members of both sides of this House to vote for House bill 337.

Thank you.

Mr. McCANN. Mr. Speaker, I am going to be very brief on House bill 337, but I am going to say this and let you make the decision.

If similar legislation was so good for the State of New York and the New York apple growers find it to be excellent, where they themselves promote their product and sell it in every one of your communities in Pennsylvania, if the State of Oregon, the State of Washington, and the State of California found such legislation to be the right kind to promote their products and sell them within the Commonwealth of Pennsylvania, there must be some merit to it.

Very briefly, the gentleman from New York, speaking in Pennsylvania, said emphatically that at the time they proposed such legislation in New York the apple growers in New York were divided. But, would you care to ask them today if they would want to repeal it? They will give you the answer honestly and emphatically. You can call this an apple tax, as the gentleman from Adams has, but is there anything better when people who have been growing fresh fruit, apples, good Pennsylvania apples, want to, by their own initiative, by their own vote, pro-

vide the money to do something which they believe will help them in selling their crop? There is only one basic argument that has come here today and it has not come out here on this floor. There is an argument between processors and growers. And I say emphatically to you, sure there are many apple growers whose apples are contracted to the processor who processes the apples, and I think I am frank when I say to you that if I was the processor and I opposed this and I was purchasing under contract your apples from your orchard, I would ask you to oppose this. The gentleman says he got so many letters for it and so many against it, and for some reason I have gotten hundreds of letters both for it and against it. I feel every person who wrote to Mr. Worley of Adams County must have had word to be sure and write to Steve McCann, because I got more mail from Adams County on this bill than I have ever got in the history of any piece of legislation from Adams County, and I admire him for that. But I say to you, you make the decision. We say honestly, this is good legislation. We ask that you vote in favor of it because if they do not want it, if they do not favor it, the people themselves in the area in which the apples are grown, I assure you, and you know this to be so, they will not have the program there and it will not be forced down their throats in any way, shape or form. It is so much easier even to get out of it, if you do not want it and you do not like it. Then it is their decision and no one else's, and I think that in itself makes good legislation. Mr. Speaker, I ask that this House vote in the affirmative on House bill 337.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Anderson.

Mr. J. H. ANDERSON. Mr. Speaker, as a small apple grower of the State of Pennsylvania, and I would like the record to be clear that I classify myself as a small apple grower, not a grower of small apples, I ask that the House, both sides of the House, support us on this bill. The apple growers want this bill. I have letters here saying the York County Fruit Growers passed a resolution asking for the adoption of it. I have a letter stating that the Adams County Fruit Growers unanimously passed a resolution asking for the adoption of this, and the same thing is true from the State Association. And I request that the members on both sides of the House help us to pass this bill.

Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Adams, Mr. Worley.

Mr. WORLEY. The majority leader used my name and I would like to reply. In New Jersey, when they brought this matter up the Secretary of Agriculture made a study. But Pennsylvania never made any study of this problem. I say that this is foreign to the real functions of State Government. The functions of State government are not to promote every Tom, Dick and Harry's fancies. I will paraphase Abraham Lincoln: He said that one of the functions the government should perform for the people is that which they cannot do for themselves. And there are other major classes of State government functions, the second being Constitutional powers; and third, the things that are of concern to the great public interest, such as public schols, public roads, public morals, public health, and so on. But the subject of this Bill is not one of those things that is of the great public interest. Now, if anybody ought to be for this bill it should be I, from Adams County, if it were for the benefit of apple growers. But it is not, and I tell you that a majority of my people are not for this bill and the majority of the apple growers in Adams County are not for this bill, and I do not care what was said in a resolution at the Fruit Growers Association. That Association does not represent the majority of the people and growers, because there were many of them present who did not know what was being discussed and moreover many of the apple growers were not at the meeting. And some of them were never told about the provisions of this bill. Now, if you want to create a Senator Byrd in Pennsylvania and create a lot of free rides, the big boys will sell out of the State but the little fellow cannot afford to sell outside the State. The little apple growers will sell locally and pay all the tax. Two or three large businesses will ship outside the State; they will make all kinds of gravy out of this proposed legislation; but the little fellows will pay the bill. If you want to do it, pass the bill, but I say that this is foreign to the real functions of State Government. The functions of this Commonwealth do not encompass this kind of legislation—the kind that tells every farmer how to run his business. Now, I believe in being liberal and supporting those things that are for the general welfare and for all the people, but this is not an item like public schools, public roads, etc. This is getting down to promoting the wealthy man's products. There are only a few wealthy ones who want this, and they want to use the little apple growers' money to help pay their own advertisement bills to sell outside the State. And you members in the city of Philadelphia, and in other big cities of this Commonwealth, I tell you that you will find the tax will be passed on in higher food prices. And food prices to the consumer are high enough now.

Thank you.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

Adams,	Frascella,	Lamb,	Pursley,
Anderson, J. H.,	Fry,	Lawson,	Reidenbach,
Anderson, S. A.,	Gailey,	Leonard,	Renwick,
Arlene,	Gallagher,	Limper,	Riley,
Auker,	Gelfand,	Long, Wm. Jas.,	Rovansek,
Boles,	Gibbons,	Lutty,	Rubin,
Bonner,	Goodrich,	Magee,	Rudisill,
Bossert,	Gray,	Markley,	Rutherford,
Bower,	Gremminger,	Marsh,	Sakulsky,
Breth,	Guesman,	McCandless,	Scarcelli,
Capano,	Guthrie,	McCann,	Shelton,
Capitolo,	Hamilton,	McCormack,	Sherman,
Cauley,	Hankins,	McDevitt,	Shupnik,
Cianfrani,	Hartley,	McInroy,	Simmons,
Cioffi,	Helm,	McKeever,	Snare,
Clarke,	Henzel,	McLaughlin,	Stank,
Comer,	Holliday,	McNally,	Stimmel,
Cooley,	Irvis,	Meholchick,	Stone,
Crossin,	Isaacs,	Merry,	Sullivan, T. F.,
Curwood,	Jenkins,	Mihm,	Taylor,
Davis,	Jim,	Miller,	Tompkins,
Dennison,	Johnson, R. P.,	Monroe,	Varner,
Dougherty,	Johnson, A. W.,	Morley,	Verona,
Doughten,	Jones,	Musto,	Wall,
Edwards,	Kamyk,	O'Donnell, J. A.,	Walsh,
Eilberg,	Kelly,	Odorisio,	Weidner,
Eshleman,	Kernaghan,	Parlante,	Welsh,
Ewing,	Kessler,	Pashley,	Whittaker,
Farabaugh,	King,	Perry,	Willaredt,
Filo,	Klein,	Petrosky,	Williams, E. S.,
Fineman,	Knecht,	Piper,	Yetter,
Flynn,	Kooker,	Polen,	Zember,
Foerster,	Korns,	Prendergast,	Andrews,
Fox,	Kramer,		Speaker

NAYS—57

Ashton,	Fulmer,	Lee, A. M.,	Seltzer,
Bachman,	George,	Lee, K. B.,	Slack,
Backenstoe,	Gibb,	Lippincott,	Stiteler,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Strausser,
Bowman,	Gramlich,	Manbeck,	Thompson,
Branca,	Gross,	May,	Tomascik,
Buchanan,	Haudenshield,	McDonald,	Ujobai,
Bush,	Heavey,	Mullen,	Wargo,
Dengler,	Heffner,	Murphy,	Willard,
Donaldson,	Hocker,	O'Dell,	Williams, A. D.,
Down,	Holman,	O'Donnell, J. P.,	Wilt,
Elvey,	Horst,	Ogilvie,	Wood,
Eshback,	Kelser,	Polaski,	Worley,
Fetterolf,	Kistler,	Schaaf,	Zimmerman,
Foor,			

NOT VOTING—15

Goldstein, M. H.,	Munley,	Reibman,	Sullivan, J. A.,
Kornick,	Murray,	Royer,	Trusio,
Maxwell,	Needham,	Schuster,	Wescott,
Mills,	Price,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

QUAKERTOWN SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair would like to take this opportunity to introduce to the House a group of visitors in the gallery, the eighth grade class of junior high school students of Quakertown School in Bucks County. They are under the supervision of their teachers, Mrs. Breiner and Mrs. Frances Groff.

They are here today as the guests of Mrs. Kooker, the lady from Bucks, and the gentleman from Bucks, Mr. A. D. Williams, Jr.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair would like to read a letter which is of interest to every member of this House.

Mr. McCANN. Mr. Speaker, I would like the House to pay particular attention to this letter.

The SPEAKER pro tempore.

"Dear Mr. Speaker:

"On Monday, April 17, 1961, President Eisenhower will return to his place of residence in Pennsylvania and will be welcomed at the State Capitol at 8:30 A.M.

"In behalf of those making the arrangements it is my pleasure to invite you and the members of the General Assembly to participate in the welcoming ceremony which will be held on the Capitol Plaza.

"With kind regards, I am

Very truly yours,

"David L. Lawrence."

The date is Monday, April 17, 1961, on the Capitol Plaza at 8:30 A.M.

Mr. McCANN. Mr. Speaker, I would like to ask the Democratic membership, as many as possibly can, to be here Monday morning at 8:30 a.m.

The SPEAKER pro tempore. The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. Mr. Speaker, I think that was a very fine gesture from the majority leader.

I believe it behooves every member on the Republican side, who can possibly get to the State Capitol at 8:30 Monday morning, to be here to greet our ex-President.

We should have a good turnout for President Eisenhower.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 507, entitled:

An Act amending the "Policemen's Relief and Pension Fund Law" approved May 22, 1935 (P. L. 233), changing the method of computing service increments to be paid from the pension fund to employees of the police force after retirement.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Frascella,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gelfand,	Limper,	Rubin,
Auker,	George,	Lippincott,	Rudisill,
Blair,	Gibb,	Long, Wm. Jas.,	Rutherford,
Boles,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goldstein, J. H.,	Lutty,	Scarcelli,
Bachman,	Goodrich,	Magee,	Schaaf,
Backenstoe,	Gramlich,	Manbeck,	Schuster,
Bossert,	Gray,	Markley,	Seltzer,
Bower,	Gremminger,	Marsh,	Shelton,
Bowman,	Gross,	Maxwell,	Sherman,
Branca,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Cauley,	Haudenshield,	McDonald,	Stimmel,
Cianfrani,	Heavey,	McInroy,	Stiteler,
Cioffi,	Heffner,	McKeever,	Stone,
Clarke,	Helm,	McLaughlin,	Strausser,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Mihm,	Tomascik,
Davis,	Horst,	Miller,	Tompkins,
Dengler,	Irvis,	Monroe,	Ujobai,
Dennison,	Isaacs,	Morley,	Varner,
Donaldson,	Jenkins,	Mullen,	Verona,
Dougherty,	Jim,	Murphy,	Wall,
Doughten,	Johnson, A. W.,	Musto,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Ellberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Fetterolf,	Kistler,	Petrosky,	Wilt,
Filo,	Klein,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Korns,	Prendergast,	Zember,
Foor,	Kramer,	Pursley,	Zimmerman,
Fox,	Lamb,	Reidenbach,	Andrews, Speaker

NAYS—0

NOT VOTING—14

Capitolo,	Mills,	Price,	Sullivan, J. A.,
Fry,	Munley,	Reibman,	Trusio,
Goldstein, M. H.,	Murray,	Steckel,	Wescott,
Kornick,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 522, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), increasing the time for reporting certain events making it illegal to have in your possession certain documents further providing for the statute of limitations in certain cases making exceptions for vehicles with a bumper less than twelve inches from the ground * * *.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Frascella,	Lamb,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Riley,
Arlene,	Gallagher,	Lee, K. B.,	Rovansek,
Ashton,	Gelfand,	Leonard,	Royer,
Auker,	George,	Limper,	Rubin,
Bachman,	Gibb,	Long, Wm. Jas.,	Rudisill,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Blair,	Goldstein, J. H.,	Lutty,	Sakulsky,
Boles,	Goodrich,	Magee,	Scarcelli,
Bonner,	Gramlich,	Manbeck,	Schaaf,
Bossert,	Gray,	Markley,	Schuster,
Bower,	Gremminger,	Marsh,	Seltzer,
Bowman,	Gross,	Maxwell,	Shelton,
Branca,	Guesman,	May,	Sherman,
Breth,	Guthrie,	McCandless,	Shupnik,
Buchanan,	Hamilton,	McCann,	Simmons,
Bush,	Hankins,	McCormack,	Slack,
Capano,	Hartley,	McDevitt,	Snare,
Cauley,	Haudenshield,	McDonald,	Stank,
Cianfrani,	Heavey,	McInroy,	Stimmel,
Cioffi,	Heffner,	McKeever,	Stiteler,
Clarke,	Helm,	McLaughlin,	Stone,
Comer,	Henzel,	McNally,	Strausser,
Cooley,	Hocker,	Meholchick,	Sullivan, T. F.,
Crossin,	Holliday,	Merry,	Taylor,
Curwood,	Holman,	Mihm,	Thompson,
Davis,	Horst,	Miller,	Tompkins,
Dengler,	Irvis,	Monroe,	Ujobai,
Dennison,	Isaacs,	Morley,	Varner,
Donaldson,	Jenkins,	Mullen,	Verona,
Dougherty,	Jim,	Murphy,	Wall,
Doughten,	Johnson, A. W.,	Musto,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Fetterolf,	Kistler,	Petrosky,	Wilt,
Filo,	Klein,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Zember,
Foerster,	Korns,	Prendergast,	Zimmerman,
Foor,	Kramer,	Pursley,	Andrews,
Fox,			Speaker

NAYS—1

Lippincott,

NOT VOTING—16

Capitolo,	Mills,	Price,	Tomascik,
Fry,	Munley,	Reibman,	Trusio,
Goldstein, M. H.,	Murray,	Steckel,	Wescott,
Kornick,	Needham,	Sullivan, J. A.,	Yetter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER. For what purpose does the gentleman from Monroe, Mr. Yetter, rise?

Mr. YETTER. Mr. Speaker, I missed the vote on this bill and I wish the record to show that if I had been present I would have voted "aye."

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record.

HOME NURSING CLUB WELCOMED

The SPEAKER pro tempore. Before taking up the next bill, the Chair desires to welcome the Home Nursing Club from the Emmaus High School, under the supervision of their school nurse, Miss Graver, here today as the guests of the lady from Lehigh, Mrs. Markley.

The Chair welcomes the group and hopes you enjoy your visit with us.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 662, entitled:

An Act amending the act of May 25, 1933 (P. L. 1050), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employes of the bureau of fire in cities of the second class * * *" changing the method of computing service increments to be paid from the pension fund to employes of the bureau of fire after retirement.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Frascella,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Limper,	Royer,
Ashton,	Gelfand,	Lippincott,	Rubin,
Auker,	George,	Long, Wm. Jas.,	Rutherford,
Blair,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Boles,	Gibbons,	Lutty,	Scarcelli,
Bachman,	Goldstein, J. H.,	Magee,	Schaaf,
Backenstoe,	Goodrich,	Manbeck,	Schuster,
Bonner,	Gramlich,	Markley,	Seltzer,
Bossert,	Gray,	Marsh,	Shelton,
Bower,	Gremminger,	Maxwell,	Sherman,
Bowman,	Gross,	May,	Shupnik,
Branca,	Guesman,	McCandless,	Simmons,
Breth,	Guthrie,	McCann,	Slack,
Buchanan,	Hamilton,	McCormack,	Snare,
Bush,	Hankins,	McDevitt,	Stank,
Capano,	Hartley,	McDonald,	Stimmel,
Cauley,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Merry,	Thompson,
Crossin,	Holliday,	Mihm,	Tomascik,
Curwood,	Holman,	Miller,	Tompkins,
Davis,	Horst,	Monroe,	Ujobai,
Dengler,	Irvis,	Morley,	Varner,
Dennison,	Isaacs,	Mullen,	Verona,
Donaldson,	Jenkins,	Murphy,	Wall,
Dougherty,	Jim,	Musto,	Walsh,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	O'Donnell, J. P.,	Welsh,
Eilberg,	Kamyk,	Odorisio,	Whittaker,
Elvey,	Keiser,	Ogilvie,	Willard,
Eshback,	Kelly,	Parlante,	Willaredt,
Eshleman,	Kernaghan,	Pashley,	Williams, A. D.,
Ewing,	Kessler,	Perry,	Williams, E. S.,
Farabaugh,	King,	Petrosky,	Wilt,
Fetterolf,	Kistler,	Piper,	Wood,
Filo,	Klein,	Polaski,	Worley,
Fineman,	Knecht,	Polen,	Yetter,
Flynn,	Kooker,	Prendergast,	Zimmerman,
Foerster,	Korns,	Pursley,	Zember,
Foor,	Kramer,	Reidenbach,	Andrews,
Fox,	Lamb,		Speaker

NAYS—0

NOT VOTING—16

Capitolo,	Leonard,	Needham,	Steckel,
Fry,	Mills,	Price,	Sullivan, J. A.,
Goldstein, M. H.,	Munley,	Reibman,	Trusio,
Kornick,	Murray,	Rudisill,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 309, entitled:

An Act amending the "Oleomargarine or Butterine Law" approved June 30, 1947 (P. L. 1154), defining certain terms.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—59

Ashton,	Foerster,	Lutty,	Shupnik,
Bachman,	Fox,	Manbeck,	Snare,
Blair,	Frascella,	Mihm,	Stank,
Boles,	Goodrich,	Miller,	Stone,
Breth,	Guthrie,	O'Dell,	Taylor,
Cauley,	Hamilton,	O'Donnell, J. A.,	Tomascik,
Cianfrani,	Helm,	Petrosky,	Verona,
Clarke,	Holman,	Polaski,	Wall,
Comer,	Irvis,	Polen,	Wargo,
Crossin,	Kelly,	Reidenbach,	Weidner,
Davis,	Klein,	Renwick,	Willard,
Dougherty,	Korns,	Riley,	Williams, E. S.,
Edwards,	Lee, K. B.,	Schaaf,	Yetter,
Filo,	Leonard,	Schuster,	Andrews,
Flynn,	Limper,	Seltzer,	Speaker

NAYS—132

Adams,	Gailey,	Knecht,	Parlante,
Anderson, J. H.,	Gallagher,	Kooker,	Pashley,
Anderson, S. A.,	Gelfand,	Kramer,	Perry,
Arlene,	George,	Lamb,	Piper,
Auker,	Gibb,	Lawson,	Prendergast,
Backenstoe,	Gibbons,	Lee, A. M.,	Pursley,
Bonner,	Goldstein, J. H.,	Lippincott,	Rovansek,
Bossert,	Gramlich,	Long, Wm. Jas.,	Royer,
Bower,	Gray,	Long, Wm. Jos.,	Rubin,
Bowman,	Gremminger,	Magee,	Rutherford,
Branca,	Gross,	Markley,	Sakulsky,
Buchanan,	Guesman,	Marsh,	Scarcelli,
Bush,	Hankins,	Maxwell,	Shelton,
Capano,	Hartley,	May,	Sherman,
Cioffi,	Haudenshield,	McCandless,	Simmons,
Cooley,	Heavey,	McCann,	Slack,
Curwood,	Heffner,	McCormack,	Stimmel,
Dengler,	Henzel,	McDevitt,	Stiteler,
Dennison,	Hocker,	McDonald,	Strausser,
Donaldson,	Holliday,	McInroy,	Sullivan, T. F.,
Doughten,	Horst,	McKeever,	Thompson,
Down,	Isaacs,	McLaughlin,	Tompkins,
Eilberg,	Jenkins,	McNally,	Ujobai,
Elvey,	Jim,	Meholchick,	Varner,
Eshback,	Johnson, A. W.,	Merry,	Welsh,
Eshleman,	Johnson, R. P.,	Monroe,	Whittaker,
Ewing,	Jones,	Morley,	Willaredt,
Farabaugh,	Kamyk,	Mullen,	Williams, A. D.,
Fetterolf,	Keiser,	Murphy,	Wilt,
Fineman,	Kernaghan,	Musto,	Wood,
Foor,	Kessler,	O'Donnell, J. P.,	Worley,
Fry,	King,	Odorisio,	Zember,
Fulmer,	Kistler,	Ogilvie,	Zimmerman,

NOT VOTING—15

Capitolo,	Munley,	Reibman,	Trusio,
Goldstein, M. H.,	Murray,	Rudisill,	Walsh,
Kornick,	Needham,	Steckel,	Wescott,
Mills,	Price,	Sullivan, J. A.,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 264, entitled:

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333), increasing the minimum compensation payable to election officers in third to eighth class counties in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Frascella,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gailey,	Lee, K. B.,	Rovansek,
Arlene,	Gallagher,	Leonard,	Royer,
Ashton,	Gelfand,	Lippincott,	Rubin,
Auker,	George,	Long, Wm. Jas.,	Rudisill,
Bachman,	Gibb,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gibbons,	Lutty,	Sakulsky,
Blair,	Goldstein, J. H.,	Magee,	Scarcelli,
Boles,	Goodrich,	Manbeck,	Schaaf,
Bonner,	Gramlich,	Markley,	Schuster,
Bossert,	Gray,	Marsh,	Seltzer,
Bower,	Gremminger,	Maxwell,	Shelton,
Bowman,	Gross,	May,	Sherman,
Branca,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Cauley,	Haudenshield,	McInroy,	Stimmel,
Cianfrani,	Heavey,	McKeever,	Stiteler,
Cioffi,	Heffner,	McLaughlin,	Stone,
Clarke,	Helm,	McNally,	Strausser,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Merry,	Taylor,
Crossin,	Holliday,	Mihm,	Thompson,
Curwood,	Holman,	Miller,	Tomascik,
Davis,	Horst,	Monroe,	Tompkins,
Dengler,	Irvis,	Morley,	Ujobai,
Dennison,	Isaacs,	Mullen,	Varner,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Musto,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Walsh,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Edwards,	Jones,	O'Donnell, J. P.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Prendergast,	Yetter,
Foerster,	Korns,	Pursley,	Zember,
Foor,	Kramer,	Reidenbach,	Zimmerman,
Fox,	Lamb,		

NAYS—0

NOT VOTING—16

Capitolo,	Limper,	Needham,	Sullivan, J. A.,
Fry,	Mills,	Price,	Trusio,
Goldstein, M. H.,	Munley,	Reibman,	Wescott,
Kornick,	Murray,	Steckel,	Andrews,
			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection

House bill No. 340, printer's No. 369,

was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 392, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing the designation of 4-way stop and other multi-way stop intersections in cities of the second class.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 470, entitled:

An Act amending the act of December 14, 1863 (1864 P. L. 1127), entitled "An act relating to the liens of common carriers and others" reducing time after demand for payment after which property may be sold and reducing the number of advertisements required for the sale of property.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Adams,	Fox,	Lamb,	Reidenbach,
Anderson, S. A.,	Frascella,	Lawson,	Renwick,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Riley,
Arlene,	Gallagher,	Lee, K. B.,	Rovansek,
Auker,	Gelfand,	Leonard,	Royer,
Bachman,	George,	Limper,	Rubin,
Backenstoe,	Gibb,	Lippincott,	Rudisill,
Blair,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Boles,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Bonner,	Goodrich,	Lutty,	Scarcelli,
Bossert,	Gramlich,	Magee,	Schaaf,
Bower,	Gray,	Markley,	Schuster,
Bowman,	Gremminger,	Marsh,	Shelton,
Branca,	Guesman,	Maxwell,	Sherman,
Breth,	Guthrie,	May,	Shupnik,
Buchanan,	Hamilton,	McCandless,	Snare,
Bush,	Hankins,	McCann,	Stank,
Capano,	Hartley,	McCormack,	Stimmel,
Cauley,	Haudenshield,	McDevitt,	Stiteler,
Cioffi,	Heavey,	McDonald,	Stone,
Clarke,	Heffner,	McInroy,	Strausser,
Comer,	Helm,	McKeever,	Sullivan, T. F.,
Cooley,	Henzel,	McLaughlin,	Taylor,
Crossin,	Hocker,	McNally,	Thompson,
Curwood,	Holliday,	Meholchick,	Tompkins,
Davis,	Holman,	Merry,	Varner,
Dengler,	Horst,	Mihm,	Verona,
Dennison,	Irvis,	Miller,	Wall,
Donaldson,	Isaacs,	Monroe,	Walsh,
Dougherty,	Jenkins,	Morley,	Wargo,
Doughten,	Jim,	Mullen,	Weidner,
Down,	Johnson, A. W.,	Musto,	Welsh,
Edwards,	Johnson, R. P.,	O'Donnell, J. A.,	Whittaker,
Eilberg,	Jones,	O'Donnell, J. P.,	Willard,
Elvey,	Kamyk,	Odorisio,	Willaredt,
Eshback,	Keiser,	Ogilvie,	Williams, A. D.,
Eshleman,	Kelly,	Parlante,	Williams, E. S.,
Ewing,	Kernaghan,	Pashley,	Wilt,
Farabaugh,	Kessler,	Perry,	Wood,
Fetterolf,	King,	Petrosky,	Worley,
Filo,	Kistler,	Piper,	Yetter,
Fineman,	Klein,	Polaski,	Zember,
Flynn,	Kooker,	Prendergast,	Zimmerman,
Foerster,	Korns,	Pursley,	Andrews,
Foor,	Kramer,		Speaker

NAYS—11

Ashton,	Gross,	Murphy,	Slack,
Cianfrani,	Knecht,	O'Dell,	Ujobai,
Gailey,	Manbeck,	Seltzer,	

NOT VOTING—17

Capitolo,	Munley,	Price,	Sullivan, J. A.,
Fry,	Murray,	Reibman,	Tomascik,
Goldstein, M. H.,	Needham,	Simmons,	Trusio,
Kornick,	Polen,	Steckel,	Wescott,
Mills,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk presnt the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 589, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225), changing certain penalties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—171

Adams,	Gailey,	Lawson,	Riley,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Royer,
Arlene,	George,	Leonard,	Rubin,
Ashton,	Gibb,	Limper,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goodrich,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Gramlich,	Lutty,	Scarcelli,
Boles,	Gray,	Magee,	Schaaf,
Bonner,	Gremminger,	Manbeck,	Schuster,
Bower,	Guesman,	Marsh,	Seltzer,
Bowman,	Guthrie,	Maxwell,	Shelton,
Branca,	Hamilton,	May,	Sherman,
Breth,	Hankins,	McCandless,	Shupnik,
Buchanan,	Hartley,	McCann,	Slack,
Bush,	Haudenshield,	McCormack,	Snare,
Capano,	Heavey,	McDevitt,	Stank,
Cauley,	Heffner,	McDonald,	Stimmel,
Cioffi,	Helm,	McInroy,	Stone,
Clarke,	Henzel,	McKeever,	Sullivan, T. F.,
Comer,	Hocker,	McLaughlin,	Taylor,
Cooley,	Holliday,	McNally,	Thompson,
Crossin,	Holman,	Meholchick,	Tomascik,
Curwood,	Horst,	Mihm,	Tompkins,
Davis,	Irvis,	Miller,	Ujobai,
Dennison,	Jenkins,	Monroe,	Varner,
Donaldson,	Jim,	Morley,	Verona,
Dougherty,	Johnson, A. W.,	Mullen,	Wall,
Doughten,	Johnson, R. P.,	Musto,	Walsh,
Edwards,	Jones,	O'Donnell, J. A.,	Wargo,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Weidner,
Elvey,	Keiser,	Odorisio,	Welsh,
Eshback,	Kelly,	Ogilvie,	Whittaker,

Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Filo,	Kistler,	Petrosky,	Williams, E. S.,
Fineman,	Klein,	Piper,	Wilt,
Flynn,	Knecht,	Polaski,	Wood,
Foerster,	Kooker,	Polen,	Yetter,
Foor,	Korns,	Prendergast,	Zember,
Fox,	Kramer,	Reidenbach,	Andrews,
Fulmer,	Lamb,	Renwick,	Speaker

NAYS—17

Blair,	Fetterolf,	Lippincott,	Pursley,
Bossert,	Goldstein, J. H.,	Merry,	Stiteler,
Cianfrani,	Gross,	Murphy,	Strausser,
Dengler,	Isaacs,	O'Dell,	Worley,
Down,			

NOT VOTING—18

Capitolo,	Markley,	Price,	Sullivan, J. A.,
Frascella,	Mills,	Reibman,	Trusio,
Fry,	Munley,	Simmons,	Wescott,
Goldstein, M. H.,	Murray,	Steckel,	Zimmerman,
Kornick,	Needham,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 631, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), authorizing third class cities to install traffic signals on all local highways within such cities without prior approval of the Secretary of Highways subject to uniform standards.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Frascella,	Lamb,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lawson,	Riley,
Anderson, S. A.,	Galley,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jas.,	Sakulsky,
Blair,	Goldstein, J. H.,	Long, Wm. Jos.,	Scarcelli,
Boles,	Goodrich,	Lutty,	Schaaf,
Bonner,	Gramlich,	Magee,	Schuster,
Bossert,	Gray,	Manbeck,	Seltzer,
Bower,	Gremminger,	Markley,	Shelton,
Bowman,	Gross,	Marsh,	Sherman,
Branca,	Guesman,	Maxwell,	Shupnik,
Breth,	Guthrie,	May,	Simmons,
Buchanan,	Hamilton,	McCandless,	Slack,
Bush,	Hankins,	McCann,	Snare,
Capano,	Hartley,	McCormack,	Stank,
Cauley,	Haudenshield,	McDevitt,	Stimmel,
Cianfrani,	Heavey,	McDonald,	Stiteler,
Cioffi,	Heffner,	McInroy,	Stone,
Clarke,	Helm,	McKeever,	Strausser,
Comer,	Henzel,	McLaughlin,	Sullivan, T. F.,
Cooley,	Hocker,	McNally,	Taylor,
Crossin,	Holliday,	Meholchick,	Thompson,
Curwood,	Holman,	Merry,	Tomascik,
Davis,	Horst,	Mihm,	Tompkins,
Dengler,	Irvis,	Miller,	Ujobai,
Dennison,	Isaacs,	Monroe,	Varner,
Donaldson,	Jenkins,	Morley,	Verona,
Dougherty,	Jim,	Mullen,	Wall,
Doughten,	Johnson, A. W.,	Murphy,	Walsh,
Down,	Johnson, R. P.,	Musto,	Wargo,
Edwards,	Jones,	O'Dell,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Welsh,
Elvey,	Keiser,	O'Donnell, J. P.,	Whittaker,
Eshback,	Kelly,	Odorisio,	Willard,
Eshleman,	Kernaghan,	Ogilvie,	Willaredt,
Ewing,	Kessler,	Parlante,	Williams, A. D.,
Farabaugh,	King,	Pashley,	Williams, E. S.,
Fetterolf,	Kistler,	Perry,	Wilt,
Filo,	Klein,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foerster,	Korns,	Prendergast,	Zember,
Foor,	Kramer,	Pursley,	Andrews,
Fox,			Speaker

NAYS—1

Renwick,

NOT VOTING—16

Capitolo,	Mills,	Petrosky,	Sullivan, J. A.,
Fry,	Munley,	Price,	Trusio,
Goldstein, M. H.,	Murray,	Reibman,	Wescott,
Kornick,	Needham,	Steckel,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House preceeded to the third reading and consideration of House bill No. 639, entitled:

An Act amending the act of May 23, 1949 (P. L. 1669), entitled as amended "An act to provide revenue for school districts of the first class by imposing a temporary tax on persons engaging in certain businesses, professions, occupations, trades, vocations and commercial activities therein providing for its levy and collection, conferring and imposing powers and duties on the Board of Public Education, receiver of school taxes and school treasurer in such districts and prescribing penalties," removing the Statute of Limitations in certain cases.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Anderson, J. H.,	Galley,	Limper,	Renwick,
Anderson, S. A.,	Gallagher,	Lippincott,	Riley,
Arlene,	Gelfand,	Long, Wm. Jas.,	Rovansek,
Ashton,	George,	Long, Wm. Jos.,	Royer,
Auker,	Gibb,	Lutty,	Rubin,
Blair,	Gibbons,	Magee,	Rudisill,
Boles,	Goldstein, J. H.,	Manbeck,	Rutherford,
Backenstoe,	Goodrich,	Markley,	Sakulsky,
Bossert,	Gramlich,	Marsh,	Scarcelli,
Bower,	Gray,	Maxwell,	Schaaf,
Bowman,	Gremminger,	May,	Schuster,
Branca,	Guesman,	McCandless,	Seltzer,
Breth,	Guthrie,	McCann,	Shelton,
Buchanan,	Hamilton,	McCormack,	Sherman,
Capano,	Hankins,	McDevitt,	Shupnik,
Cauley,	Hartley,	McDonald,	Simmons,
Cianfrani,	Haudenshield,	McInroy,	Slack,
Cioffi,	Heavey,	McKeever,	Snare,
Clarke,	Heffner,	McLaughlin,	Stank,
Comer,	Helm,	McNally,	Stimmel,
Cooley,	Henzel,	Meholchick,	Stone,
Crossin,	Hocker,	Merry,	Strausser,
Curwood,	Holliday,	Mihm,	Sullivan, T. F.,
Davis,	Irvis,	Miller,	Taylor,
Dengler,	Jenkins,	Monroe,	Thompson,
Dennison,	Jim,	Morley,	Tompkins,
Donaldson,	Johnson, A. W.,	Mullen,	Ujobai,
Dougherty,	Johnson, R. P.,	Murphy,	Varner,

Down,	Jones,	Musto,	Verona,
Edwards,	Kamyk,	O'Dell,	Wall,
Eilberg,	Kelser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	O'Donnell, J. P.,	Weidner,
Eshback,	Kessler,	Odorisio,	Welsh,
Eshleman,	King,	Ogilvie,	Whittaker,
Ewing,	Kistler,	Parlante,	Willard,
Farabaugh,	Klein,	Pashley,	Willaredt,
Fetterolf,	Knecht,	Perry,	Williams, E. S.,
Filo,	Kooker,	Petrosky,	Wilt,
Fineman,	Korns,	Piper,	Wood,
Flynn,	Kramer,	Polaski,	Worley,
Foerster,	Lawson,	Polen,	Yetter,
Foor,	Lee, A. M.,	Prendergast,	Zember,
Fox,	Lee, K. B.,	Pursley,	Andrews,
Frascella,	Leonard,	Reidenbach,	Speaker
Fulmer,			

NAYS—9

Adams,	Holman,	Isaacs,	Stiteler,
Bush,	Horst,	Kernaghan,	Williams, A. D.,
Gross,			

NOT VOTING—21

Bachman,	Kornick,	Needham,	Tomascik,
Bonner,	Lamb,	Price,	Trusio,
Capitolo,	Mills,	Reibman,	Walsh,
Doughten,	Munley,	Steckel,	Wescott,
Fry,	Murray,	Sullivan, J. A.,	Zimmerman,
Goldstein, M. H.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. DOUGHTEN. Mr. Speaker, regarding the last vote, I pushed the button toward the green light and nothing was recorded on the board on the other side. Something went wrong with the electronic system.

I wish to make it known that I would have voted in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman, and his remarks will be spread upon the record of the House.

BILL PASSED OVER

There being no objection

House bill No. 694, printer's No. 759,

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 809, entitled:

An Act amending "The Dental Law" approved May 1, 1933 (P. L. 216), further providing for advertising by dentists.

On the question,

Will the House agree to the bill on third reading?

Messrs. UJOBAI and KNECHT asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by striking out "providing for" and inserting: "regulating."

Amend Sec. 1 (Sec. 3), page 2, lines 16 and 18, by striking out the bracket before "or" in line 16, and after "practiced" in line 18.

Amend Sec. 1 (Sec. 3), page 3, lines 4 and 10, by striking out the bracket before "(1)" in line 4, and after "signs" in line 10.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question.

Will the House agree to the amendments?

Mr. BOIES. Mr. Speaker, I understand that you are not supposed to discuss the merits of the bill on the question of amendments, so I am asking the members to vote down these amendments, because they are intended by the newspaper association to ruin the bill, to put the bill back in the same form that it is right now, the law. There would be no purpose in passing the bill if these amendments were included because the act would be the same as is now in force, so I ask all of members to vote down these amendments.

Mr. KNECHT. Mr. Speaker, the present form of the bill defines certain specific items which are objectionable and which are included in the law as being punishable by revocation of a dentist's license, but this bill, if it is enacted, would provide that any dentist who advertises in any way could have his license revoked and be prohibited from practicing in the State of Pennsylvania. These amendments restore the provisions of the original act which has only one addition, and that addition is to include television. We believe these amendments are good. We believe they ought to be passed. I have a rather lengthy statement which I would like to make in reference to this bill. It will take considerable time.

Dr. Boies has stated that this represents the view of the Pennsylvania Newspaper Publishers' Association and I do not disagree with him on that. There is a principle, however, involved in this and I want to read the statement to the House.

The SPEAKER pro tempore. Is that statement on the bill or on the amendments?

Mr. KNECHT. I will read this statement on the bill.

The SPEAKER pro tempore. The Chair would like to remind the gentleman that his statement is not in order at this time, but it will be in order when we are considering the final passage of the bill. The only thing before the House is the amendments offered by the gentleman.

Mr. KNECHT. I ask the members of the House to vote in favor of these amendments.

Mr. WHITTAKER. Mr. Speaker, I will have to disagree with my colleague on this side and agree with Dr. Boies on the other side. This bill is needed to protect the minority group in the State and to change it by putting in these amendments will defeat the purpose of the bill. I ask the members on this side and the other side to vote down these amendments.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. KNECHT and UJOBAI and were as follows:

YEAS—55

Adams,	Fulmer,	Korns,	Royer,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Rutherford,
Blair,	Goodrich,	Long, Wm. Jos.,	Seltzer,
Buchanan,	Gramlich,	Magee,	Slack,
Davis,	Guthrie,	Manbeck,	Snare,
Dengler,	Heffner,	Markley,	Stiteler,
Dennison,	Helm,	McCandless,	Strausser,
Donaldson,	Henzel,	McDonald,	Ujobai,
Down,	Hocker,	McInroy,	Weidner,
Edwards,	Johnson, A. W.,	O'Dell,	Willard,
Eshleman,	Johnson, R. P.,	Odorisio,	Willaredt,
Fetterolf,	Kessler,	Ogilvie,	Williams, A. D.,
Foor,	Knecht,	Polen,	Worley,
Fox,	Kooker,	Pursley,	

NAYS—133

Anderson, J. H.,	Gailey,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gallagher,	Leonard,	Rovansek,
Arlene,	Gelfand,	Limper,	Rubin,
Auker,	George,	Lippincott,	Rudisill,
Boles,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Bachman,	Gibbons,	Lutty,	Scarcelli,
Backenstoe,	Gray,	Marsh,	Schaaf,
Bonner,	Gremminger,	Maxwell,	Schuster,
Bossert,	Gross,	May,	Shelton,
Bower,	Guesman,	McCann,	Sherman,
Bowman,	Hamilton,	McCormack,	Shupnik,
Branca,	Hankins,	McDevitt,	Simmons,
Breth,	Hartley,	McKeever,	Stank,
Bush,	Haudenshield,	McLaughlin,	Stimmel,
Capano,	Heavey,	McNally,	Stone,
Cauley,	Holliday,	Meholchick,	Sullivan, T. F.,
Cianfrani,	Holman,	Mihm,	Taylor,
Cioffi,	Horst,	Miller,	Thompson,
Clarke,	Irvis,	Monroe,	Tomascik,
Comer,	Isaacs,	Morley,	Tompkins,
Cooley,	Jenkins,	Mullen,	Varner,
Crossin,	Jim,	Murphy,	Verona,
Curwood,	Jones,	O'Donnell, J. A.,	Wall,
Dougherty,	Kamyk,	O'Donnell, J. P.,	Walsh,
Doughten,	Keiser,	Parlante,	Wargo,
Ellberg,	Kelly,	Pashley,	Welsh,
Elvey,	Kernaghan,	Perry,	Whittaker,
Eshback,	King,	Petrosky,	Williams, E. S.,
Ewing,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Kramer,	Prendergast,	Yetter,
Flynn,	Lamb,	Reidenbach,	Zember,
Foerster,	Lawson,	Renwick,	Andrews,
Frascella,			Speaker

NOT VOTING—18

Capitolo,	Merry,	Needham,	Sullivan, J. A.,
Farabaugh,	Mills,	Price,	Trusio,
Fry,	Munley,	Reibman,	Wescott,
Goldstein, M. H.,	Murray,	Steckel,	Zimmerman,
Kornick,	Musto,		

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KNECHT. Mr. Speaker, as we understand House bill 809, it would prohibit any dentist in Pennsylvania from any advertising whatever. This would be accomplished by the threat to suspend and revoke the license or registration of any dentist who makes use of advertising by means of signs, handbills, posters, circulars, slides, motion pictures, radio, television, newspapers, magazines, or other publications or advertising media.

This bill is an amendment to the present law which already restricts dentists from advertising in the following areas:

Professional superiority.

The performance of professional services of a superior manner.

The character or durability of his work.

To guarantee any dental service.

To perform any dental operation painlessly.

Prices for professional services.

Free dental work.

Free examinations.

By display of a tooth, teeth, bridgework, or any portion of the human head.

By means of a large, glaring or conspicuous sign or signs.

It is our understanding that this bill has the backing of the Pennsylvania Dental Association. Now I have no quarrel with the dental association or its individual members who decide among themselves that advertising in any of the means or manners described is not for them. However, I certainly do take opposition to their proposal when they resort to State legislation and to threat of the revocation of a dentist's license in an effort to impose their personal opinion by law.

It seems peculiar to me that the dental association should approach their problems by trying to outlaw advertising in their profession. This is actually an inconsistency in their thinking and actions as outlined by statements in their own service letter. Let me quote a paragraph or two from their March 1961 letter to their members.

> "Dentistry in Pennsylvania has accepted a challenge: The meeting headon of the problem of doing something about the more than 60 percent of the public who never receive dental care. A special committee was established for the purpose of telling these people about dental health needs through dental health education and public relations. Objectives of this program are to make the public more conscious of the value of good dental health and to render more complete and effective care of our population."

At the time the committee submitted its program it listed means of accomplishing its objectives. Among these were included distributing pamplets on advantages of the dental profession to all freshman high school students and advisors. This service letter of the Pennsylvania Dental Association also points out to its members that its central office, and I quote, "will continue mailing monthly public education kits, which have a month's supply of weekly dental health articles for newspaper use." Continuing the bulletin, "These newspaper articles have two express purposes: to satisfy an obligation of the profession to tell people about dental health, and to keep the public abreast of advances within the industry."

I for one want to commend the dental professions of Pennsylvania for an admirable objective in bringing about better dental health for the people of Pennsylvania. I congratulate them on their initiative in preparing information for use in the newspapers, editorials, and news columns. However, I again repeat, this program which they have outlined in their service bulletin is in exact opposition to their program in this legislature with House bill 809.

Advertising has been proved to be one of the most effective means of education developed in our society. Exactly the same objectives outlined by the dental association, with their sought-for free publicity, can be achieved side-by-side with paid advertising whether it be in newspapers, radios, handbills, circulars, motion pictures, or what have you.

The question then occurs to me, why do the dental people support this public relations program with the material which is obviously expensive to prepare being sent to newspapers throughout the State, and at the same time want a bill in this House which will outlaw any type of advertising?

It seems to me that instead of outlawing advertising for the dental profession entirely, the dental profession, with its new awareness of public relations, should be amending this bill to broaden the activities in the advertising field permitted by its members. Actually some of the present restrictions which I have mentioned seem to me to be items which the public would benefit from if dentists

could advertise. For example, the present law prohibits a dentist from describing the character or durability of his work, from guaranteeing his services, from advertising that he can perform dental operations painlessly, from advertising his prices or offering free dental work or free examinations.

It seems to me that the objectives of the dental association is to "make the public more conscious of good dental health and to render more complete and effective dental care to the population," that they should embrace the advantages and opportunities offered them through sound and legitimate advertising rather than trying to completely eliminate it through the threat of revocation of license or registration of any dentist who chooses to use this method.

I would like also to refer briefly to the broad aspect of the matter. I refer to the fallacy of restricting advertising of any service or of any product that is legally offered or sold in Pennsylvania. It seems to me that we should all take the position that any service or product that can be legally sold should also be legal to advertise, subject to the obvious regulation to protect against fraudulent and misleading statements. In my opinion, any compromise with this principle is an infringement on individual freedom. If this type of restriction is sanctioned by law in dentistry, what is to prevent its spread into other fields?

I maintain these restrictive measures, this anti-advertising attitude, is without sound basis or reason. If this bill is promulgated into law it can lead to the destruction of the competitive system in a very honorable profession. If you destroy competition, obviously you spawn the growth of monopoly which in turn is detrimental to the public.

I ask the proponents of this legislation what they are afraid of. What is wrong, for example, with a legitimate dentist advertising his place of business, his hours, his particular specialty?

I think we are mature people and understand the social and economic make-up of this country. I think too we can all agree that advertising plays a key role in the success and growth of our economy. Advertising makes for continued progress in every field, through keener competition and lower prices, through improved service to the public. If this is true in one field, it certainly is true for another. Dentistry is no exception. Finally, I have no quarrel with the dental profession's desire to set its own standards of ethics. We do not challenge for one second their right to decide that individually or as a group they prefer not to advertise. We do however most sincerely challenge their attempt to impose their personal decisions by State legislation. In short, this is a matter for self-determination and self-regulation and not a matter for State legislation.

In view of this I intend to vote against House bill 809, and I ask my colleagues to join me in supporting this type of anti-advertising legislation.

Mr. BOIES. Mr. Speaker, the gentleman, the proponent of the amendments, opponent of this bill, as we all know is a newspaper man. The newspaper association has given this letter to every member of the House. They are concerned, Mr. Speaker, with, as the gentleman read, promoting competition and thus reducing rates through competition. I ask any member of the House if he believes that competition in the healing arts—would any member be so foolish if he needed an operation by a surgeon, for instance, to wait until that surgeon advertised a sale to have this operation performed so he could save a few dollars. Would any person who believes in standards of public health and public welfare and the interests of the welfare of the public believe that the professional men in the healing arts should compete with each other in the matter of price?

There are some 75 hundred dentists, licensed dentists in the State and I believe there are only about sixty of them who advertise. There are two States in the Union which have prohibited all dental advertising and medical advertising, and I would like to read to you just briefly from the case of Semler versus Oregon State Board of Dental Examiners:

> The Legislature was not dealing with traders in commodities, but with the vital interest of public health, and with a profession treating bodily ills and demanding different standards of conduct from those which are traditional in the competition of the market place. The community is concerned with the maintenance of professional standards which will insure not only competency in individual practitioners, but protection against those who would prey upon a public peculiarly susceptible to imposition through alluring promises of physical relief. And the community is concerned in providing safe-guards not only against deception, but against practices which would tend to demoralize the profession by forcing its members into an unseemly rivalry which would enlarge the opportunities of the least scrupulous.
>
> "A total prohibition of all advertising by practitioners of medicine and surgery was sustained in the case of Laughney vs. Maybury."

Mr. Speaker, I submit that if there are only such a minute number of practioners who advertise daily by means of newspapers, television and any other means they can find, there must be something wrong with their services to the public or by the end of a few months they would have so many patients they could not house them in the hospital, not alone in a dental office.

You all know from your own personal experience with your own dentist, your own physician, and surgeon, as a rule they are busy men and they do not have to advertise for additional patients. There is only one reason for the continuous advertising, to victimize the public. They must get new victims every day because the ones they had before do not return.

I submit, Mr. Speaker, that the newspapers' attitude is purely selfish. There is no justification for it. The practice of one of the professions of the healing arts is not a business; it is a profession. They are not offering a commodity; they are offering a service to the public, and in many, many cases at a sacrifice to the public, which you all know from your personal knowledge. I therefore ask all the members to support us on this bill.

Mr. KNECHT. Mr. Speaker, I think that I have a right to object to the term the Doctor used in reference to the newspaper publishers, that they are a selfish group. The newspapers of this State, I think, are among the most unselfish groups that you will find anywhere. I only need to refer to you people that the newspapers have a public service which supports every worthwhile effort that is going on, and that is contributed to entirely by the newspaper publishers of this State, and that is on the bond sales of the Federal Government, in every cancer drive, in every heart drive, in every worthwhile drive that is made by the charitable organizations. The biggest con-

tribution that is made by any group is made by the newspapers of the State that publish and give all that publicity without any compensation whatever. If that is a selfish attitude, I say the use of the word "selfish" is very inadvised.

Now, as for the act, I think there is something faulty in the act here, and if you will turn to line 10 and the following lines in the bill, I would like to call your attention to that: "Provided however That the foregoing shall not prevent the use of signs containing the name of any licensee and the word dentist or any abbreviation thereof or of habitual intemperance or who is addicted to the use of narcotic drugs or is insane," and so on.

I think there is a line omitted in that bill and that this is not the true bill in its entirety.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the gentleman from Lycoming, Dr. Whittaker, if I may.

The SPEAKER pro tempore. Will the gentleman from Lycoming, Mr. Whittaker, permit himself to be interrogated?

Mr. WHITTAKER. I shall, Mr. Speaker.

Mr. McCORMACK. Is it your opinion that this bill would prohibit any dentist from advertising in the newspaper or other media the fact that he is a dentist?

Mr. WHITTAKER. It would not, Mr. Speaker.

Mr. McCORMACK. So if this bill is passed you can still insert an advertisement in the newspaper, containing your name and your address and the fact that you are a dentist; is that correct?

Mr. WHITTAKER. If you are starting a practice, you may advertise that you are starting on such and such a date, and you have the right under the association rules to run that three consecutive days, and so forth.

Mr. McCORMACK. Apart from that, assume that you have been engaged in that profession for ten years, would this bill prohibit you from inserting that advertisement in the newspaper, the fact that you are a dentist?

Mr. WHITTAKER. The same as is the telephone directory?

Mr. McCORMACK. No. Your name and address.

Mr. WHITTAKER. You are allowed to have your name in the back of the telephone directory. It does not stop you.

Mr. McCORMACK. No, not a telephone directory. I am talking about a newspaper.

Mr. WHITTAKER. If it is a conspicuous ad, if it is an ad of normal size, I do not believe it would stop you.

Mr. McCORMACK. It depends upon the size of the ad, is that it?

Mr. WHITTAKER. This bill now, as it is now, would prevent, as it states there, advertising in any media.

Mr. McCORMACK. I do not want to get off the subject. I want to stick to that specific language—the fact that I am a dentist, my name and my address. Under this bill, as I read it, Dr. Whittaker, you are not prohibited from inserting that kind of an advertisement in the newspaper and I want to find out whether you share that opinion.

Mr. WHITTAKER. That is my opinion. I agree with you.

Mr. McCORMACK. Then as a dentist and a professional man, let me ask you whether or not you believe that is a violation of ethics merely to insert that?

Mr. WHITTAKER. It is if you are a member of the association, but this bill is not directed at the members of the association. For your information, Mr. Speaker, of the 7500 registered dentists in Pennsylvania, 1500 do not live in Pennsylvania. They are either retired, or in Jersey, or took their schooling here and took the state board beyond the boundaries of the State. That leaves 6,000 men. As of yesterday morning, there were 6,475 in our association. That leaves 525. A good share of those are older men who can no longer pay their dues, live in rural areas, and so forth, but this bill is directed at correcting a certain situation which is harmful to the general public, and the number of men this bill is directed at, probably 60 would cover it.

Mr. McCORMACK. If it is in violation of the code of ethics for a professional man to advertise, should it not be an absolute restriction against advertising regardless of what is contained therein if you maintain and the dentists maintain that it is in violation of professional ethics to do so?

Mr. WHITTAKER. That's right.

Mr. McCORMACK. Well then, would you agree with me that this bill does not go far enough?

Mr. WHITTAKER. We are satisfied if we can have it just the way it is. This will take care of the situation at hand.

Mr. McCORMACK. All right. Now with respect to those lines which were pointed out by the gentleman from Schuylkill, Mr. Knecht, is it or is it not correct that there would appear to be a line missing the way it reads now under this printer's number? It does not make sense.

Mr. WHITTAKER. We checked that with the dental society lawyer and the Justice Department and that is the way they want it.

Mr. KNECHT. Mr. Speaker, I still maintain that the wording of this bill has an omission. There is an omission in the wording of this bill. I certainly feel that it should be checked with the bill as it exists today.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Fineman, rise?

Mr. FINEMAN. Mr. Speaker, I rise to a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. FINEMAN. That portion of the bill to which the gentleman from Schuylkill, Mr. Knecht, is presently referring is existing law which is in no way being changed by this proposed act that is before us.

My point of inquiry is this: If this bill in its present form were to be enacted by the General Assembly, what does the Secretary of State who is charged with the responsibility of punctuating the bill, what does he do with that portion of this act which does not change existing laws? In other words, if we have an act on our books where I assume the language is correct, and assuming that the language in this act is incorrect but there is no change in existing law, therefore, this language is not necessary to the act before us, what does the Secretary do in that instance?

The SPEAKER pro tempore. It is the opinion of the Chair that the Secretary of State has the power to punctuate and correct errors in the bill, but I do not believe he has the authority to change the actual act as it is passed.

Mr. FINEMAN. If the act that is before us does not in any way change existing language, it is merely a restatement of existing language, and through inadvertence

something is left out, would the act that we have before us go in in its present form, or would existing law prevail.

The SPEAKER pro tempore. The Chair believes that there would be a risk involved in passing it if it is a faulty act in spite of the fact that there is an existing law which is not changed by this act. The Chair would like to have an opportunity to get an opinion from the Secretary of the Commonwealth.

Mr. A. W. JOHNSON. Mr. Speaker, while this debate was going on I called the reference bureau and that language is exactly the way it is in the amendment of 1937, and the Secretary of the Commonwealth has attempted to clarify it somewhat by, on line 13 on page 3, putting a semi-colon after the word "thereof," and then the language "or of habitual intemperance," and so forth is existing law. It is exactly the way the present act is. If the error was made it was made back in 1937 when the amendment was made.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Boies.

Mr. BOIES. Mr. Speaker, may I again inform the House that both Dr. Whittaker and I brought this matter to the attention of counsel for the dental association and the Justice Department and they told us that it was intended to be the way it is now, and that is the way it should be. I ask all the members to support this bill and, if it should need any correction, we may amend it in the Senate.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, may I just use this opportunity to make an observation? We have had pointed out to us today, in my opinion, the need for having legislation presented to us with punctuation in it. Many times we get bills that we just cannot understand. This bill, without punctuation, as pointed out by the gentleman from Schuylkill, just does not make sense. I am the cosponsor, with Mr. Lippincott, of a bill requiring punctuation and I would like to see this House take favorable action on that bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—117

Anderson, J. H.,	Gailey,	Limper,	Rubin,
Anderson, S. A.,	Gallagher,	Lippincott,	Rudisill,
Arlene,	Gibb,	Long, Wm. Jas.,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Gray,	Lutty,	Schaaf,
Backenstoe,	Gremminger,	Marsh,	Schuster,
Boies,	Gross,	Maxwell,	Shelton,
Bonner,	Hamilton,	McCandless,	Sherman,
Bower,	Hankins,	McCann,	Shupnik,
Bowman,	Haudenshield,	McDevitt,	Simmons,
Branca,	Heavey,	McDonald,	Stank,
Capano,	Heffner,	McKeever,	Stimmel,
Cauley,	Holliday,	McLaughlin,	Stone,
Cianfrani,	Holman,	Meholchick,	Sullivan, J. A.,
Clarke,	Irvis,	Mihm,	Sullivan, T. F.,
Comer,	Isaacs,	Miller,	Taylor,
Cooley,	Jones,	Monroe,	Thompson,
Crossin,	Kamyk,	Mullen,	Tomascik,
Curwood,	Kelly,	Musto,	Tompkins,
Dennison,	Kernaghan,	O'Donnell, J. A.,	Verona,
Donaldson,	Keiser,	O'Donnell, J. P.,	Wall,
Doughten,	King,	Ogilvie,	Walsh,
Dougherty,	Kistler,	Parlante,	Welsh,
Ellberg,	Klein,	Pashley,	Whittaker,
Elvey,	Kramer,	Piper,	Williams, E. S.,
Ewing,	Lamb,	Polaski,	Wilt,
Filo,	Lawson,	Prendergast,	Yetter,
Fineman,	Lee, K. B.,	Pursley,	Zember,
Foerster,	Leonard,	Riley,	Andrews, Speaker
Frascella,			

NAYS—73

Adams,	George,	Korns,	Rovansek,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Royer,
Blair,	Goodrich,	Magee,	Rutherford,
Bossert,	Gramlich,	Manbeck,	Seltzer,
Breth,	Guesman,	Markley,	Slack,
Buchanan,	Guthrie,	May,	Snare,
Bush,	Hartley,	McCormack,	Stiteler,
Cioffi,	Helm,	McInroy,	Strausser,
Davis,	Henzel,	McNally,	Ujobai,
Dengler,	Hocker,	Merry,	Varner,
Down,	Horst,	Morley,	Wargo,
Edwards,	Jenkins,	Murphy,	Weidner,
Eshleman,	Jim,	O'Dell,	Willard,
Farabaugh,	Johnson, A. W.,	Odorisio,	Willaredt,
Fetterolf,	Johnson, R. P.,	Petrosky,	Williams, A. D.,
Flynn,	Kessler,	Polen,	Wood,
Foor,	Knecht,	Reidenbach,	Worley,
Fox,	Kooker,	Renwick,	Zimmerman,
Fulmer,			

NOT VOTING—16

Capitolo,	Goldstein, M. H.,	Murray,	Reibman,
Eshback,	Kornick,	Needham,	Steckel,
Fry,	Mills,	Perry,	Trusio,
Gelfand,	Munley,	Price,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. ESHBACK. Mr. Speaker, I would like to be recorded as voting "aye" on House bill 809.

The SPEAKER pro tempore. The remarks of the gentleman will be spread upon the record. The gentleman would have voted "aye" on House bill 809 had he been at his desk.

CAUCUSES

Mr. McCANN. Mr. Speaker, I will ask the membership to mark the bills on which we will caucus. We are going to take a break for lunch, then caucus and then come back here and vote on bills for one hour, getting out of here at 3:30 this afternoon so the members may drive home.

On page 17, will you please circle the following bills which we are asking you to caucus on:

Page 17, House bill 141, House bill 420, House bill 453, and House bill 455.

Page 18, House bill 484; page 19, House bills 727, 731, 734 and 744. These bills have amendments that were put in that you can caucus on every quickly, effective dates, correctional, and so forth.

Page 20, House bill 796 and Senate bill 31.

Bills on Third Reading, page 20, House bill 31 and House bill 55; page 21, House bill 146, 148, 154, 157 and 203; page 22, House bill 216 and House bill 242; none on page 23; on page 24, House bill 454; on page 25, House bill 579 and House bill 586; page 26, House bill 592; none on page 27; on page 28, House bill 832, 869 and 870; page 29, the Welfare package, 871, 873, 874, 875 and 876; then two bills on page 32, companion bills Nos. 1006 and 1007, investment.

That makes a total of approximately 25 to 28 bills. I question that we can get to all of them. We will ask that the members go to lunch. There will be a Democratic caucus in exactly 45 minutes, a caucus for 45 min-

utes, and this House will then reconvene at 2:30 and vote on bills from 2:30 until 3:30, and the members will be able to depart at 3:30 to go home.

Mr. Speaker, I ask the minority leader what his plans are?

Mr. A. W. JOHNSON. Mr. Speaker, they are identical. We will take 45 minutes for lunch, which will mean a quarter to 2, and we will caucus for 45 minutes.

REPORTS FROM COMMITTEE

Mr. McCORMACK from the Committee on Appropriations, re-reported as committed, House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1252, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirment of State employes; amending, revising, consolidating and changing the laws relating thereto," limiting superannuation retirement allowances of members of the General Assembly.

Mr. KLEIN from the Committee on Municipal Corporations, reported as committed, Senate bill No. 313, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their roads street and bridge purposes * * *" authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1252, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes; amending, revising, consolidating and changing the laws relating thereto," limiting superannuation retirement allowances of members of the General Assembly.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 313, entitled:

An Act amending the act of June 1, 1956 (P. L. 1944), entitled "An act providing a permanent allocation of a part of the fuels and liquid fuels tax proceeds to cities boroughs incorporated towns and townships for their roads street and bridge purposes * * *" authorizing the use of allocated money for payment of interest and principal and sinking fund charges on bonds issued for road or street improvement purposes.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 632

Mr. McCANN. Mr. Speaker, I move that the vote by which House bill No. 632, printer's No. 688, entitled:

"An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of govermnent and providing for an appropriation in certain years."

was defeated on final passage Wednesday, April 5, 1961, be reconsidered.

Mr. POLEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Greene, Mr. McCann vote on the final passage of this bill?

Mr. McCANN. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Washington, Mr. Polen vote on the final passage of this bill?

Mr. POLEN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McCANN. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

By Messrs. MEHOLCHICK, TAYLOR, WARGO and MUSTO. HOUSE BILL No. 1260.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), increasing the quantity of malt and brewed beverages which may be sold by certain liquor licensees for consumption off the premises where sold.

Referred to the Committe on Liquor Control.

By Messrs. J. H. GOLDSTEIN, GRAMLICH, HELM and FOOR. HOUSE BILL No. 1261.

An Act repealing the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978).

Referred to the Committee on Rules.

By Messrs. CAPANO, LAMB, FLYNN and WELSH. HOUSE BILL No. 1262.

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

Referred to the Committee on Rules.

By Messrs. CAPANO, FLYNN, WELSH and T. F. SULLIVAN. HOUSE BILL No. 1263.

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued.

Referred to the Committee on Rules.

By Messrs. MAGEE, WILLARD, STRAUSSER, GRAMLICH, HOLMAN and McCANDLESS. HOUSE BILL No. 1264.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978), regulating and limiting charges imposed by licensees.

Referred to the Committee on Rules.

By Messrs. MAGEE, WILLARD, STRAUSSER, GRAMLICH, HOLMAN and McCANDLESS.

HOUSE BILL No. 1265.

An Act amending the "State Harness Racing Law," approved December 22, 1959 (P. L. 1978), further regulating the appointment of employes; prohibiting the grant of licenses except at a public meeting of the commission and the subleasing of harness horse race plants or facilities; and requiring the publication of the names, addresses and occupations of owners of stock in licensed corporations and their lessors.

Referred to the Committee on Rules.

By Mr. MAY. HOUSE BILL No. 1266.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), requiring speedometers to be inspected.

Referred to the Committee on Motor Vehicles.

By Messrs. SCARCELLI (by request) and REIDENBACH. HOUSE BILL No. 1267.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance of public service liquor licenses to airline companies.

Referred to the Committee on Liquor Control.

By Mr. MURPHY. HOUSE BILL No. 1268.

An Act amending "The Liquod Fuels Tax Act," approved May 21, 1931 (P. L. 149), exempting the Commonwealth and political subdivisions from the payment of the tax.

Referred to the Committee on Ways and Means.

By Messrs. MURPHY, FLYNN and ROVANSEK.

HOUSE BILL No. 1269.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), further regulating the issuance of tax duplicates to political subdivisions.

Referred to the Committee on State Government.

By Messrs. McKEEVER, SCARCELLI, ESHBACK and CAPITOLO. HOUSE BILL No. 1270.

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the issuance of special caterer's permits.

Referred to the Committee on Liquor Control.

By Messrs. FLYNN, CAPANO, KING and Mrs. HENZEL. HOUSE BILL No. 1271.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing for the compensation of school directors attending annual conventions and special meetings.

Referred to the Committee on Education.

By Messrs. POLASKI and SCHAAF.

HOUSE BILL No. 1272.

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932), providing that certain employes of contractors be hired locally.

Referred to the Committee on Cities—Third Class.

By Messrs. VARNER, PURSLEY, DAVIS and WILT.

HOUSE BILL No. 1273.

An Act amending the "State Employes' Retirement Code of 1959," approved June 1, 1959 (P. L. 392), providing a disability retirement allowance for disability incurred by officers and employes of the Pennsylvania State Police while engaging in law enforcement activities when not on active duty.

Referred to the Committee on Appropriations.

By Messrs. KRAMER, CLARKE, LAMB and CAULEY.

HOUSE BILL No. 1274.

An Act amending the act of March 7, 1901 (P. L. 20), entitled "An act for the government of cities of the second class," authorizing officials, officers and agencies thereof to issue subpoenas for the purposes of certain hearings and investigations held by them.

Referred to the Committee on Cities—Counties Second and Second Class A.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 54.

An Act amending the act of Aprli 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," authorizing departments boards and commissions to purchase certain manuscripts relics furnishings microfilm film strips recordings and tests.

HOUSE BILL No. 303.

An Act amending the act of April 30, 1929 (P. L. 885), entitled "An Act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock * * *," further providing for the annulling vacating and forfeiting of the articles of associations and imposing duties on the Secretary of Agriculture relative to the reporting of the status of existing associations.

HOUSE BILL No. 304.

An Act amending the act of June 12, 1919 (P. L. 466) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit * * *" further providing for the annulling vacating and forfeiting of the articles of associations and letters patent issued to such associations * * *

HOUSE BILL No. 332.

An Act amending the act of July 5, 1957 (P. L. 485) entitled "An act for the protection of the public health and welfare and the prevention of fraud and deception in the manufacture or sale of packaged non-alcoholic drinks . . ." changing the expiration dates of licenses and registrations and further providing for the marking of labels.

HOUSE BILL No. 570.

An Act amending "The Fiscal Code" approved April 9, 1929 (P. L. 343) requiring the Board of Finance and Revenue to make and certify annual reports to the Governor.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

The SPEAKER (Hiram G. Andrews) IN THE CHAIR.

RECESS

The SPEAKER. Without objection, the Chair will declare a recess until 2:30 o'clock.

The Chair hears no objection, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (HIRAM G. ANDREWS) IN THE CHAIR

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. STIMMEL asked and obtained unanimous consent to add additional sponsors to a resolution to be introduced by him.

RESOLUTION

TRIBUTE

Messrs. STIMMEL, PRICE, PIPER, ZEMBER, WEIDNER, BACKENSTOE, HEFFNER, Mrs. MARKLEY, Messrs. STECKEL, ADAMS, KNECHT, McDEVITT, and WM. JOSEPH LONG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 12, 1961.

Whereas, When President Abraham Lincoln issued his proclamation of April 15, 1861, calling for volunteers to defend the authority of the United States after Southern forces had captured Fort Sumter, five companies of Pennsylvania troops were among the first to respond to his call; and

Whereas, These five companies, the Allen Infantry of Allentown, the Logan Guards of Lewistown, the Ringgold Light Artillery of Reading, the National Light Infantry of Pottsville, the Washington Artillerists of Pottsville, were mustered into the United States service at Harrisburg early in the morning of April 18, 1861, and that evening reached the imperilled national capital of Washington where they were immediately stationed in the United States Capitol building for its defense; and

Whereas, The patriotic men in these companies as the first volunteers from any state to reach the threatened national capital in response to the President's call were given the proud title of the First Defenders, and they were the beginning of a tremendous outpouring of men and resources from this Commonwealth to preserve the Federal Union from disruption; and

Whereas, The one hundredth anniversary of their stirring answer to the summons to protect the national Capital will be observed at Harrisburg on Sunday, April 16, 1961, by appropriate ceremonies in which National Guard units deriving from the original First Defender companies will participate; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby pays tribute to the prompt and sterling services of the five Pennsylvania companies known as the First Defenders, whose example of swift and voluntary response to our country's need will remain an inspiration to patriotism whenever our flag, our nation, and our Commonwealth stand in need of ready and unhesitating defenders; and be it further

Resolved, That the centennial anniversary of the First Defenders is highly deserving of notice, attention, and thoughtful consideration by all patriotic citizens of this Commonwealth, and that this House commends the efforts of National Guardsmen and other public-spirited citizens to commemorate a brilliant and inspiring page in the annals of Pennsylvania, and be it further

Resolved, That a copy of this resolution be sent to the Berks County Historical Society, Reading, Pennsylvania, Lehigh County Historical Society, Allentown, Pennsylvania, The Mifflin County Historical Society, Lewistown, Pennsylvania, and The Schuylkill County Historical Society, Pottsville, Pa.

REPORT FROM COMMITTEE

Mr. HORST from the Committee on Townships, reported as committed, House Bill No. 319, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 319, entitled:

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. FINEMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

ANNOUNCEMENT

Mr. McCANN. Mr. Speaker, could I take a moment of time to give the members the information for next week officially?

Mr. Speaker, this House will be in session four days next week, Monday, Tuesday, Wednesday, and Thursday, so I ask the membership to plan accordingly.

BILLS CALLED OUT OF ORDER

Mr. McCANN. Mr. Speaker, I ask unanimous consent to call bills out of order. I desire to call up House bill No. 420, on page 17 of the calendar, bills on final passage.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 420, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) authorizing county commissioners to exercise certain additional powers.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Gailey,	Lee, A. M.,	Rovansek,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Royer,
Anderson, S. A.,	Gelfand,	Leonard,	Rubin,
Arlene,	George,	Limper,	Rudisill,
Ashton,	Gibb,	Lippincott,	Rutherford,
Auker,	Gibbons,	Lutty,	Sakulsky,
Bachman,	Goldstein, J. H.,	Magee,	Scarcelli,
Backenstoe,	Goodrich,	Manbeck,	Schuster,
Blair,	Gramlich,	Markley,	Seltzer,
Boles,	Gray,	Marsh,	Shelton,
Bonner,	Gremminger,	Maxwell,	Sherman,
Bossert,	Gross,	May,	Shupnik,
Bower,	Guesman,	McCandless,	Simmons,
Bowman,	Guthrie,	McCann,	Slack,
Branca,	Hamilton,	McCormack,	Snare,
Buchanan,	Hankins,	McDevitt,	Stank,
Bush,	Hartley,	McDonald,	Stimmel,
Capano,	Haudenshield,	McInroy,	Stiteler,
Cauley,	Heavey,	McKeever,	Stone,

Cianfrani,	Heffner,	McLaughlin,	Strausser,
Cioffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Holliday,	Merry,	Taylor,
Crossin,	Holman,	Mihm,	Thompson,
Curwood,	Horst,	Miller,	Tompkins,
Davis,	Irvis,	Mills,	Ujobai,
Dengler,	Isaacs,	Monroe,	Varner,
Donaldson,	Jenkins,	Morley,	Verona,
Dougherty,	Jim,	Mullen,	Wall,
Doughten,	Johnson, A. W.,	Musto,	Walsh,
Down,	Johnson, R. P.,	O'Dell,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. P.,	Welsh,
Elvey,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Fetterolf,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Piper,	Wilt,
Fineman,	Klein,	Polaski,	Wood,
Flynn,	Knecht,	Polen,	Worley,
Foerster,	Kooker,	Prendergast,	Yetter,
Foor,	Korns,	Pursley,	Zember,
Fox,	Kramer,	Reidenbach,	Zimmerman,
Frascella,	Lamb,	Renwick,	Andrews,
Fulmer,	Lawson,	Riley,	Speaker

NAYS—4

Hocker,	Long, Wm. Jos.,	Murphy,	Petrosky,

NOT VOTING—19

Breth,	Fry,	Murray,	Steckel,
Capitolo,	Goldstein, M. H.,	Needham,	Tomascik,
Cooley,	Kornick,	Price,	Trusio,
Dennison,	Long, Wm. Jas.,	Reibman,	Wescott,
Farabaugh,	Munley,	Schaaf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 453, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177) authorizing the Department of Forests and Waters to enter into contracts or leases for mining or removal of oil or gas in State parks.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Gailey,	Lee, A. M.,	Renwick,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gelfand,	Leonard,	Rovansek,
Arlene,	George,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jos.,	Rudisill,
Bachman,	Goldstein, J. H.,	Lutty,	Rutherford,
Backenstoe,	Goodrich,	Magee,	Sakulsky,
Blair,	Gramlich,	Manbeck,	Schuster,
Bonner,	Gray,	Markley,	Seltzer,
Bossert,	Gremminger,	Marsh,	Shelton,
Bower,	Gross,	Maxwell,	Sherman,
Bowman,	Guesman,	May,	Shupnik,
Branca,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald,	Stank,
Cauley,	Haudenshield,	McInroy,	Stimmel,
Cianfrani,	Heffner,	McKeever,	Stiteler,
Cioffi,	Helm,	McLaughlin,	Stone,
Clarke,	Henzel,	McNally,	Strausser,
Crossin,	Hocker,	Meholchick,	Sullivan, J. A.,
Curwood,	Holliday,	Merry,	Sullivan, T. F.,
Davis,	Holman,	Mihm,	Taylor,
Dengler,	Horst,	Miller,	Thompson,
Dennison,	Irvis,	Mills,	Tompkins,
Donaldson,	Isaacs,	Monroe,	Ujobai,
Dougherty,	Jenkins,	Morley,	Varner,
Doughten,	Jim,	Mullen,	Verona,
Down,	Johnson, A. W.,	Murphy,	Wall,
Edwards,	Johnson, R. P.,	Musto,	Walsh,
Eilberg,	Jones,	O'Dell,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eshback,	Keiser,	O'Donnell, J. P.,	Welsh,
Eshleman,	Kelly,	Odorisio,	Whittaker,
Ewing,	Kernaghan,	Ogilvie,	Willard,
Farabaugh,	Kessler,	Pashley,	Willaredt,
Fetterolf,	King,	Perry,	Williams, A. D.,
Filo,	Kistler,	Petrosky,	Williams, E. S.,
Fineman,	Klein,	Piper,	Wilt,
Flynn,	Knecht,	Polaski,	Wood,
Foerster,	Kooker,	Polen,	Yetter,
Foor,	Korns,	Prendergast,	Zember,
Fox,	Kramer,	Pursley,	Zimmerman,
Frascella,	Lamb,	Reidenbach,	Andrews,
Fulmer,	Lawson,		Speaker

NAYS—2

Heavey,	Worley,		

NOT VOTING—22

Boles,	Goldstein, M. H.,	Needham,	Schaaf,
Breth,	Kornick,	Parlante,	Steckel,
Capitolo,	Long, Wm. Jas.,	Price,	Tomascik,
Comer,	McCormack,	Reibman,	Trusio,
Cooley,	Munley,	Scarcelli,	Wescott,
Fry,	Murray,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 727, entitled:

An Act amending "The County Code" approved August 9, 1955 (P. L. 323) providing for expenses in going to and returning from meetings.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Adams,	Gallagher,	Leonard,	Rubin,
Anderson, J. H.,	Gelfand,	Limper,	Rudisill,
Anderson, S. A.,	George,	Lippincott,	Rutherford,
Arlene,	Gibb,	Long, Wm. Jos.,	Sakulsky,
Ashton,	Gibbons,	Lutty,	Scarcelli,
Bachman,	Goldstein, J. H.,	Magee,	Schuster,
Backenstoe,	Goodrich,	Manbeck,	Seltzer,
Blair,	Gramlich,	Markley,	Shelton,
Boles,	Gray,	Marsh,	Sherman,
Bonner,	Gremminger,	Maxwell,	Shupnik,
Bower,	Guesman,	McCandless,	Simmons,
Bowman,	Guthrie,	McCann,	Slack,
Branca,	Hamilton,	McDevitt,	Snare,
Buchanan,	Hankins,	McDonald,	Stank,
Bush,	Hartley,	McKeever,	Stimmel,
Capano,	Haudenshield,	McLaughlin,	Stiteler,
Cauley,	Heffner,	McNally,	Stone,
Cioffi,	Helm,	Meholchick,	Strausser,
Clarke,	Henzel,	Merry,	Sullivan, J. A.,
Comer,	Hocker,	Mihm,	Sullivan, T. F.,
Crossin,	Holman,	Miller,	Taylor,
Curwood,	Horst,	Mills,	Thompson,
Davis,	Irvis,	Monroe,	Tompkins,
Dengler,	Isaacs,	Morley,	Ujobai,
Dennison,	Jenkins,	Mullen,	Varner,
Donaldson,	Jim,	Musto,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Walsh,

Down,	Jones,	O'Donnell, J. P.,	Wargo,
Edwards,	Kamyk,	Odorisio,	Weidner,
Eilberg,	Keiser,	Ogilvie,	Welsh,
Elvey,	Kelly,	Parlante,	Whittaker,
Eshback,	Kernaghan,	Pashley,	Willard,
Eshleman,	Kessler,	Piper,	Willaredt,
Ewing,	King,	Polaski,	Williams, A. D.,
Farabaugh,	Kistler,	Polen,	Williams, E. S.,
Fetterolf,	Klein,	Prendergast,	Wilt,
Filo,	Knecht,	Pursley,	Wood,
Flynn,	Kooker,	Reidenbach,	Worley,
Foerster,	Kramer,	Renwick,	Yetter,
Frascella,	Lawson,	Riley,	Zember,
Fulmer,	Lee, A. M.,	Rovansek,	Zimmerman,
Gailey,	Lee, K. B.,	Royer,	Andrews, Speaker

NAYS—12

Auker,	Fineman,	Gross,	Murphy,
Bossert,	Foor,	Holliday,	Perry,
Cianfrani,	Fox,	Korns,	Petrosky,

NOT VOTING—22

Breth,	Kornick,	Munley,	Schaaf,
Capitolo,	Lamb,	Murray,	Steckel,
Cooley,	Long, Wm. Jas.,	Needham,	Tomascik,
Fry,	May,	Price,	Trusio,
Goldstein, M. H.,	McCormack,	Reibman,	Wescott,
Heavey,	McInroy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 731, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103) increasing the daily expense allowance for delegates to meetings of the State associations of township officers.

On the question,

Shall the bill pass finally?

Mr. GAILEY. Mr. Speaker, this bill, it seems to me, was just a breach in the dyke. I do not think there is any other State association of local officers, be it city council or mayors in the city, registers of will, prothonotaries, whatever you care to name, that the expenses for daily attendance to State association meetings exceed $20. Over the course of the years we have determined that this is a proper amount. This bill, as I think we all know, raises that amount to $25. It seems to me that in order to be consistent it would cost just as much for your county register of wills to live at a convention as it does for a township supervisor. I see no reason or logic or justice why supervisors should be paid $25 a day and everybody else $20. As I say, it is a breach in the dyke. I think we kid ourselves if we think that every other association will not be in with a bill raising their expenses to $25 either later on in this session or next session. Under these circumstances I think this is bad legislation and I ask the members on both sides of the House to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—142

Adams,	Gallagher,	Manbeck,	Royer,
Anderson, J. H.,	George,	Markley,	Rubin,
Anderson, S. A.,	Gibb,	Marsh,	Rudisill,
Arlene,	Goldstein, J. H.,	Maxwell,	Sakulsky,
Ashton,	Goodrich,	May,	Scarcelli,
Bachman,	Gramlich,	McCann,	Schuster,
Backenstoe,	Gray,	McCormack,	Seltzer,
Blair,	Gremminger,	McDevitt,	Shelton,
Boles,	Guthrie,	McDonald,	Sherman,
Bonner,	Hamilton,	McInroy,	Shupnik,
Bower,	Hankins,	McLaughlin,	Simmons,
Branca,	Haudenshield,	Meholchick,	Slack,
Buchanan,	Helm,	Merry,	Snare,
Capano,	Henzel,	Mihm,	Stank,
Cioffi,	Hocker,	Miller,	Stimmel,
Clarke,	Horst,	Mills,	Stone,
Comer,	Irvis,	Monroe,	Sullivan, J. A.,
Crossin,	Isaacs,	Mullen,	Taylor,
Curwood,	Jim,	Murphy,	Thompson,
Davis,	Johnson, A. W.,	Musto,	Tompkins,
Dengler,	Johnson, R. P.,	O'Dell,	Ujobai,
Dennison,	Kamyk,	O'Donnell, J. P.,	Varner,
Donaldson,	Keiser,	Odorisio,	Verona,
Dougherty,	Kernaghan,	Parlante,	Wall,
Down,	Kessler,	Pashley,	Weidner,
Edwards,	King,	Petrosky,	Welsh,
Eilberg,	Klein,	Piper,	Willard,
Eshback,	Knecht,	Polaski,	Willaredt,
Eshleman,	Kooker,	Polen,	Williams, E. S.,
Ewing,	Kramer,	Prendergast,	Wilt,
Fetterolf,	Lawson,	Pursley,	Wood,
Filo,	Lee, A. M.,	Reidenbach,	Worley,
Flynn,	Lee, K. B.,	Renwick,	Yetter,
Foerster,	Limper,	Riley,	Zember,
Frascella,	Long, Wm. Jos.,	Rovansek,	Zimmerman,
Fulmer,	Magee,		

NAYS—45

Auker,	Fox,	Jones,	Ogilvie,
Bossert,	Gailey,	Kelly,	Perry,
Bowman,	Gelfand,	Kistler,	Rutherford,
Bush,	Gibbons,	Korns,	Stiteler,
Cauley,	Gross,	Leonard,	Strausser,
Cianfrani,	Guesman,	Lippincott,	Sullivan, T. F.,
Doughten,	Hartley,	Lutty,	Walsh,
Elvey,	Heffner,	McCandless,	Wargo,
Farabaugh,	Holliday,	McKeever,	Whittaker,
Fineman,	Holman,	McNally,	Williams, A. D.,
Foor,	Jenkins,	Morley,	Andrews,
		O'Donnell, J. A.,	Speaker

NOT VOTING—19

Breth,	Goldstein, M. H.,	Munley,	Schaaf,
Capitolo,	Heavey,	Murray,	Steckel,
Cooley,	Kornick,	Needham,	Tomascik,
Fry,	Lamb,	Price,	Trusio,
	Long, Wm. Jas.,	Reibman,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 734, entitled:

An Act amending "The General County Assessment Law" approved May 22, 1933 (P. L. 853) requiring properly certified duplicates of valuations of property and occupations taxable for county purposes to be furnished to borough councils and to supervisors of townships of the second class and permitting taxes to be levied on duplicates issued for the previous year if such duplicates are not issued by the first day of April.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—176

Adams,	Fulmer,	Kramer,	Prendergast,
Anderson, J. H.,	Gailey,	Lamb,	Pursley,
Anderson, S. A.,	Gallagher,	Lawson,	Reidenbach,
Arlene,	Gelfand,	Lee, A. M.,	Renwick,
Ashton,	George,	Lee, K. B.,	Riley,

Auker,	Gibb,	Leonard,	Rovansek,
Bachman,	Gibbons,	Limper,	Royer,
Backenstoe,	Goldstein, J. H.,	Lippincott,	Rubin,
Blair,	Goodrich,	Long, Wm. Jos.,	Rudisill,
Boles,	Gramlich,	Lutty,	Rutherford,
Bonner,	Gray,	Manbeck,	Sakulsky,
Bower,	Gremminger,	Magee,	Scarcelli,
Bowman,	Gross,	Markley,	Schuster,
Branca,	Guesman,	Marsh,	Seltzer,
Buchanan,	Guthrie,	Maxwell,	Shelton,
Bush,	Hamilton,	May,	Sherman,
Capano,	Hankins,	McCann,	Shupnik,
Cauley,	Hartley,	McDevitt,	Simmons,
Cianfrani,	Haudenshield,	McDonald,	Slack,
Cioffi,	Heavey,	McInroy,	Snare,
Clarke,	Heffner,	McKeever,	Stank,
Comer,	Helm,	McLaughlin,	Stimmel,
Crossin,	Henzel,	McNally,	Stone,
Curwood,	Hocker,	Meholchick,	Strausser,
Davis,	Holliday,	Merry,	Sullivan, T. F.,
Dengler,	Holman,	Mihm,	Taylor,
Dennison,	Horst,	Miller,	Thompson,
Donaldson,	Irvis,	Mills,	Ujobai,
Dougherty,	Isaacs,	Monroe,	Varner,
Doughten,	Jenkins,	Morley,	Verona,
Down,	Jim,	Mullen,	Walsh,
Edwards,	Johnson, A. W.,	Murphy,	Wargo,
Eilberg,	Johnson, R. P.,	Musto,	Weidner,
Elvey,	Jones,	O'Dell,	Welsh,
Eshleman,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Ewing,	Keiser,	Odorisio,	Willard,
Farabaugh,	Kelly,	Ogilvie,	Willaredt,
Fetterolf,	Kernaghan,	Parlante,	Williams, E. S.,
Filo,	Kessler,	Pashley,	Wilt,
Fineman,	Kistler,	Perry,	Wood,
Flynn,	Klein,	Petrosky,	Yetter,
Foerster,	Knecht,	Piper,	Zember,
Fox,	Kooker,	Polaski,	Zimmerman,
Frascella,	Korns,	Polen,	Andrews, Speaker

NAYS—10

Bossert,	King,	Tompkins,	Williams, A. D.,
Eshback,	McCandless,	Wall,	Worley,
Foor,	Stiteler,		

NOT VOTING—20

Breth,	Kornick,	Needham,	Steckel,
Capitolo,	Long, Wm. Jas.,	O'Donnell, J. P.,	Sullivan, J. A.,
Cooley,	McCormack,	Price,	Tomascik,
Fry,	Munley,	Reibman,	Trusio,
Goldstein, M. H.,	Murray,	Schaaf,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House bill No. 744, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) authorizing the establishment and maintenance of certain places used and maintained for the collection storage and disposal of certain goods and materials to be licensed.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—181

Adams,	Gallagher,	Lawson,	Renwick,
Anderson, J. H.,	Gelfand,	Lee, A. M.,	Riley,
Anderson, S. A.,	George,	Lee, K. B.,	Rovansek,
Arlene,	Gibb,	Leonard,	Royer,
Ashton,	Gibbons,	Limper,	Rubin,
Auker,	Goldstein, J. H.,	Lippincott,	Rudisill,
Bachman,	Goodrich,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Gramlich,	Lutty,	Sakulsky,
Blair,	Gray,	Magee,	Scarcelli,
Boles,	Gremminger,	Manbeck,	Schuster,
Bossert,	Gross,	Markley,	Seltzer,
Bower,	Guesman,	Marsh,	Shelton,
Bowman,	Guthrie,	Maxwell,	Sherman,
Branca,	Hamilton,	May,	Shupnik,
Buchanan,	Hankins,	McCandless,	Simmons,
Bush,	Hartley,	McCann,	Slack,
Capano,	Haudenshield,	McCormack,	Snare,
Cauley,	Heavey,	McDevitt,	Stank,
Cianfrani,	Heffner,	McDonald,	Stimmel,
Cioffi,	Helm,	McInroy,	Stiteler,
Clarke,	Henzel,	McKeever,	Stone,
Comer,	Hocker,	McLaughlin,	Strausser,
Crossin,	Holliday,	McNally,	Sullivan, T. F.,
Curwood,	Holman,	Meholchick,	Taylor,
Davis,	Horst,	Merry,	Thompson,
Dengler,	Irvis,	Mihm,	Ujobai,
Dennison,	Isaacs,	Miller,	Varner,
Donaldson,	Jenkins,	Mills,	Verona,
Dougherty,	Jim,	Monroe,	Wall,
Doughten,	Johnson, A. W.,	Morley,	Walsh,
Down,	Johnson, R. P.,	Mullen,	Wargo,
Edwards,	Jones,	Murphy,	Weidner,
Eilberg,	Kamyk,	Musto,	Welsh,
Elvey,	Keiser,	O'Dell,	Whittaker,
Eshleman,	Kelly,	O'Donnell, J. A.,	Willard,
Ewing,	Kernaghan,	Odorisio,	Willaredt,
Farabaugh,	Kessler,	Ogilvie,	Williams, A. D.,
Fetterolf,	King,	Parlante,	Williams, E. S.,
Filo,	Kistler,	Pashley,	Wilt,
Fineman,	Klein,	Perry,	Wood,
Flynn,	Knecht,	Petrosky,	Worley,
Foerster,	Kooker,	Piper,	Yetter,
Foor,	Korns,	Polaski,	Zember,
Fox,	Kramer,	Polen,	Zimmerman,
Frascella,	Lamb,	Prendergast,	Andrews, Speaker
		Reidenbach,	

NAYS—4

Eshback,	Fulmer,	Gailey,	Pursley,

NOT VOTING—21

Bonner,	Kornick,	O'Donnell, J. P.,	Sullivan, J. A.,
Breth,	Long, Wm. Jas.,	Price,	Tomascik,
Capitolo,	Munley,	Reibman,	Tompkins,
Cooley,	Murray,	Schaaf,	Trusio,
Fry,	Needham,	Steckel,	Wescott,
Goldstein, M. H.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Mr. TOMPKINS. I merely want to announce that I have joined the ranks of the Speaker. I sat in my desk and forgot to push my button. Had I done so, I would have voted "yes" on that last bill.

The SPEAKER. The Chair sympathizes with the gentleman from Cameron having a similar ailment upon occasion.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 31, entitled:

An Act amending "The First Class City Permanent Registration Act" approved March 30, 1937 (P. L. 115) changing provisions for proof of citizenship for certain persons previously registered.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—185

Adams,	Fulmer,	Lee, K. B.,	Riley,
Anderson, J. H	Gailey,	Leonard,	Rovansek,
Anderson, S. A.,	Gallagher,	Limper,	Royer,
Arlene,	Gelfand,	Lippincott,	Rubin,
Ashton,	Gibb,	Long, Wm. Jos.,	Rudisill,
Auker,	Gibbons,	Lutty,	Rutherford,
Bachman,	Goldstein, J. H.,	Magee,	Sakulsky,
Backenstoe,	Goodrich,	Manbeck,	Scarcelli,
Blair,	Gramlich,	Markley,	Schuster,
Boies,	Gray,	Marsh,	Seltzer,
Bonner,	Gremminger,	Maxwell,	Shelton,
Bossert,	Guesman,	May,	Sherman,
Bower,	Guthrie,	McCandless,	Shupnik,
Bowman,	Hamilton,	McCann,	Simmons,
Branca,	Hankins,	McCormack,	Slack,
Buchanan,	Hartley,	McDevitt,	Snare,
Bush,	Haudenshield,	McDonald,	Stank,
Capano,	Heavey,	McInroy,	Stimmel,
Cauley,	Heffner,	McKeever,	Stiteler,
Cianfrani,	Helm,	McLaughlin,	Stone,
Cioffi,	Henzel,	McNally,	Strausser,
Clarke,	Hocker,	Meholchick,	Sullivan, J. A.,
Comer,	Holliday,	Merry,	Sullivan, T. F.,
Crossin,	Holman,	Mihm,	Taylor,
Curwood,	Horst,	Miller,	Thompson,
Davis,	Irvis,	Mills,	Tompkins,
Dengler,	Jenkins,	Monroe,	Ujobai,
Dennison,	Jim,	Morley,	Varner,
Donaldson,	Johnson, A. W.,	Mullen,	Verona,
Dougherty,	Johnson, R. P.,	Murphy,	Wall,
Doughten,	Jones,	Musto,	Walsh,
Down,	Kamyk,	O'Dell,	Wargo,
Edwards,	Keiser,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kelly,	Odorisio,	Welsh,
Elvey,	Kernaghan,	Ogilvie,	Whittaker,
Eshback,	Kessler,	Parlante,	Willard,
Eshleman,	King,	Pashley,	Willaredt,
Ewing,	Kistler,	Perry,	Williams, A. D.,
Farabaugh,	Klein,	Petrosky,	Williams, E. S.,
Fetterolf,	Knecht,	Piper,	Wilt,
Filo,	Kooker,	Polaski,	Wood,
Fineman,	Korns,	Polen,	Worley,
Flynn,	Kramer,	Prendergast,	Yetter,
Foerster,	Lamb,	Pursley,	Zember,
Foor,	Lawson,	Reidenbach,	Zimmerman,
Fox,	Lee, A. M.,	Renwick,	Andrews,
Frascella,			Speaker

NAYS—2

Gross,	Isaacs,

NOT VOTING—19

Breth,	Goldstein, M. H.,	Needham,	Steckel,
Capitolo,	Kornick,	O'Donnell, J. P.,	Tomascik,
Cooley,	Long, Wm. Jas.,	Price,	Trusio,
Fry,	Munley,	Reibman,	Wescott,
George,	Murray,	Schaaf,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 55, entitled:

An Act amending the "Pennsylvania Election Code" approved June 3, 1937 (P. L. 1333) requiring county election boards to submit additional reports with respect to registered electors and making the reports available.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—184

Adams,	Frascella,	Lee, K. B.,	Riley,
Anderson, J. H.,	Fulmer,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gailey,	Leonard,	Royer,
Arlene,	Gallagher,	Limper,	Rubin,
Ashton,	Gelfand,	Lippincott,	Rudisill,
Auker,	George,	Long, Wm. Jos.,	Rutherford,
Bachman,	Gibb,	Lutty,	Sakulsky,
Backenstoe,	Gibbons,	Magee,	Scarcelli,
Blair,	Goldstein, J. H.,	Manbeck,	Schuster,
Boies,	Goodrich,	Markley,	Seltzer,
Bonner,	Gramlich,	Marsh,	Shelton,
Bossert,	Gray,	Maxwell,	Sherman,
Bower,	Gremminger,	May,	Shupnik,
Bowman,	Gross,	McCandless,	Simmons,
Branca,	Guesman,	McCann,	Slack,
Buchanan,	Guthrie,	McCormack,	Snare,
Bush,	Hamilton,	McDevitt,	Stank,
Capano,	Hankins,	McDonald,	Stimmel,
Cauley,	Hartley,	McInroy,	Stiteler,
Cianfrani,	Haudenshield,	McKeever,	Stone,
Cioffi,	Heavey,	McLaughlin,	Strausser,
Clarke,	Heffner,	McNally,	Sullivan, J. A.,
Comer,	Helm,	Meholchick,	Sullivan, T. F.,
Crossin,	Henzel,	Merry,	Taylor,
Curwood,	Hocker,	Mihm,	Thompson,
Davis,	Holman,	Miller,	Tompkins,
Dengler,	Horst,	Mills,	Ujobai,
Dennison,	Irvis,	Monroe,	Varner,
Donaldson,	Jenkins,	Morley,	Verona,
Dougherty,	Jim,	Mullen,	Wall,
Doughten,	Johnson, A. W.,	Murphy,	Walsh,
Down,	Johnson, R. P.,	Musto,	Wargo,
Edwards,	Jones,	O'Donnell, J. A.,	Weidner,
Eilberg,	Kamyk,	Odorisio,	Welsh,
Elvey,	Keiser,	Ogilvie,	Whittaker,
Eshback,	Kelly,	Parlante,	Willard,
Eshleman,	Kernaghan,	Pashley,	Willaredt,
Ewing,	Kessler,	Perry,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Kooker,	Polen,	Worley,
Flynn,	Korns,	Prendergast,	Yetter,
Foerster,	Kramer,	Pursley,	Zember,
Foor,	Lamb,	Reidenbach,	Zimmerman,
Fox,	Lawson,	Renwick,	Andrews,
			Speaker

NAYS—2

Isaacs,	O'Dell,

NOT VOTING—20

Breth,	Holliday,	Murray,	Schaaf,
Capitolo,	Knecht,	Needham,	Steckel,
Cooley,	Kornick,	O'Donnell, J. P.,	Tomascik,
Fry,	Long, Wm. Jas.,	Price,	Trusio,
Goldstein, M. H.,	Munley,	Reibman,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 146, entitled:

An Act amending the "Pennsylvania Loyalty Act" approved December 22, 1951 (P. L. 1726) providing for the filing of loyalty oaths by persons nominated or elected as write-in candidates.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Anderson, J. H.,	Gailey,	Lawson,	Reidenbach,
Anderson, S. A.,	Gallagher,	Lee, A. M.,	Renwick,
Arlene,	Gelfand,	Lee, K. B.,	Riley,
Ashton,	George,	Leonard,	Royer,
Auker,	Gibb,	Limper,	Rubin,
Bachman,	Gibbons,	Lippincott,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Blair,	Goodrich,	Lutty,	Sakulsky,
Boies,	Gramlich,	Magee,	Scarcelli,
Bonner,	Gray,	Manbeck,	Schuster,
Bossert,	Gremminger,	Markley,	Seltzer,
Bower,	Gross,	Marsh,	Shelton,
Bowman,	Guesman,	Maxwell,	Sherman,
Branca,	Guthrie,	May,	Shupnik,
Buchanan,	Hamilton,	McCandless,	Simmons,
Bush,	Hankins,	McCann,	Slack,
Capano,	Hartley,	McCormack,	Snare,
Cianfrani,	Haudenshield,	McDevitt,	Stank,
Cioffi,	Heavey,	McDonald,	Stimmel,
Clarke,	Heffner,	McInroy,	Stiteler,
Comer,	Helm,	McKeever,	Stone,
Crossin,	Henzel,	McLaughlin,	Strausser,
Curwood,	Hocker,	McNally,	Sullivan, J. A.,
Davis,	Holliday,	Meholchick,	Sullivan, T. F.,
Dengler,	Holman,	Merry,	Taylor,
Dennison,	Horst,	Mihm,	Thompson,
Donaldson,	Irvis,	Miller,	Tompkins,
Dougherty,	Isaacs,	Mills,	Ujobai,
Doughten,	Jenkins,	Monroe,	Varner,
Down,	Jim,	Morley,	Verona,
Edwards,	Johnson, A. W.,	Mullen,	Wall,
Eilberg,	Johnson, R. P.,	Murphy,	Wargo,
Elvey,	Jones,	Musto,	Weidner,
Eshback,	Kamyk,	O'Dell,	Whittaker,
Eshleman,	Keiser,	O'Donnell, J. A.,	Willard,
Ewing,	Kelly,	Odorisio,	Willaredt,
Farabaugh,	Kernaghan,	Ogilvie,	Williams, A. D.,
Fetterolf,	Kessler,	Parlante,	Williams, E. S.,
Filo,	King,	Pashley,	Wilt,
Fineman,	Kistler,	Perry,	Wood,
Flynn,	Klein,	Petrosky,	Worley,
Foerster,	Knecht,	Piper,	Yetter,
Foor,	Kooker,	Polaski,	Zember,
Fox,	Korns,	Polen,	Zimmerman,
Frascella,	Kramer,	Prendergast,	Andrews,
Fulmer,	Lamb,	Pursley,	Speaker

NAYS—2

Rovansek,	Welsh,

NOT VOTING—21

Adams,	Goldstein, M. H.,	Needham,	Steckel,
Breth,	Kornick,	O'Donnell, J. P.,	Tomascik,
Capitolo,	Long, Wm. Jas.,	Price,	Trusio,
Cauley,	Munley,	Reibman,	Walsh,
Cooley,	Murray,	Schaaf,	Wescott,
Fry.			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 148, entitled:

An Act amending the "Public School Code of 1949" approved March 10, 1949 (P. L. 30) providing for an assistant secretary of the board of school directors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—182

Adams,	Gailey,	Leonard,	Riley,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	Gelfand,	Lippincott,	Royer,
Arlene,	George,	Long, Wm. Jos.,	Rubin,
Ashton,	Gibb,	Lutty,	Rudisill,
Bachman,	Gibbons,	Magee,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Manbeck,	Sakulsky,
Blair,	Goodrich,	Markley,	Scarcelli,
Boies,	Gramlich,	Marsh,	Schuster,
Bossert,	Gray,	Maxwell,	Seltzer,
Bower,	Gremminger,	May,	Shelton,
Bowman,	Guesman,	McCandless,	Sherman,
Branca,	Guthrie,	McCann,	Shupnik,
Buchanan,	Hamilton,	McCormack,	Simmons,
Bush,	Hankins,	McDevitt,	Slack,
Capano,	Hartley,	McDonald,	Snare,
Cauley,	Haudenshield,	McInroy,	Stank,
Cianfrani,	Heffner,	McKeever,	Stimmel,
Cioffi,	Helm,	McLaughlin,	Stiteler,
Clarke,	Henzel,	McNally,	Stone,
Comer,	Hocker,	Meholchick,	Strausser,
Crossin,	Holliday,	Merry,	Sullivan, J. A.,
Curwood,	Holman,	Mihm,	Sullivan, T. F.,
Davis,	Horst,	Miller,	Taylor,
Dengler,	Irvis,	Mills,	Thompson,
Dennison,	Jenkins,	Monroe,	Tompkins,
Donaldson,	Jim,	Morley,	Ujobai,
Dougherty,	Johnson, A. W.,	Mullen,	Varner,
Doughten,	Johnson, R. P.,	Murphy,	Verona,
Down,	Jones,	Musto,	Wall,
Edwards,	Kamyk,	O'Dell,	Walsh,
Eilberg,	Keiser,	O'Donnell, J. A.,	Wargo,
Elvey,	Kelly,	Odorisio,	Weidner,
Eshback,	Kernaghan,	Ogilvie,	Welsh,
Eshleman,	Kessler,	Parlante,	Whittaker,
Ewing,	King,	Pashley,	Willard,
Farabaugh,	Kistler,	Perry,	Willaredt,
Fetterolf,	Klein,	Petrosky,	Williams, E. S.,
Filo,	Knecht,	Piper,	Wilt,
Fineman,	Kooker,	Polaski,	Wood,
Flynn,	Korns,	Polen,	Worley,
Foerster,	Kramer,	Prendergast,	Yetter,
Foor,	Lamb,	Pursley,	Zember,
Fox,	Lawson,	Reidenbach,	Zimmerman,
Frascella,	Lee, A. M.,	Renwick,	Andrews,
Fulmer,	Lee, K. B.,		Speaker

NAYS—4

Auker,	Gross,	Isaacs,	Williams, A. D.,

NOT VOTING—20

Bonner,	Goldstein, M. H.,	Murray,	Schaaf,
Breth,	Heavey,	Needham,	Steckel,
Capitolo,	Kornick,	O'Donnell, J. P.,	Tomascik,
Cooley,	Long, Wm. Jas.,	Price,	Trusio,
Fry,	Munley,	Reibman,	Wescott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair has a compelling engagement at 3:30, and asks the gentleman from Armstrong, Mr. Helm, to preside.

Mr. HELM IN THE CHAIR

Mr. McCANN. Mr. Speaker, I will ask the indulgence of the members for the purpose of voting on five bills only and then the membership may leave on the agreed recommittals, because some people have commitments on travel schedules.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 154, entitled:

An Act amending "The Second Class Township Code"

approved May 1, 1933 (P. L. 103) providing for an assistant township secretary.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Adams.	Gailey,	Leonard,	Riley,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	George,	Lippincott,	Royer,
Arlene,	Gibb,	Long, Wm. Jos.,	Rubin,
Ashton,	Gibbons,	Lutty,	Rudisill,
Bachman,	Goldstein, J. H.,	Magee,	Rutherford,
Backenstoe,	Goodrich,	Manbeck,	Sakulsky,
Blair,	Gramlich,	Markley,	Scarcelli,
Boies,	Gray,	Marsh,	Schuster,
Bonner,	Gremminger,	Maxwell,	Seltzer,
Bossert,	Guesman,	May,	Shelton,
Bowman,	Guthrie,	McCandless,	Sherman,
Branca,	Hamilton,	McCann,	Shupnik,
Buchanan,	Hankins,	McCormack,	Simmons,
Bush,	Hartley,	McDevitt,	Slack,
Capano,	Haudenshield,	McDonald,	Snare,
Cauley,	Heavey,	McInroy,	Stank,
Cioffi,	Heffner,	McKeever,	Stimmel,
Clarke,	Helm,	McLaughlin,	Stiteler,
Comer,	Henzel,	McNally,	Stone,
Crossin,	Hocker,	Meholchick,	Strausser,
Curwood,	Holman,	Merry,	Sullivan, J. A.,
Davis,	Horst,	Mihm,	Sullivan, T. F.,
Dengler,	Irvis,	Miller,	Taylor,
Dennison,	Jenkins,	Mills,	Thompson,
Donaldson,	Jim,	Monroe,	Tompkins,
Dougherty,	Johnson, A. W.,	Morley,	Ujobai,
Doughten,	Johnson, R. P.,	Mullen,	Varner,
Down,	Jones,	Murphy,	Verona,
Edwards,	Kamyk,	Musto,	Wall,
Eilberg,	Keiser,	O'Dell,	Walsh,
Elvey,	Kelly,	O'Donnell, J. A.,	Wargo,
Eshback,	Kernaghan,	Odorisio,	Weidner,
Eshleman,	Kessler,	Ogilvie,	Welsh,
Ewing,	King,	Parlante,	Whittaker,
Farabaugh,	Kistler,	Pashley,	Willard,
Fetterolf,	Klein,	Perry,	Willaredt,
Filo,	Knecht,	Petrosky,	Williams, E. S.,
Fineman,	Kooker,	Piper,	Wilt,
Flynn,	Korns,	Polaski,	Wood,
Foerster,	Kramer,	Polen,	Worley,
Foor,	Lamb,	Prendergast,	Yetter,
Fox,	Lawson,	Pursley,	Zember,
Frascella,	Lee, A. M.,	Reidenbach,	Zimmerman,
Fulmer,	Lee, K. B.,	Renwick,	

NAYS—6

Auker,	Gelfand,	Isaacs,	Williams, A. D.,
Cianfrani,	Gross,		

Not Voting—21

Bower,	Holliday,	Needham,	Steckel,
Breth,	Kornick,	O'Donnell, J. P.,	Tomascik,
Capitolo,	Long, Wm. Jas.,	Price,	Trusio,
Cooley,	Munley,	Reibman,	Wescott,
Fry,	Murray,	Schaaf,	Andrews,
Goldstein, M. H.,			Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 157, entitled:

An Act amending "The First Class Township Code" approved June 24, 1931 (P. L. 1206) providing for an assistant township secretary.

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—169

Adams,	Gailey,	Leonard,	Renwick,
Anderson, J. H.,	Gallagher,	Limper,	Rovansek,
Anderson, S. A.,	George,	Lippincott,	Royer,
Arlene,	Gibb,	Long, Wm. Jos.,	Rubin,
Ashton,	Gibbons,	Lutty,	Rudisill,
Backenstoe,	Goldstein, J. H.,	Magee,	Rutherford,
Blair,	Goodrich,	Manbeck,	Sakulsky,
Bonner,	Gramlich,	Markley,	Scarcelli,
Bossert,	Gray,	Marsh,	Schuster,
Bower,	Gremminger,	Maxwell,	Seltzer,
Bowman,	Guesman,	May,	Shelton,
Branca,	Guthrie,	McCandless,	Sherman,
Buchanan,	Hankins,	McCann,	Shupnik,
Bush,	Hartley,	McCormack,	Slack,
Capano,	Haudenshield,	McDevitt,	Snare,
Cauley,	Heavey,	McDonald,	Stank,
Cioffi,	Heffner,	McInroy,	Stimmel,
Clarke,	Helm,	McKeever,	Stiteler,
Comer,	Henzel,	McLaughlin,	Stone,
Crossin,	Hocker,	McNally,	Strausser,
Curwood,	Holliday,	Meholchick,	Sullivan, J. A.,
Davis,	Holman,	Mihm,	Sullivan, T. F.,
Dengler,	Horst,	Mills,	Taylor,
Dennison,	Irvis,	Monroe,	Thompson,
Donaldson,	Jim,	Morley,	Tompkins,
Doughten,	Johnson, A. W.,	Mullen,	Varner,
Down,	Johnson, R. P.,	Murphy,	Verona,
Edwards,	Jones,	Musto,	Wall,
Eilberg,	Kamyk,	O'Dell,	Walsh,
Elvey,	Keiser,	O'Donnell, J. A.,	Wargo,
Eshback,	Kelly,	Odorisio,	Weidner,
Eshleman,	Kernaghan,	Ogilvie,	Welsh,
Ewing,	Kessler,	Parlante,	Whittaker,
Farabaugh,	King,	Pashley,	Willard,
Fetterolf,	Kistler,	Perry,	Willaredt,
Filo,	Klein,	Petrosky,	Williams, E. S.,
Fineman,	Kooker,	Piper,	Wilt,
Flynn,	Korns,	Polaski,	Wood,
Foerster,	Kramer,	Polen,	Worley,
Foor,	Lawson,	Prendergast,	Yetter,
Fox,	Lee, A. M.,	Pursley,	Zember,
Frascella,	Lee, K. B.,	Reidenbach,	Zimmerman,
Fulmer,			

NAYS—6

Auker,	Gelfand,	Isaacs,	Williams, A. D.,
Cianfrani,	Gross,		

NOT VOTING—31

Bachman,	Hamilton,	Munley,	Simmons,
Boies,	Jenkins,	Murray,	Steckel,
Breth,	Knecht,	Needham,	Tomascik,
Capitolo,	Kornick,	O'Donnell, J. P.,	Trusio,
Cooley,	Lamb,	Price,	Ujobai,
Dougherty,	Long, Wm. Jas.,	Reibman,	Wescott,
Fry,	Merry,	Riley,	Andrews,
Goldstein, M. H.,	Miller,	Schaaf,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 203, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 176) establishing the State Auctioneer's Commission as a departmental administrative commission in the Department of Public Instruction fixing the qualifications and compensation of members and imposing certain duties on the commission.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—104

Anderson, S. A.,	Foerster,	Limper,	Reidenbach,
Arlene,	Frascella,	Long, Wm. Jos.,	Renwick,
Bachman,	Gailey,	Lutty,	Rovansek,
Boles,	Gallagher,	Maxwell,	Rubin,
Bonner,	Gelfand,	McCann,	Rudisill,
Branca,	Gibb,	McCormack,	Sakulsky,
Capano,	Gray,	McDevitt,	Scarcelli,
Cauley,	Gremminger,	McDonald,	Schuster,
Cianfrani,	Guesman,	McKeever,	Shelton,
Cioffi,	Hamilton,	McLaughlin,	Sherman,
Clarke,	Hankins,	Meholchick,	Shupnik,
Comer,	Hartley,	Mihm,	Simmons,
Crossin,	Haudenshield,	Mills,	Stank,
Curwood,	Heavey,	Monroe,	Stone,
Davis,	Henzel,	Morley,	Sullivan, J. A.,
Dennison,	Irvis,	Mullen,	Sullivan, T. F.,
Donaldson,	Jim,	Musto,	Taylor,
Dougherty,	Johnson, R. P.,	O'Donnell, J. A.,	Varner,
Doughten,	Jones,	O'Donnell, J. P.,	Verona,
Eilberg,	Kamyk,	Parlante,	Walsh,
Eshback,	Kelly,	Pashley,	Wargo,
Ewing,	Klein,	Perry,	Welsh,
Fetterolf,	Kooker,	Petrosky,	Willaredt,
Filo,	Kramer,	Polaski,	Williams, A. D.,
Fineman,	Lamb,	Polen,	Wilt,
Flynn,	Lawson,	Prendergast,	Yetter,

NAYS—78

Adams,	George,	Knecht,	Royer,
Anderson, J. H.,	Gibbons,	Korns,	Rutherford,
Ashton,	Goldstein, J. H.,	Lee, A. M.,	Seltzer,
Auker,	Goodrich,	Lee, K. B.,	Slack,
Backenstoe,	Gramlich,	Lippincott,	Snare,
Blair,	Gross,	Magee,	Stimmel,
Bossert,	Guthrie,	Manbeck,	Stiteler,
Bower,	Heffner,	Markley,	Strausser,
Bowman,	Helm,	Marsh,	Thompson,
Buchanan,	Hocker,	May,	Tompkins,
Bush,	Holliday,	McInroy,	Ujobai,
Dengler,	Holman,	McNally,	Wall,
Down,	Horst,	Merry,	Whittaker,
Edwards,	Isaacs,	Murphy,	Willard,
Elvey,	Johnson, A. W.,	O'Dell,	Williams, E. S.,
Eshleman,	Keiser,	Odorisio,	Wood,
Farabaugh,	Kernaghan,	Ogilvie,	Worley,
Foor,	Kessler,	Piper,	Zember,
Fox,	King,	Pursley,	Zimmerman,
Fulmer,	Kistler,		

NOT VOTING—24

Breth,	Kornick,	Murray,	Steckel,
Capitolo,	Leonard,	Needham,	Tomascik,
Cooley,	Long, Wm. Jas.,	Price,	Trusio,
Fry,	McCandless,	Reibman,	Weidner,
Goldstein, M. H.,	Miller,	Riley,	Wescott,
Jenkins,	Munley,	Schaaf,	Andrews, Speaker

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. McCANN. The record will show that Mr. Eilberg voted in the negative as I voted in the negative. I think each of us is entitled, for reconsideration purposes, to bring the bill back.

The SPEAKER pro tempore. The only way that can possibly be done, Mr. McCann, would be by suspension of the rules.

The Chair recognizes the gentleman from McKean, Mr. Johnson.

Mr. A. W. JOHNSON. I believe if there is a sincere attempt to bring this bill back that the proper person would be obtained for reconsideration, without resorting to a fiction here.

Mr. McCANN. I am satisfied, thank you.

BILL PASSED OVER

There being no objection

House bill No. 216, printer's No. 1340

was passed over at the request of Mr. McCANN.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 242, entitled:

An Act amending the act of April 22, 1953 (P. L. 184) entitled "An act to continue the imposition of the tax on gross premiums premium deposits and assessments received from business transacted within this Commonwealth by foreign insurance companies ***" further providing for the distribution of amounts received from tax on foreign fire insurance companies.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—183

Adams,	Frascella,	Lamb,	Reidenbach,
Anderson, J. H.,	Fulmer,	Lawson,	Renwick,
Anderson, S. A.,	Gailey,	Lee, A. M.,	Rovansek,
Arlene,	Gallagher,	Lee, K. B.,	Royer,
Ashton,	Gelfand,	Leonard,	Rubin,
Auker,	George,	Limper,	Rudisill,
Bachman,	Gibb,	Lippincott,	Rutherford,
Backenstoe,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Blair,	Goldstein, J. H.,	Lutty,	Scarcelli,
Boles,	Goodrich,	Magee,	Schuster,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Bowman,	Gross,	Maxwell,	Shupnik,
Branca,	Guesman,	May,	Simmons,
Buchanan	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Cauley,	Hartley,	McDevitt,	Stimmel,
Cianfrani,	Haudenshield,	McDonald,	Stiteler,
Cioffi,	Heavey,	McInroy,	Stone,
Clarke,	Heffner,	McKeever,	Strausser,
Comer,	Helm,	McLaughlin,	Sullivan, J. A.,
Crossin,	Henzel,	McNally,	Sullivan, T. F.,
Curwood,	Hocker,	Meholchick,	Taylor,
Davis,	Holliday,	Merry,	Thompson,
Dengler,	Holman,	Mihm,	Tomascik,
Dennison,	Horst,	Mills,	Tompkins,
Donaldson,	Irvis,	Monroe,	Ujobai,
Dougherty,	Isaacs,	Morley,	Varner,
Doughten,	Jim,	Mullen,	Verona,
Down,	Johnson, A. W.,	Murphy,	Wall,
Edwards,	Johnson, R. P.,	O'Dell,	Walsh,
Eilberg,	Jones,	O'Donnell, J. A.,	Wargo,
Elvey,	Kamyk,	O'Donnell, J. P.,	Welsh,
Eshback,	Keiser,	Odorisio,	Whittaker,
Eshleman,	Kelly,	Ogilvie,	Willard,
Ewing,	Kernaghan,	Parlante,	Willaredt,
Farabaugh,	Kessler,	Pashley,	Williams, A. D.,
Fetterolf,	King,	Perry,	Williams, E. S.,
Filo,	Kistler,	Petrosky,	Wilt,
Fineman,	Klein,	Piper,	Wood,
Flynn,	Knecht,	Polaski,	Worley,
Foerster,	Kooker,	Polen,	Yetter,
Foor,	Korns,	Prendergast,	Zember,
Fox,	Kramer,	Pursley,	

NAYS—0

NOT VOTING—23

Breth,	Kornick,	Needham,	Trusio,
Capitolo,	Long, Wm. Jas.,	Price,	Weidner,
Cooley,	Miller,	Reibman,	Wescott,
Fry,	Munley,	Riley,	Zimmerman,
Goldstein, M. H.,	Murray,	Schaaf,	Andrews,
Jenkins,	Musto,	Steckel,	Speaker

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 579, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) regulating special waterfowl management areas.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 586, entitled:

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) eliminating the necessity of advertising in newspapers to change open seasons for shooting on special waterfowl management areas established by the Game Commission.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. CURWOOD. Mr. Speaker, I move that this bill be recommitted to the Committee on Game and Conservation.

The motion was agreed to.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar on final passage and third reading not acted upon go over in order.

The SPEAKER pro tempore. Without objection, all remaining bills on the third-reading and final-passage calendar will go over in order.

The Chair hears no objection.

TIME EXTENDED ON BILL

Mr. McCANN asked and obtained unanimous consent to extend the time five days on House bill No. 460, printer's No. 499, on page 20 of today's calendar, bills on final passage postponed.

RECONSIDERATION OF VOTE ON HOUSE BILL NO. 850

Mr. DENNISON. Mr. Speaker, I move that the vote by which House bill No. 850, printer's No. 935, entitled:

> "An Act amending 'The Game Law,' approved June 3, 1937 (P. L. 1225), permitting the purchase and sale of the flesh of raccoons"

was defeated on final passage Tuesday, April 11, 1961, be reconsidered.

Mr. VARNER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison, vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Clarion, Mr. Varner, vote on the final passage of this bill?

Mr. VARNER. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. DENNISON. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

The motion was agreed to.

BILL RE-REFERRED

Mr. FINEMAN from the Committee on State Government, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 625, entitled:

An Act relating to motor vehicles used to transport workers to and from their places of employment, and directing the Pennsylvania Public Utility Commission to prepare rules and regulations regulating such motor vehicles; and providing penalties.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

REPORT FROM COMMITTEE

Mrs. PASHLEY from the Committee on State Government, reported as committed, House bill No. 1178, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1178, entitled:

An Act fixing the salaries and compensation of members of certain boards and commissions and repealing inconsistent acts.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

RESOLUTION

Mr. CURWOOD offered a resolution which was filed with the clerk under the rules.

ADJOURNMENT

Mr. McNALLY. Mr. Speaker, I move that this House do now adjourn until Monday, April 17, 1961, at 4 p. m., e. s. t.

The motion was agreed to, and (at 3:47 p. m., e. s. t.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1961. 145th of the General Assembly.

Vol. 38. HARRISBURG, PA., MONDAY, APRIL 17, 1961. No. 37.

SENATE

MONDAY, APRIL 17, 1961.

The Senate met at 3:00 p. m., Eastern Standard Time.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

PRAYER

The Chaplain, Rev. PETER CHRISAFIDEIS, Pastor of the Greek Orthodox; Church, "Ypapanti," East Pittsburgh, offered the following prayer:

In the name of the Father and the Son and the Holy Spirit.

O God, great and inscrutable; O Father, Who has no beginning; O Son, Who, likewise, hast no beginning; and Spirit, Who equally existeth from everlasting time, incline Thine ear from Thy holy place on high and accept from us, Thy humble servants, prayers of gratitude, praise and thanksgiving.

O Lord, grant unto these men assembled here Thy richest benediction as they begin their difficult duties for justice in the affairs of men. Guide and direct them. Assist them to forget themselves in their greatest interest for the larger sentiments of public good and human brotherhood. Endow them with the right understanding of Thy will. Give them a keen sense of discernment, judgment and uprightness. Accord them with wisdom and knowledge so that they may wisely undertake the affairs of our great Commonwealth of Pennsylvania.

O most merciful Lord, satisfy with Thy mercy those who have known Thee. Be Thou unto all tribes and nations in Thine only true Christ. Let all the peoples from the rising of the sun, even unto the going down of the same, cry aloud with praise unto Thee in every language, with the voice of rejoicing.

For Thine is the Kingdom and the Power and the Glory, of the Father and the Son and the Holy Spirit. Amen.

JOURNAL APPROVED

The PRESIDING OFFICER. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. WEINER and Mr. LANE, further reading was dispensed with, and the Journal was approved.

The PRESIDENT (Lieutenant Governor John Morgan Davis) in the Chair.

STUDENTS WELCOMED TO THE SENATE

Mr. DEVLIN. Mr. President, I would like to take this opportunity to ask you to greet a class of girls from Saint Raphael's High School, located in the Morningside District of Pittsburgh. They are here—numerically, about 112 in strength—in the balcony, and are accompanied by Sister Vincent Mary and five other Nuns. Their tour began at 6:00 this morning.

I would ask the Chair to greet this group.

The PRESIDENT. I will not only greet them, but I will salute them for getting up at such an hour.

Will the group please rise, in order for the Senate to properly greet them?

We are very happy to have such a fine group of early birds here with us today. We do hope that you will enjoy your visit to the Senate of Pennsylvania and, in turn, that you will find something of great use to you sometime in the middle of an examination. Good luck to all of you.

UNITED STATES SENATOR HUGH D. SCOTT, JR. PRESENTED TO SENATE

The PRESIDENT. It gives me a great deal of pleasure in presenting to the Senate of Pennsylvania a very long time friend of mine, Senator Hugh Scott, of Philadelphia, the Junior Senator from Pennsylvania.

Senator Scott, would you care to come forward?

REMARKS BY UNITED STATES SENATOR HUGH D. SCOTT, JR.

Mr. SCOTT. Mr. President and Gentlemen of the Senate: I am very much honored to be here. I appreciate very much the thoughtfulness of my friend, the Lieutenant Governor, in recognizing the fact that I happen to be in Harrisburg today which is, of course, proof that I am not working in Washington where I should be.

Thank you very much.

The PRESIDENT. We are very happy to have our Senator here, even though he says he is not working today down in Washington.

COMMUNICATION FROM THE GOVERNOR

APPROVAL OF SENATE BILL

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor, advising that the following Senate Bill had been approved and signed by the Governor: **SB 128.**

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on **Executive** Nominations:

JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ronald B. Varney, Railroad Street, Roulette, Potter County, for appointment as Justice of the Peace in and for the Township of Roulette, Potter County, to serve until the first Monday of January 1962, to fill a vacancy.

DAVID L. LAWRENCE.

JUSTICE OF THE PEACE

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William P. Altmire, 303 First Street, Apollo, Armstrong County, for appointment as Justice of the Peace in and for the Borough of Apollo, Armstrong County, to serve until the first Monday of January 1962, vice Ronald D. Eckman, resigned.

DAVID L. LAWRENCE.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL

The Clerk of the House of Representatives being introduced, returned to the Senate, **SB 1,** with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILLS

He also informed the Senate that the House has concurred in amendments made by the Senate to **HB 54** and **332.**

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence **HB 31, 55, 264** and **1082,** which were referred to the Committee on Elections.

He also presented for concurrence **HB 146** and **868,** which were referred to the Committee on Law and Order.

He also presented for concurrence **HB 148, 639** and **809,** which were referred to the Committee on Education.

He also presented for concurrence **HB 154, 157, 420, 507, 662, 727, 731, 734, 744, 745, 746, 747, 947** and **984,** which were referred to the Committee on Local Government.

He also presented for concurrence **HB 242,** which was referred to the Committee on Finance.

He also presented for concurrence **HB 337,** which was referred to the Committee on Agriculture.

He also presented for concurrence **HB 417, 522** and **631,** which were referred to the Committee on Highways.

He also presented for concurrence **HB 453,** which was referred to the Committee on State Government.

He also presented for concurrence **HB 470** and **737,** which were referred to the Committee on Judiciary General.

He also presented for concurrence **HB 589,** which was referred to the Committee on Forests and Waters, Game and Fish.

He also presented for concurrence **HB 857,** which was referred to the Committee on Public Health and Welfare.

He also presented for concurrence **HB 879,** which was referred to the Committee on Banking.

BILLS SIGNED

The President (Lieutenant Governor John Morgan Davis) in the presence of the Senate signed the following bills: **SB 1, HB 54, 303, 304, 332** and **570.**

BILLS INTRODUCED AND REFERRED

Mr. KROMER presented to the Chair **SB 528,** entitled:

An Act requiring funeral directors to notify the voters registration commission upon the burial of any person over twenty-one years of age and providing penalties.

Which was committed to the Committee on Elections.

Messrs. RIPP, MULLIN and DEVLIN presented to the Chair **SB 529,** entitled:

An Act amending the act of December 27, 1951 (P. L. 1742), entitled, as amended, "The Realty Transfer Tax Act," excluding from taxation transfers of property between divorced spouses.

Which was committed to the Committee on Finance.

Messrs. DEVLIN, RIPP and McGINNIS presented to the Chair **SB 530,** entitled:

An Act amending the act of June 20, 1947 (P. L. 733), entitled, as amended, "An act to provide revenue in school districts of the first class A by imposing a temporary tax upon certain classes of personal property; * * *" authorizing assessment of tax on personal property of a decedent for five former years prior to the year in which the decedent died.

Which was committed to the Committee on Local Government.

Messrs. SHAFER, STROUP, MAHADY and SARRAF presented to the Chair **SB 531,** entitled:

An Act amending the act of April 9, 1929 (P. L. 177), entitled "The Administrative Code of 1929," providing for the medical and surgical care of inmates of State institutions in State-aided hospitals and for reimbursement to the State for the cost thereof.

Which was committed to the Committee on State Government.

Messrs. FLEMING, DEVLIN, STAISEY and RIPP presented to the Chair **SB 532,** entitled:

An Act amending the act of March 10, 1949 (P. L. 30), entitled "Public School Code of 1949," providing for higher education in the public school system in counties of the second class through the establishment and operation of junior colleges; conferring powers and duties on school directors, county superintendents, county boards of school directors, the Superintendent of Public Instruction and the State Council of Education, and providing for advancements and reimbursements by the Commonwealth.

Which was committed to the Committee on Education.

Messrs. STEVENSON, HALUSKA, LANE, SEYLER and HAYS presented to the Chair **SB 533,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," further regulating the compensation of mayors, councilmen, controllers, treasurers and department heads.

Which was committed to the Committee on Local Government.

Messrs. STEVENSON, HALUSKA, LANE and HAYS presented to the Chair **SB 534,** entitled:

An Act amending the act of July 15, 1957 (P. L. 901), entitled "Optional Third Class City Charter Law," prohibiting departments from being headed by member of city council under mayor-council Plan A.

Which was committed to the Committee on Local Government.

Messrs. STIEFEL and CHAPMAN presented to the Chair **SB 535**, entitled:

An Act to provide for the exchange of historical materials between historical societies as herein defined.

Which was committed to the Committee on Historical Preservation.

CALENDAR
THIRD READING CALENDAR

BILL OVER IN ORDER

HB 63—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL REFERRED

HB 71—Upon motion of Mr. WEINER, seconded by Mr. RIPP, and agreed to, the bill was rereferred to the Committee on State Government.

BILL RECOMMITTED

HB 73—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bill was recommitted to the Committee on State Government.

BILL REREFERRED

HB 74—Upon motion of Mr. LANE, second by Mr. SEYLER, and agreed to, the bill was rereferred to the Committee on State Government.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 93—Read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Murray,	Staisey,
DiSilvestro,	Mallery,	Ripp,	Stevenson,
Haluska,	McCreesh,	Rooney,	Stiefel,
Hays,	McGinnis,	Sesler,	Weiner,
Kalman,	Miller,	Seyler,	Yatron,

NAYS—21

Bell,	Fleming,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stroup,	Ware, III,
			Wolfe,

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

HB 95—Without objection, the bill was passed over in its order at the request of Mr. WEINER.

BILL OVER IN ORDER TEMPORARILY

HB 132—Without objection, the bill was passed over in its order temporarily at the request of Mr. WEINER.

BILLS OVER IN ORDER

SB 190 and **209**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILL ON THIRD READING, DEFEATED ON FINAL PASSAGE

SB 213—Read at length the third time and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24

Berger,	Lane,	Murray,	Silvert,
Camiel,	Mahady,	Pechan,	Staisey,
Devlin,	McCreesh,	Ripp,	Stiefel,
DiSilvestro,	McGinnis,	Rooney,	Van Sant,
Haluska,	Miller,	Scott,	Weiner,
Kalman,	Mullin,	Sesler,	Yatron,

NAYS—23

Bell,	Hawbaker,	Mallery,	Taylor,
Chapman,	Hays,	Propert,	Wade,
Confair,	Keller,	Seyler,	Wagner,
Ehrgood,	Kessler,	Shafer,	Ware, III,
Flack,	Kromer,	Stevenson,	Wolfe,
Fleming,	Madigan,	Stroup,	

Less than a majority of all the Senators having voted "aye," the question was determined in the negative, and the bill was defeated.

BILL OVER IN ORDER

SB 291—Mr. WEINER. Mr. President, I request that Senate Bill No. 291 go over in its order as amendments are being prepared which are not ready at the present time.

The PRESIDENT. There being no objection, the bill will go over in its order.

BILLS RECOMMITTED

SB 301 and **302**—Upon motion of Mr. WEINER, seconded by Mr. LANE, and agreed to, the bills were recommitted to the Committee on Local Government.

SECOND READING CALENDAR

BILLS OVER IN ORDER

SB 30—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 73—Without objection, the bill was passed over in its order at the request of Mr. LANE.

BILLS ON SECOND READING

SB 90, 94 and **95**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

SB 99—The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. ROONEY offered the following amendments:

Amend Sec. 2 (Sec. 604.1), page 3, line 16 by inserting after "years": In addition to the other provisions of this act relating to the suspension or revocation of operating privileges, in the event that a licensed junior operator is involved in an accident for which he is partially or fully responsible, in the opinion of the secretary, pleads guilty or nolo contendere or is convicted of any violation of "The Vehicle Code," or violates subsection (c) hereof, the secretary may, after a hearing suspend the operating privileges of such junior operator until he has reached the age of eighteen (18) years or for any other period of time.

Amend Sec. 2 (Sec. 604.1), page 4, line 10 by striking out "SIXTEEN (16)" and inserting: seventeen (17).

Amend Sec. 2 (Sec. 604.1), page 4, line 13 by inserting after "secretary": and who has not been involved in any accident for which he is partially or fully responsible, in the opinion of the secretary required to be reported under section 1217 of this act or who has not pleaded guilty or nolo contendere or who has not been convicted of any violation of this act.

Amend Sec. 2 (Sec. 604.1), page 4, line 19 by inserting after "application": (1) an affidavit of a parent or person in loco parentis indicating the age of the applicant and indicating his consent to the issuance of such license and (2)

Amend Sec. 2 (Sec. 604.1), page 5, lines 11 to 16 by striking out all of said lines and inserting:

(c) No person possessing a junior operator's license or no person possessing a regular operator's license who is under eighteen (18) years of age shall operate any vehicle or tractor upon the highways of the Commonwealth between the hours of midnight and five o'clock antemeridian unless he is accompanied by a parent or a person in loco parentis.

On the question,

Will the Senate agree to the amendments?

Mr. MULLIN. Mr. President, I wish to object to the amendments submitted by Senator Rooney.

The amendments put back into the bill the same sections which were removed from it last week. The most outstanding part of this bill requires supervision of drivers from sixteen to eighteen years of age. It requires that drivers in this age group be accompanied by an adult, parent or someone in loco parentis after the hour of 12:00 o'clock midnight. That, in my opinion, encroaches on other types of juvenile law in force. It encroaches on the Criminal Code, on the Delinquency Acts, on the Juvenile Acts and so on.

It is taking the Bureau of Highway Safety into a type of jurisdiction where, in my opinion, it does not belong.

A young man may be out after 12:00 o'clock with his lady friend,—conceivably without an adult—and he would be violating the law and would be subject to arrest and fine. This provision requires that parents be with their children after 12:00 o'clock. I do not think this is a reasonable requirement in this day and age, especially when there is no school the next day and the children stay out after 12:00 o'clock.

A broader argument is that this is part of a continuous policy on the part of the Bureau of Highway Safety in its drive against people. This monster, which we created several years ago, was intended to be an educational institution to educate drivers. Now it seems to know no bounds—never when to stop—and I do not suppose it is going to stop with this type of legislation. It is going to continue and continue until somebody stops it, and I hope the General Assembly will stop it at this point.

Boys between sixteen and eighteen years of age are adults. They are not boys. They make good drivers and very efficient drivers. I happen to have children of that age. They are very capable drivers. They passed the drivers' training test and secured their operators' licenses the first time they took the test. They are much more capable than ill drivers, drivers who are nervous, drivers who are elderly and so on, and here we are attacking this younger generation.

Are we looking for a Nation of pantywaists? Do we not want our children to be capable and competent to do the things which are expected of them? We take them into the military service at sixteen and seventeen, with their parents' consent. Further, they hold jobs and they do all sorts of other things. Sixteen and seventeen year old men hold jobs driving cars and other jobs where they must know how to drive. Some of these jobs keep them out after 12:00 o'clock at night on occasion. We are hereby hampering their economic existence.

In one State, boys eighteen years of age have been given the right to vote, and here we are denying boys just under that age the right to drive a car as an adult.

I know that on the farms of the Commonwealth, boys—and even girls, for that matter—have been driving tractors from the time they are eight and ten years old, and even earlier in some cases. They are very complicated machines. They are as complicated as an automobile, and yet this would hamper even that type of activity.

Insurance statistics show that the careless driver among the youth is not the driver between sixteen and eighteen. He is the driver between twenty and twenty-two years of age. If we are going to hit the worst offenders, why do we not require the same of the driver between the ages of twenty and twenty-two?

I think these amendments are undue and unreasonable restrictions on the right of people to drive. I hope the Senate does not pass these amendments.

I can understand why parents say they would want jurisdiction over children between sixteen and eighteen insofar as their giving them permission to drive. I think that permission of the parents is entirely reasonable. However, to put undue restriction on them, to put penalties on them and things of this sort which will make them violators of the law, I think should not be done in this Senate.

Mr. CONFAIR. Mr. President, I would like to comment on the amendments.

Two years ago, we introduced in this Senate a bill which was similar to this one, but which was even more restrictive. At that time, I found that New York State had the same type of a law to restrict junior drivers since 1928. It has been very successful in New York State. Connecticut has a similar law. It has been very successful in Connecticut.

As to the number of accidents being fewer in the sixteen to eighteen year old bracket than in the twenty-two to twenty-four year old bracket, the reason is that there are fewer drivers in that bracket. There are fewer drivers in the sixteen to eighteen year old bracket than there are in the twenty-two to twenty-four year old bracket.

As far as the parents are concerned, when I introduced the bill two years ago, practically every parent came to

me and asked me to get that bill through quickly. They want a certain amount of restriction on the children until they find out if they are capable of driving. You will find out that ninety-five per cent of the parents in the State of Pennsylvania are in favor of this bill. I think it is a good bill.

Mr. MULLIN. Mr. President, insurance statistics are very carefully drawn, and their statistics as to accidents are based on percentages.

I want everyone to realize that the parental control is still in this bill. I am discussing the additional restrictions. I do not think the parents have been consulted insofar as I can say, and I do not think we are in a position to know what all of the parents think about this bill.

However, I do think that we, in our capacity in the General Assembly, ought to know what is proper and just.

And the question recurring,

Will the Senate agree recurring,

Will the Senate agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. ROONEY offered the following amendment:

Amend Title, page 1, next to last line of Title, by striking out "REGULATING THE OPERATION OF VEHICLES."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The title was agreed to as amended.

Without objection, the bill, as amended, was passed over in its order at the request of Mr. ROONEY.

BILLS ON SECOND READING

SB 161, 179 and **183**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 191—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 195, SB 207 and **239**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 276 and **SB 294**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

HB 315 and **326**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILLS ON SECOND READING

SB 338, 346, HB 346 and **365**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 371—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 381—Without objection, the bill was passed over in its order at the request of Mr. SEYLER.

BILLS ON SECOND READING

HB 394, SB 400 and **402**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 419—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

SB 429 and **463**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING

SB 475—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

SB 479—Without objection, the bill was passed over in its order at the request of Mr. STEVENSON.

SB 481, 482, 483, 484 and **485**—Without objection, the bills were passed over in their order at the request of Mr. LANE.

BILL ON SECOND READING

SB 491—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

SB 493—Without objection, the bill was passed over in its order at the request of Mr. BERGER.

BILLS ON SECOND READING

SB 501 and **HB 558**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL REREFERRED

Upon motion of Mr. LANE, seconded by Mr. HAYS, and agreed to, House Bill No. 558, the bill just read, was rereferred to the Committee on Appropriations.

BILLS ON SECOND READING

HB 560 and **620**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

HB 635 and **636**—Without objection, the bills were passed over in their order at the request of Mr. BERGER.

BILLS ON SECOND READING

HB 648 and **811**—Read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED

SB 88—Without objection, the bill was called up from the Postponed Calendar by Mr. LANE.

SB 88—The first, second, third, fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. LANE offered the following amendments:

Amend Sec. 6 (Sec. 2164), page 9, line 13, by striking out "local authorities" and inserting: "counties or any institution district."

Amend Sec. 6 (Sec. 2168), page 12, line 6, by striking out "third."

Amend Sec. 6 (Sec. 2168), page 12, line 12, by striking out "designated" and inserting: "designed."

Amend Sec. 6 (Sec. 2168), page 13, line 2, by striking out "delinquent" and inserting: "dependent."

They were agreed to.

The section was agreed to as amended.

The seventh and eighth sections and title were read and agreed to.

Upon motion of Mr. BERGER, seconded by Mr. LANE, and agreed to, the bill as amended was placed on the Second Reading Postponed Calendar.

NOMINATIONS BY THE GOVERNOR REFERRED TO COMMITTEE

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations:

MEMBER OF THE PENNSYLVANIA TURNPIKE COMMISSION

April 17, 1961.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Patrick E. Kerwin, Lykens, Dauphin County, for appointment as a member of the Pennsylvania Turnpike Commission, until June 4, 1961, and until his successor is appointed and qualified, vice E. James Trimarchi, Jr., Indiana, resigned.

DAVID L. LAWRENCE.

BILL INTRODUCED AND REFERRED

Messrs. VAN SANT and WEINER, by unanimous consent, presented to the Chair **SB 536**, entitled:

An Act relating to public works contracts; providing for prevailnig wages; imposing duties upon the Secretary of Labor and Industry; providing remedies, penalties and repealing existing laws.

Which was committed to the Committee on Labor and Industry.

SENATE CONCURRENT RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY THE FISCAL YEAR OF CERTAIN SCHOOL DISTRICTS

Messrs. YATRON, SESLER and MAHADY, by unanimous consent, offered the following resolution (**Serial No. 114**), which was read and referred to the Committee on Education:

In the Senate, April 17, 1961.

The fiscal year of most political subdivisions of this Commonwaelth begins on either the first day of January or the first Monday of January, except in certain school districts of the second class and school districts of the third and fourth class in which the fiscal year begins on the first Monday of July.

The commencement of these fiscal years at different times gives rise to much confusion and resultant inefficiency in the assessment, levy and collection of local taxes; therefore be it

Resolved (the House of Representatives concurring), That the Joint State Government Commission be directed to study the reasons why the fiscal year of certain school districts should differ so greatly from the fiscal year of other political subdivisions, with a view toward a more orderly system for the assessment, levy and collection of all local taxes; and be it further

Resolved, That the Joint State Government Commission report to the General Assembly as soon as possible its findings and recommendations with drafts of legislation necessary to carry the recommendations into effect.

HB 132 CALLED UP

HB 132—Without objection, the bill, which previously went over in its order temporarily, was called up, from page 2 of the Third Reading Calendar, by Mr. BERGER.

BILL ON THIRD READING
AMENDMENTS OFFERED

HB 132—Read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I request that House Bill No. 132 go over in its order.

The PRESIDENT. Is there objection?

Mr. BERGER. Mr. President, I object to the request that this bill go over in its order.

The PRESIDING OFFICER (John J. Haluska) in the Chair.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I move that House Bill No. 132 go over in its order.

Mr. LANE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. FLEMING. Mr. President, I ask for a roll call on this motion.

Mr. BERGER. Mr. President, I ask my colleagues to vote "no" on the motion.

(During the calling of the roll, the following occurred:)

Mr. EHRGOOD. Mr. President, I desire to be recorded as voting "no."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were required by Mr. FLEMING and were as follows, viz:

YEAS—20

Camiel,	Lane,	Mullin,	Silvert,
Devlin,	Mahady,	Ripp,	Staisey,
DiSilvestro,	McCreesh,	Rooney,	Stiefel,
Hays,	McGinnis,	Sesler,	Weiner,
Kalman,	Miller,	Seyler,	Haluska, Presiding Officer

NAYS—25

Bell,	Fleming,	Mallery,	Stroup,
Berger,	Hawbaker,	Pechan,	Taylor,
Chapman,	Keller,	Propert,	Van Sant,
Confair,	Kessler,	Scott,	Wade,
Ehrgood,	Kromer,	Shafer,	Wagner,
Flack,	Madigan,	Stevenson,	Ware, III, Wolfe,

So the question was determined in the negative, and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

RECESS

Mr. WEINER. Mr. President, I request a fifteen minute recess of the Senate for the purpose of holding a Democratic Caucus, to be held in the Democratic Caucus Room on the first floor.

Mr. BERGER. Mr. President, there will be a Republican Caucus for the same length of time.

The PRESIDING OFFICER. Are there any objections?

Mr. FLEMING. Mr. President, I merely want to call to the attention of the Majority Leader the fact that certainly he has the right to request a meeting of the Democratic Caucus, and I would always give him that right. However, Mr. President, I want to caution him on any attempt to keep the Caucus out until 6:00 p. m., and then use that as a subterfuge to adjourn the Senate. We are not prepared to adjourn the Senate until we do dispose of House Bill No. 132 on Third Reading.

Mr. WEINER. Mr. President, I do not know which experience the gentleman is thinking about. However, this has been the previous experience here in this Senate. I think he will find that the record will show this has not been the experience during this Session. I believe that the gentleman's remarks are not well taken and that he is completely out of order. If I would have had a delay in mind, I would have requested a recess until 6:00 p. m., and not a fifteen minute recess.

I think also the gentleman might be well advised, if he wants proper consideration of some of the amendments which he and other Members want to discuss, to present some of those copies to us. I will be happy to take those up in Caucus at the same time. I also think the gentleman is ill-advised on the position he has taken because he was one of the people, along with some others, who asked that this bill go over in order every week when we had the votes to pass this bill. This is the first week when we do not have all of our people here, and it is the first time the gentlemen on the other side have moved to amend this bill and try to pass it. I think the record also speaks for itself in that regard.

Mr. LANE. Mr. President, I might say to the gentleman from Allegheny County that his expressions came with very poor grace, indeed. I want him to know that we, on the Democratic side, are not adopting the policies of the Republican Party in the past, such as using subterfuge. They have done that over the years. I have been here long enough to know.

We are going in Caucus to discuss this particular problem. It also should be a lesson to the Democratic Members of the Senate to be in their seats. The Republicans are taking advantage of a condition which exists today. They know it exists and that is the reason why they are so adamant at this particular time.

I resent very much the inference made by the gentleman from Allegheny County when he stated that we are going into Caucus for the purpose of delay.

Mr. FLEMING. Mr. President, I merely want to correct the record on one thing. The Majority Leader has said that I was one of the persons who, day after day, requested that this bill go over in order. I would like the gentleman to very closely examine the record and see how many times I asked for this bill to go over in order. I asked, at the request of two Members of my Caucus, on one occasion, that the bill go over in order. That is the only request that I have ever made for it to go over in order.

I would remind the gentleman that when we, on this side, were in power, we always honored the request of any Member of the Minority for a bill to go over in order. I would draw to the gentleman's attention that he has not honored those requests from us. He has ridden over us in a pretty roughshod manner on occasion by insisting that bills be moved merely because he had the necessary votes to move them up.

Mr. WEINER. Mr. President, as long as the gentleman is setting the record straight, let us have it absolutely correct. I did not say that the gentleman asked for the bill to go over in order each of those times. I stated that he was not in favor of this measure and that he has, on occasion, asked for this bill to go over in order. That is fact number one. Number two, I do not think the record will bear the gentleman out on the fact that when we asked for bills to go over in order, that our requests were always heeded. If the gentleman wants me to show him that record, I will be most happy to do so by picking up the Legislative Journal of either the previous Session or the Session before that, when we were in the Minority.

Also, Mr. President, there were longer discussions on some of these matters. We went into them in great detail. I have stated here that we have been trying to move this bill each week. Each week, when this bill went over in order, I did not quarrel about it. I merely pointed out, each of these time, as to how long this bill had been on the Calendar.

The only reason for this bill being moved today, in order for the record to be absolutely clear, is because these amendments which are to be inserted are crippling amendments and will injure the bill. They will make it impossible for some of the Members on this side to vote for this measure. That is the only reason why the Republican Members of the Senate are pressing for this bill to be passed at this time.

Mr. FLEMING. Mr. President, I also would certainly like to set the record straight.

In a very friendly gesture to the gentleman, I would like to have the record examined for the past four Sessions. If, during the three previous Sessions before this one, the Republican Leadership objected to a request from the Democratic side for a bill to go over as many times as the gentleman has objected during this Session, I will buy him a good dinner and I will allow his Assistant, Sam, to make the search. I will accept his count.

Mr. WEINER. Mr. President, this is an example of how this unfairness continues. The gentleman knows that I am on a diet and now he offers to buy me a dinner. This is what causes the difficulty.

Mr. BERGER. Mr. President, I think, as long as we are straightening out records here, the reason for the request for the bill to go over in order on previous occasions was so that we could study it and offer additional amendments. That is the reason why the bill is here and that is the reason why action has been delayed on it. We now have those amendments.

The gentleman has requested that it would be proper to allow them to have a copy and to take it into Caucus. We are very glad to do this. I have here the amendments and I intend to permit them to take them into Caucus and go over them. There are other amendments which I believe also be offered. These are also partially the reason why the bill has gone over in order on previous legislative days. I am quite sure that one of the amendments is not objectionable to the Members on the other side. One

of them may or may not be. Consequently, we would like to offer the amendments at this time and we offer every opportunity for the gentlemen to discuss them at their Caucus.

Mr. SEYLER. Mr. President, of course, I have no way of knowing how extensive the amendments to this bill, which are about to be offered, are. However, I think it is a highly unusual procedure for a Member of one side to refuse, to the Caucus of the other side, whatever time is necessary to make an adequate study of what the effect of the amendments would be.

I noticed that the package of amendments which Senator Berger brandished about over at the microphone seemed to be rather voluminous. If this is true, then it will be necessary for the Caucus on this side, obviously, to study what the impact of every one of those amendments will be. I have not seen any of these amendments.

I would also say to the gentleman that if, as he said, there are other amendments which we have not seen, I would hope that we will see them. If we do not see them until they are subsequently offered, I will ask at that time that we have another Caucus in order for us to have time to study the effect of each one of the amendments upon the bill. Therefore, Mr. President, in the interest of saving time, I hope the gentleman will give us a copy of all the amendments which are to be offered.

I would also say to the gentleman that fifteen minutes have been asked for, but I do not feel that I, myself, am bound in any way to request my Caucus to remain in session until we know clearly what each of these amendments do to the bill.

Mr. BERGER. Mr. President, I am sure that the perspicacity of the Senator will permit him to comprehend these amendments in very little time, that is, the ones he stated I bandied about over the microphone, which is a pretty fair electronics feat.

Mr. President, the fifteen minutes requested by the Majority Leader for a Caucus will be up soon, and I suggest that we now return to our respective Caucuses.

Mr. WARE. Mr. President, I would like to delay the Caucus just for one minute more to say that I hope an amendment which I submitted to the Majority Leader and his colleagues last week—a revision of an original amendment which was made by me at their request—has been a subject matter of their Caucus, and that we are all in accord that this will be an amendment which will add value to the bill.

The PRESIDING OFFICER. There being no objection, the Chair now declares a fifteen minute recess of the Senate.

AFTER RECESS

The PRESIDING OFFICER. The time of recess having elapsed, the Senate will be in order.

And the question recurring.

Will the Senate agree to the bill on third reading?

MOTION TO ADJOURN

Mr. LANE. Mr. President, I would like to preface the motion I am about to make with a few remarks.

It has taken us quite some time to comprehend very slightly the proposed amendments to be inserted in the bill. As a matter of fact, there are amendments on about fourteen or fifteen pages, and we are not sure as to just what they mean.

Therefore, Mr. President, I move that the Senate do now adjourn until Tuesday, April 18, 1961, at 2:00 p.m.

Mr. SILVERT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BERGER. Mr. President, I ask for a roll call on this motion.

(During the calling of the roll, the following occurred:)

Mr. CAMIEL. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

Mr. HAYS. Mr. President, I desire to be recorded as voting "aye."

The PRESIDING OFFICER. The gentleman will be so recorded.

The yeas and nays were required by Mr. BERGER, and were as follows, viz:

YEAS—22

Camiel,	Mahady,	Ripp,	Staisey,
Devlin,	McCreesh,	Rooney,	Stiefel,
DiSilvestro,	McGinnis,	Sesler,	Weiner,
Hays,	Miller,	Seyler,	Yatron,
Kalman,	Mullin,	Silvert,	Haluska,
Lane,	Murray,		Presiding Officer

NAYS—25

Bell,	Hawbaker,	Pechan,	Taylor,
Berger,	Keller,	Propert,	Van Sant,
Chapman,	Kessler,	Scott,	Wade,
Confair,	Kromer,	Shafer,	Wagner,
Ehrgood,	Madigan,	Stevenson,	Ware, III,
Flack,	Mallery,	Stroup,	Wolfe,
Fleming,			

So the question was determined in the negative and the motion was defeated.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. WEINER. Mr. President, I wonder if any one of these gentlemen who introduced these amendments, either Senator Stroup, Senator Hawbaker, Senator Ware, Senato Pechan or Senator Shafer, will allow himself to be interrogated.

Mr. BERGER. Mr. President, I certainly would have no objection to an interrogation. However, it would seem to me that the orderly procedure would be to introduce the amendments, have them read, and then have them explained to the Majority Leader who, I am sure, will be much better able to understand them when they are in that form. If Senator Stroup does not object, I would yield to him. However, I point out to the Chair that the proper procedure would be to offer the amendments.

Mr. WEINER. Mr. President, I have no objection to the amendments being offered. May we do them one at a time so that we can talk about them in a logical fashion?

Mr. STROUP. Mr. President, may I suggest that we offer the amendments and then discuss them in a logical fashion, one at a time?

Mr. WEINER. Mr. President, I have already agreed that they be offered.

Messrs. STROUP, HAWBAKER, WARE, PECHAN and SHAFER, by unanimous consent, offered the following amendments:

> Amend Sec. 102, page 3, lines 7 to 9, by striking out "of coordinating the services of all local" in line 7, all of line 8, and "library center system" in line 9.

Amend Sec. 102, page 3, lines 18 and 19, page 4, lines 1 and 2, by striking out all of said lines.

Amend Sec. 102, page 4, line 3, by striking out "(6)" and inserting:

(5)

Amend Sec. 102, page 4, line 6, by striking out "(7)" and inserting:

(6)

Amend Sec. 201, page 5, lines 2 to 11, by striking out all of said lines.

Amend Sec. 201, page 5, line 12, by striking out "(6)" and inserting:

(4)

Amend Sec. 201, page 5, lines 17 to 19, by striking out all of said lines.

Amend Sec. 201, page 6, line 1, by striking out "(8)" and inserting:

(5)

Amend Sec. 201, page 6, line 4, by striking out "(9)" and inserting:

(6)

Amend Sec. 201, page 6, lines 5 to 10, by striking out "under rules" in line 5, and all of lines 6 to 10.

Amend Sec. 201, page 6, line 11, by striking out "(10)" and inserting:

(7)

Amend Sec. 201, page 6, line 13, by striking out "(11)" and inserting:

(8)

Amend Sec. 201, page 6, line 14, by striking out "(12)" and inserting:

(9)

Amend Sec. 201, page 6, lines 17 to 20, page 7, lines 1 to 10 by striking out all of said lines.

Amend Sec. 201, page 7, line 11, by striking out "(14)" and inserting:

(10)

Amend Sec. 201, page 7, line 13, by striking out "(15)" and inserting:

(11)

Amend Sec. 201, page 7, line 14, by striking out "libraries" and inserting:

the State Library and Regional Library Resource Centers

Amend Sec. 201, page 8, line 4, by striking out "(16)" and inserting:

(12)

Amend Sec. 205, page 10, lines 3 to 7, by striking out all of said lines.

Amend Sec. 206, page 10, lines 8 to 16, by striking out all of said lines.

Amend Sec. 207, page 10, lines 17 to 20, page 11, lines 1 to 4, by striking out all of said lines.

Amend Sec. 208, page 11, lines 5 to 19, by striking out all of said lines.

Amend Sec. 209, page 12, line 1, by striking out "209" and inserting:

205

Amend Sec. 210, page 12, line 8, by striking out "210" and inserting:

206

Amend Sec. 211, page 12, line 15, by striking out "211" and inserting:

207

Amend Sec. 211, page 13, line 3, by striking out "system of such district".

Amend Sec. 303, page 14, lines 14 to 18, by striking out all of lines 14 to 17, and "leading to the achievement of such standards and" in line 18.

Amend Sec. 303, page 17, line 14, by striking out "and the State Librarian".

Amend Sec. 303, page 17, line 14, by inserting after "required":

A copy of each report made to the county commissioners by a library receiving state-aid shall be sent to the State Library in Harrisburg.

Amend Sec. 304, page 24, line 8, by inserting after "Plans":

for Regional Library Resource Centers

Amend Sec. 304, page 24, lines 8 and 9, by striking out "library desiring to receive" and inserting:

Regional Library Resource Center receiving

Amend Sec. 304, page 24, line 10, by striking out "the funds" and inserting:

State-aid

Amend Sec. 304, page 24, line 12, by striking out "a library" and inserting:

such

Amend Sec. 413, page 34, line 10, by striking out "municipal".

Amend Sec. 413, page 34, line 12, by striking out "the" where it appears the first time, and inserting:

all

Amend Sec. 413, page 34, line 12, by striking out "from the municipality".

Amend Sec. 414, page 35, line 2, by inserting after "desirable":

to the municipal officers

On the question,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Bedford, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, I would like to have Senator Stroup explain what this does and the purpose of these amendments.

Mr. STROUP. Mr. President, the gentleman has asked me to explain. Does he wish to interrogate or does he want me to offer an explanation?

Mr. WEINER. Mr. President, I will do it any way the gentleman would like. I think it would be easier if he would explain it to me and then I can just follow the best I can.

Mr. STROUP. Mr. President, I then will make a preliminary statement to this effect.

Mr. President, the amendments offered by my colleagues on this side of the Senate are designed primarily to correct one of the most palpable errors to be found in this bill, and that is the denial of State-aid to local districts if they fail to comply with the rules, regulations and requirements of the State Librarian and/or the Advisory Council.

These amendments make it possible for local districts—local libraries and county libraries—to receive State-aid and yet, at the same time, maintain their own autonomy, in control of all of the functions of their libraries. That is the basic purpose of these amendments. I think anyone, if they are in favor of increasing aid to libraries throughout the Commonwealth, will vote for these amendments. However, if they are in favor of increasing aid and requiring increased local effort only if State control by the State Librarian and Council can be implemented, and if a possible potential patronage situation can develop, then they will be against the amendments.

Mr. President, if the gentlemen of the Senate have the bill before them, we can go to page 3, Section 3, line 7. We have deleted this language in line 7 and—

Mr. WEINER. Excuse me, Mr. President. I just want to make sure that we are following correctly. Do you mean amend Section 102, and not Section 3, page 3?

Mr. STROUP. Page 3, Subsection 3.

Mr. WEINER. Your amendment only says: "Amend Section 102, page 3 . . ."

Mr. STROUP. That is correct. We are now on line 7, of page 3. We are striking out:

". . . of coordinating the services of all local libraries within the district which by contract became part of the district library center system . . ."

In other words, we are not permitting the district library center to set up a coordination of local libraries. The local libraries will handle their own affairs, and the library center will merely make available to them basic information, documents, collections and so forth.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated?

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, allow himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please explain to us why he is striking out the word "coordinating," what he feels is bad about this, and why we should take this out of the bill?

Mr. STROUP. Mr. President, the district library center, by having the power or coordinating the services of the local libraries, therefore, will control the functions of the local libraries within the particular service area center, and it takes away the autonomy of the local library; that is, the county library, the borough library or whichever type of library it may be. It is an element of control, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please tell us what he is afraid of and what fear he has that he wants to remove the word "coordinating"?

Mr. STROUP. Mr. President, I fear a large segment of professional librarians in the library centers around the Commonwealth who may be able to reach down into the local areas and tell them what to do and how to do it, and if they do not do it, then they do not get State-aid.

Mr. WEINER. Mr. President, the gentleman speaks in generalities. I would like him to be more specific. Is he stating that he is concerned that the libraries will tell the people what books to read or what books they should have on their shelves? Is this what he is stating?

Mr. STROUP. Mr. President, there is that possibility. However, I do not think there is as much possibility of thought control through the library centers or even from the State Librarian, under the way this bill came to us amended by the House, as there is in compelling the local libraries to conform to rules and regulations. As a consequence, if they do not conform through the coordination of the libraries in the entire area, they lose the State-aid.

Mr. WEINER. Mr. President, will the gentleman allow himself to be further interrogated, and may he continue to be interrogated without asking permission? He can stop anytime that he cares to do so.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, allow himself to be further interrogated?

Mr. STROUP. Mr. President, I am satisfied to have the gentleman continue the interrogation without requesting permission.

Mr. WEINER. Mr. President, will the gentleman please advise us if he takes this out of the bill and does away with the rules and regulations, what is the purpose of having this bill? Is it not primarily the tenor of this measure to have a coordinated library system, and have a library system that is good for all of the people of Pennsylvania?

Mr. STROUP. Mr. President, the purpose of the bill, as amended,—if these amendments should pass—will be to provide a Commonwealth-wide library service for our people, who will have control of the libraries themselves through some representation, if they go into increased local effort, upon those library boards of trustees from the political subdivisions or municipalities, or through their own selective groups by those municipalities who are responsible for the increased local effort.

The rest of the situation, as far as State-aid is concerned, would be provided by the State Government without reaching into the local function and dominating control of public libraries.

It is purely a question of this, Mr. President: Do we want to increase local effort and receive increased financial assistance from the State solely, or do we want to receive increased local effort and financial assistance from the State only if the State regulates?

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate if his amendments pass, what will be the purpose of actually passing this bill? What can we not do right now that will be able to be done after we pass this bill with his amendments? What will we have accomplished?

Mr. STROUP. Mr. President, the provisions of increased local effort financing and the provisions of increased State-aid are sufficient to validate the bill and encourage us to be in favor of it.

Mr. WEINER. Mr. President, will the gentleman advise the Members of the Senate that when he speaks of control, is he not giving it his own interpretation rather than the general interpretation that is given to these things in the general areas where you have this type of situation, such as speaking of the highway situation, speaking of fire and police protection, and other general areas of public service where the State and local areas cooperate with each other?

Mr. STROUP. Mr. President, I cannot, first of all, subscribe to the validity of the analogy which has been suggested. I cannot see that there is a substantial analogy. I believe the public libraries, as such, should stand upon their own, and we should discuss this matter without reference to what we do in other areas of State-aid.

Mr. WEINER. Mr. President, will the gentleman please advise us then if we just discarded this bill and passed one which provided these revenue measures to give this money, would we not accomplish the same purpose?

Mr. STROUP. No, we would not, Mr. President. This bill does very admirably provide suggestions on how supervisory provisions may be brought to the local libraries by the State Librarian and by the Advisory Council, and the local library—the county library—can then operate on that. It can accept it, and no doubt will.

Mr. President, it seems to me that we must have some faith and some confidence in the ability and capacity of our citizens on the local level, and those who are on the boards of our local libraraies and would be on those boards.

Mr. WEINER. Mr. President, will the gentleman please explain to us what gives him the impression that the kind of control he speaks of will actually take place, and what evidence does he have that this is even intended by this bill?

Mr. STROUP. Mr. President, a careful study of the bill will show that there is that potential throughout this entire piece of legislation unless it is corrected and restricted, as these amendments do restrict it.

The long-arm of government always follows its pocketbook. We cannot afford that here. We want better libraries, but we see in this a possible domination by one man, the State Librarian, or a small Advisory Council which may function without too much portifolio—and this would be dominated by the State Librarian—over all of the libraries throughout the Commonwealth. That is the reason for our amendments and the answer, I believe, to the question.

Mr. WEINER. Mr. President, will the gentleman advise me if he is familiar with the State Highway Program?

Mr. STROUP. I am, but I believe not as familiar as the Majority Leader. However, I am somewhat familiar with it.

Mr. WEINER. Mr. President, will the gentleman also advise us what kind of control the Federal Government has in choosing the people who do the work, whether they be engineering firms, contractors or design engineers? In what way do they influence the hiring or use of these people or any of the employees of the Highways Department?

Mr. STROUP. Mr. President, the gentleman is wasting his time because from the direction of his question, I know whence he is leading. There is no analogy between the Highways Department, as I see it, and the State public libraries.

Nevertheless, in answer to his question,—partly at least—let us say that the Bureau of Public Roads, from my understanding, exercises a considerable amount of determination as to where the roads will be built and just exactly how they are going to be built. I think the Public Roads Act of 1956 provides rather carefuly for that.

Mr. WEINER. Mr. President, can the gentleman point to any control at all by the Federal Government over the State Highway Program? Is it not also a fact that the gentleman stated earlier—unless he wishes to retreat to a former position—that government control follows its pocketbook? That ought to be analogous to what he is telling here. I would like him to show me where this has taken place. Maybe I would like to vote for these amendments myself if this, in fact, is the truth.

Mr. STROUP. Mr. President, I first of all stated a basic philosophy. Secondly, I now state that at the present time, in so far as the Interstate Highway System is concerned, I am trying in my area to secure a certain exit on an Interstate Highway. The approval is secured through the central department of the Commonwealth of Pennsylvania—the Department of Highways—but final approval, if it comes, will come from the Bureau of Public Roads in Washington.

Mr. WEINER. Mr. President, I also direct the gentleman to, if he would please, answer my question. Has he any evidence at all that the people who have put up the money—and the Federal Government, in many instances, puts up ninety per cent of the money—have in any way shaped the policy, in any way directed the hiring or the firing of anyone or in any way shaped which area we are going to build or not build in? Has that occurred? Do you have any evidence of that at all, Senator, whether it be directly or indirectly?

Mr. STROUP. Mr. President, I have been exceedingly patient with the gentleman on his interrogation because I hoped that I could persuade him to the real verity of these amendments, and that he will go along with us on them. However, I must repeat that I cannot see the analogy and, therefore, I do not think I shall answer further questions with relation to the Highways Department.

Mr. WEINER. Mr. President, is the gentleman familiar with the public health program and the school program, that we have in this State?

Mr. STROUP. I would say again, Mr. President, that, of course, I would not be as familiar as the distinguished gentleman from Philadelphia. However, I have some slight knowledge of these programs.

Mr. WEINER. Mr. President, will the gentleman please advise us whether he has any evidence of the State giving any subsidies in these areas and, thereby, controlling the program? Do they dictate the policy or in any way play any role and violate the principles which he states will be violated in this program? Can he supply evidence of that?

Mr. STROUP. Mr. President, I am not debating the highway program, the welfare program or the health program. We are presently debating these amendments. He is driving into an area of analogy which I do not consider to be particularly cogent in this discussion, and I would ask that he confine his interrogation to this particular bill.

Mr. WEINER. Mr. President, would the gentleman advise me if it would be a fair statement that where the State has given money, in so far as the local areas are concerned, they have played no part in either the hiring or firing of people, been in involved in the patronage end of it, or in any way set up policy that was inimical to what we regard as American principles and also inimical to the area concerned? Would that be a fair statement, Senator?

Mr. STROUP. Mr. President, I shall not answer one way or the other. The gentleman is in an area in which he has much more information than I have. I am pretty well confined in my discussion and interrogation here to the bill which is before us.

I have repeatedly said that I cannot see the validity of the analogy which he attempts to draw. I think if we read the bill, Mr. President, we will there find full possibility for potential State control and refusal of State-aid because the local areas do not submit to that control.

Mr. WEINER. Mr. President, I want to thank the gentleman. It might very well be that the analogies we have presented here have been in an area where the gentleman cannot see very clearly because of his point of view in this particular area and he cannot quite see the analogy.

May I point out to the gentleman that there is no evidence, either directly or indirectly, that any of these areas are affected.

I submit to you, Senator, that if you remove the word "coordinating," you are tearing the very heart out of this bill and the very purpose for which we are enacting it. The purpose of this measure is to set up a central system which will help administer and provide decent library facilities.

You know, Senator, it is very interesting that we are discussing this measure this week because this week is National Library Week. The Census Bureau figures—this census was taken long before the advent of the Democratic Administration, and so they certainly are not Democratic figures I am giving you—just appeared in yesterday's paper. The Sunday Bulletin, in Philadelphia, had an entire section dealing with the library program and the library facilities. There are 50,000,000 people in this Country who are denied any kind of library facilities whatsoever. There are about another 25,000,000 who have inadequate library facilities.

Right here in our own State,—and I am ashamed to tell you—there are many libraries that do not even have an encyclopedia of any kind. If you think that is the kind of a library system we want to continue to foster, if you think that is the kind of a library system that we ought to have in this State, and if you think that is the kind of a library system we ought to make available to the young people and the adults who are trying to better themselves by getting an education in their off-hours when they are not employed, I certainly would like to say to you that I think this is a backward step.

This bill would be a forward step. This is the same bill that was introduced last Session and never got out of committee. It seems to me that all you are trying to do is amend it to death at a time when you feel that you can be successful with these amendments.

I want to assure you that all you will do by these amendments is guarantee that this bill will never pass this Senate because if you put these amendments in the bill, it will be impossible for us to vote for the mere shell of the bill that will be left, and without twenty-six votes, this bill cannot pass.

I know there are gentlemen sitting on the other side of the aisle who have expressed interest in this measure and they would vote for it. However, once you amend it and kill it this way, not only will we not be able to pass it, but we will have no library bill.

I think this is wrong thinking. I think it is not the proper thing to do, because this bill has passed the House and has had bipartisan support over there. If the intention is to kill this measure, you are certainly on the right track, and you are doing it in the proper way by making it appear that you are trying to accomplish a result which is not a result but, rather, it will be the end of this measure.

Mr. STROUP. Mr. President, as a consequence of the splendid oration delivered by the gentleman from Philadelphia, I feel I must make some response.

It is not our purpose whatsoever to kill the library bill. It is rather our purpose, Mr. President, to improve the bill to the point where it can be acceptable throughout the Commonwealth to our people. It is our purpose to provide funds by increased local effort and State-aid which will enable our local libraries—the controlling groups there—to take care of their own problem with the funds that are provided. The money, to a great extent, is coming from the local effort, not from the State effort, and they certainly should have the final say as to how they are going to handle their particular local situation.

These amendments, Mr. President, improve the bill. These amendments do everytihng that the distinguished Senator asks should be done in the libraries in Pennsylvania except one thing. "These amendments remove the domination of the State Librarian over all local areas." They remove the denial of State-aid if your local libraries, governed as they are by your municipalities, do not conform with the so-called suggestions made by the State Librarian or his inspectors. Therefore, I cannot follow the argument of the Senator from Philadelphia, Mr. President.

I think the bill is greatly improved with the amendments which we offered, in all sincerity. We see no reason, unless the gentlemen on the other side are convinced they must have State control if they are going to give any State-aid, for them to vote against these amendments.

Mr. WEINER. Mr. President, I desire to interrogate the gentleman from Bedford, Senator Stroup.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise the Members of the Senate where the word "control" appears in the bill, if it appears at all?

Mr. STROUP. Mr. President, the word "control" is, naturally enough, very carefully kept out of the bill. It is the implication and innuendo. It is reading the bill in its full context. It is taking Section 303 and Section 304, and the other sections, setting up the power of the State Librarian and the denial of State-aid if you do not come up to the rules and regulations or obey the rules and regulations of the State Librarian. There is where you get your control. I am certain it is there. You do not have to look for a needle in a haystack to find it, Mr. President.

Mr. WEINER. Mr. President, will the gentleman please advise us what suggestions he feels the State Librarian will make that will be objectionable or will result in control?

Mr. STROUP. Mr. President, I should imagine, by and large and on the whole, without very much more, that most of the suggestions to be made by the State Librarian for local libraries would be excellent for improvement. However, I do not think that because the local libraries and the boards there do not agree to go along with the suggestions that they should be denied State-aid.

Mr. SEYLER. Mr. President, I would like to interrogate the proponent of the amendments, on this particular section of the amendments, if he is willing.

The PRESIDING OFFICER. Will the gentleman from Bedford, Mr. Stroup, permit himself to be interrogated?

Mr. STROUP. I will, Mr. President.

Mr. SEYLER. Mr. President, I hope I may have the same dispensation as Senator Weiner; that being a continuous interrogation.

The PRESIDING OFFICER. You are given the same privilege, Senator Seyler.

Mr. SEYLER. Mr. President, I would like to begin, as did Senator Stroup, by stating a little philosophy. I would like to tell him, as a background for understanding the questions I am about to ask him and his answering them in the spirit in which I ask them, that I am just as concerned as he—and I think that I speak for all of the Members on this side in that we are just as concerned as he is—that we do not have anything in this bill which exerts any authoritarian control over local libraries. Therefore, my interrogation—and I think Senator Weiner's interrogation and everyone else who may be moved to interrogate on any of these sections—is concerned with trying to understand the gentleman's point when he says there is such danger of authoritarian control.

I would like to begin by asking the gentleman just what he understands by "coordinating the services of local libraries"? This is the phrase that he objects to and in which he finds authoritarian controls. I have in my mind, the members of the committee have in their minds, and I think librarians pretty clearly understand what coordinating services in a library would mean. However, I do not know what the gentleman from Bedford thinks coordinating the services of libraries might mean, and so I ask him that as my first question.

Mr. STROUP. Mr. President, we are getting into a ques-

tion of semantics here. As to just exactly what the word "coordinating" will mean, it is what it may mean under certain interpretations that one must consider. Under certain circumstances, it may not. However, then under others, it may. If as we suspected it might mean, it would require the district library to impose upon all local libraries certain relationships, each with the other, which they might wish to accept. It might mean the swallowing up of a smaller local library by a larger local library. It might mean an imposition upon their economy as an individual entity. Therefore, as a consequence, we fear the coordination of the district library center. We do not think it is necessary at all.

Mr. SEYLER. Mr. President, the part of the section which the gentleman is not amending, which appears directly before the passage which he is amending reads as follows:

". . . providing supplementary library services to local libraries within the district . . ."

Does the gentleman fear any authoritarian implications in providing supplementary services?

Mr. STROUP. No, I do not, Mr. President. Supplementary services can be provided and accepted if they want to accept them. It is only where there is an imposition and requirement that if you do not do it you lose State-aid that we take issue at all.

Mr. SEYLER. Mr. President, preliminary to further questioning, I would like to tell the gentleman now that I do not have a very clear idea of what he thinks coordinating services means. However, I have a little better understanding of why he fears it.

I would like to tell the gentleman my concept of coordinating services. I think that by coordinating services we mean that somebody—not in any one library, but somebody on a level so they can look over the whole field—could do a considerable service by finding out what services each library can offer and then making provision so so that the people of that area can be served by all of them rather than only the one they are close to and the only one they would ordinarily know anything about.

For example, if one library in the larger area has a reference service which is not available to the others, coordination would mean arranging so that the other libraries who do not have that service can, by calling on the library which has, furnish that service to the people over that district. Obviously, if one library is mainly one of fiction and it cannot provide such reference services, it would be an advantage to the people who live near that library if someone would arrange so that the services provided by a nearby library can also be provided to them by bringing over to that library the services which they do not perform.

It is quite true, Senator Stroup, that in a community that has a library which is mainly a fiction library, there may be a small number of people who would need the reference services. However, if there were some who did, it certainly seems to me to their advantage if someone who could look over the whole situation would say: "Well, if you need this service in this library, you can get it by asking your adjoining library over here to furnish it to you."

This is something which I do not believe libraries could do for themselves unless there is some coordination. It seems to me to be an innocent, simple and useful idea. I do not see anything in it, in my concept of coordinating services, that would alarm anyone.

I ask you now, Senator, accepting my view of what coordinating services means, do you see any reason why anyone should fear any authoritarian controls in the type of service I have described?

Mr. STROUP. Mr. President, in the event that the coordinating services, such as the Senator describes, were implemented, if there could be assurance that refusal to accept the suggestion of coordinated services by the district library center would not deny State-aid, then we could accept it. However, coordinated services, as we find here in this particular Subsection 3, could result very well in the rule or regulation and the requirement, and refusal to comply with the requirement would deny State-aid. That is the reason we are amending it out.

Mr. SEYLER. Are you saying, Senator, that if Library B, which I described as having a service not enjoyed by Library A, were asked by whoever was coordinating it—the district library center—to allow the citizens of Library A's area to use its resources, you think this would be an undue request and that this would be something unfair or unreasonable?

Mr. STROUP. We think that in nine out of ten cases,—maybe not that many—the local library would accept it. However, in those instances in which the local library would not care to accept it, we think they should not be required to, and that is the crux of the whole matter.

By the way, Mr. President, this question of the local library coordinating services of the district center is just one small phase of this entire problem. We have not even touched upon the big problem which is in the heart of the bill.

Mr. SEYLER. Mr. President, I assure the gentleman that we mean to be just as intensive about each one of the sections which he is amending because this is a far-reaching thing. This is something on which a lot of time and effort has been spent in building up. If we can improve it by using the gentleman's amendments, of course, we are willing to do so. However, we certainly want to understand the connotations.

I do not consider this at all a useless question. I think it is important for use to know because—

Mr. STROUP. I beg your pardon, Senator.

Mr. SEYLER. I yield to the gentleman, Mr. President.

Mr. STROUP. Thank you very much, Senator. I would never say that the Senator would ask a useless question, and if you got that interpretation, I certainly want to correct it immediately for the record.

Mr. SEYLER. I thank the gentleman, Mr. President, and I assure him that I will try to avoid useless questions.

I assume now that we have reached a sort of impasse here. He says there might be one case in 100—or whatever figure he cited—where a library would be asked to do something that it would not want to do. In my own opinion, the libraries in the Commonwealth were constantly in touch with this. Senator, I believe, from my mail at least, they were pretty unanimously in favor of it. Not only that, but the Parent-Teachers' Association is in constant communication regarding the bill not only in my area, but on the State level. I find most of the educators of the Commonwealth have this same line of thought because, as educators working with children, they, too, are interested because oftentimes the community furnishes the best source of reference material. The school library, of course, is usually present. However, ofttimes its total capacity and its ability to offer services is somewhat lim-

ited, and there are times when more adult books, particularly for the gifted students, and materials on a higher level are needed. This type of resource is important to people in education.

So far as I know, the Parent-Teachers' Association, the educators and the librarians themselves are aware of what the bill says and are interested in having it.

Moving on to the next question, Senator, I would like to ask you whether you have noted that in the original language of the bill before you violated it, the services suggested here, both for providing supplementary services and coordinating services by the district library center, are only for those local libraries which "by contract become part of the district library center system"? I am saying, in other words, Senator have you noticed there is nothing in this section which you are amending which would force any library to enjoy these services or—adopting for a moment your assumptions—to be directed in some authoritarian way by these services?

Mr. STROUP. If the gentleman is correct whereby—and I am not so sure I accept his explanation, Mr. President—if the local libraries have entered into a contract to coordinate services, then, of course, they would do it voluntarily. However, if in order to get State-aid they must enter into the contract, which I think you will find in the context of the bill, and if they did not they would not get it, then, of course, you are giving here again control by the State and denial of State-aid.

Mr. SEYLER. Would the gentleman be willing to yield on his fears in this matter if he were assured that amendments to the bill would be made which would state that no library shall receive less money as a result of the bill whether they enter into a contract or not?

Mr. STROUP. That would be a consideration, Mr. President. Of course, I must point out that would not correct the huge fault in the bill in other phases or in other sections of it.

Mr. SEYLER. Would that correct the authoritarian part of the bill that you fear?

Mr. STROUP. I think it would help the denial of State-aid in the event compulsion does not enter into coordinating services on the local level, yes.

Mr. SEYLER. Mr. President, I thank the gentleman.

Mr. President, may we be at ease for a few moments so that I may consult with my attorney?

The PRESIDING OFFICER. The Senate will be at ease.

(The Senate was at ease.)

Mr. SEYLER. Mr. President, after advice from counsel, I would like to make a statement about this particular section. I am merely referring to Subsection (3), on page 3, because I want to interrogate at length, and discuss at length, on all the other sections which are involved in this.

However, Mr. President, I want to say to the gentlemen who introduced these amendments, and to all the Members of the Senate, that there is nobody on this side, there was nobody on the committee which worked for a long time in drawing up this bill, there is no one among the Library Association's members who have supported this bill, there is no one in the P.T.A., there is no one among the professional educators, all of whom support this bill, who want, in any way, to put any authoritarian or dictatorial powers in anybody's hands in so far as operating local libraries is concerned. The whole purpose of this bill and this subsection is to make it possible so the people of this Commonwealth may have developed over this Commonwealth the library services which they need and should have. If we are going to go forward in education, one of the greatest educational factors in any civilized nation is its libraries. If we really mean that we want to do something in education, libraries are basic.

All the people who have studied this bill have been perfectly aware of the issues involved. They have carefully constructed this. Therefore, there is no possibility of dictatorial controls. However, on the other hand, there is a possibility of bringing people together, such as the professional educators, the lay people who are involved in the libraries, and through consultation to build up something which will be good. In that way, we will not have some communities with no libraries and we will not have some communities where they have a few shelves of fiction. However, the most expensive and the best books available in the world will be somewhere in this Commonwealth and will be available to any person, in any section of Pennsylvania, through this coordination which we are trying to obtain. Believe me, Mr. President, this subsection about which Senator Stroup felt, perhaps, I was spending an undue amount of time is vital to this. Unless we have the kind of coordination described here, the money which we may give the libraries will be so much money poured down the drain. If we are going to do this without a plan and without any way of making it effective, then we are wasting taxpayers' money to even propose giving aid to libraries.

Therefore, Mr. President, this is important. Each one of the sections about which the gentleman is concerned is important. I intend to see that, at least, we look over them carefully and thoughtfully and find out what the gentlemen on the other side have in mind in wanting to change it, before we take action which might wreck this bill. I believe the effect of these amendments, collectively, is to destroy this bill. They will destroy its effectiveness.

Duck and dodge, as we may, but let us face up to it. A vote for these amendments is a vote for the death of effective library service in Pennsylvania. I do not say that the gentleman has in mind the intention to kill this bill. A person who is killed by somebody's accidental action, of course, is just as dead as someone who is killed intentionally. However, I say in my considered opinion—and the people who have worked on this bill say the same thing—that this set of amendments would destroy the effectiveness of this bill. I hope we do not have very many Members in this Senate who are willing to go on record as helping to kill a bill which is so important to the welfare of our citizens.

And the question recurring,

Will the Senate agree to the amendments?

Mr. WEINER. Mr. President, I now move that the Senate make this matter a Special Order of Business at 3:00 p.m., at tomorrow's Session. The date is April 18, 1961.

The PRESIDING OFFICER. The Chair is informed that we must dispose of these amendments first.

And the question recurring,

Will the Senate agree to the amendments?

AMENDMENTS LAID ON THE TABLE

Mr. BERGER. Mr. President, I move that the amendments be laid on the table until tomorrow's Special Order of Business.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

CONSIDERATION OF HOUSE BILL No. 132, PRINTER'S No. 686, ON THIRD READING AND FINAL PASSAGE, MADE A SPECIAL ORDER OF BUSINESS FOR TUESDAY, APRIL 18, 1961 AT 3:00 P.M.

Mr. WEINER. Mr. President, I now move that House Bill No. 132, Printer's No. 686, be made a Special Order of Business for Tuesday's Session, on April 18, 1961, at 3:00 p.m., Eastern Standard Time.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURRENT RESOLUTION No. 16 CALLED UP

Mr. WEINER, without objection, called up from page 13 of the Calendar, House Concurrent Resolution No. 16, entitled:

Legislative Commission on Space Allocation

On the question,

Will the Senate concur in the resolution?

Mr. SEYLER offered the following amendments:

Amend first paragraph, page 1, first line, by inserting after "space":
used for legislative purposes
Amend first paragraph, page 1, second line, by striking out "buildings" and inserting:
building
Amend resolution, page 2, line 3, by inserting after "space":
used for legislative purposes
Amend resolution, page 2, line 3, by inserting after "the" where it appears the first time:
main
Amend resolution, page 2, line 3, by striking out "buildings" and inserting:
building

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate concur in the resolution, as amended?

SENATE CONCURS IN HOUSE CONCURRENT RESOLUTION No. 16, AS AMENDED

Mr. BERGER. Mr. President, I move that the Senate do concur in the amended resolution.

Mr. WEINER. Mr. President, I second the motion.

The motion was agreed to and the resolution, as amended, was concurred in.

Ordered, That the Clerk return said resolution to the House of Representatives with information that the Senate has concurred in the same, with amendments, in which concurrence of the House is requested.

PENN-STATE GLEE CLUB TO APPEAR IN SENATE ON TUESDAY, APRIL 18, 1961

Mr. HAYS. Mr. President, it seems as though we are going to have a hot, critical issue about the arts, set for 3:00 tomorrow afternoon. It just so happens that the Penn-State Glee Club is on tour. At the urgent request of the two good singers in the Senate, the distinguished alumnus of Temple University, President pro tempore Anthony DiSilvestro, and the illustrious alumnus from Cornell University, the Senator from Allegheny County, we have been able to get this group to stop here at 2:00 tomorrow afternoon, to try to fill this Chamber with harmony for twenty or thirty minutes.

The Penn-State Glee Club will perform for us at 2:00 tomorrow afternoon.

ANNOUNCEMENTS BY THE SECRETARY

The following announcements were read by the Secretary of the Senate:

COMMITTEE MEETINGS
TUESDAY, APRIL 18, 1961

Time	Committee	Room
9:00 A.M.	Appropriations	252
9:30 A.M.	Constitutional Changes & Federal Relations	302
9:45 A.M.	Philadelphia Vote Fraud Committee	302
10:00 A.M.	Agriculture	539
10:30 A.M.	Education	302
10:45 A.M.	Judiciary General	536
11:00 A.M.	Local Government	301
11:30 A.M.	Highways	542
11:45 A.M.	Corporations	301
12:15 A.M.	Forests and Waters, Game and Fish	Dem. Caucus Room, 1st Floor

NOTICE

The Senate Committee on State Government will hold Public Hearings on Senate Bill 249, 252 and 253 in the Senate Majority Caucus Room at Harrisburg, on Tuesday, April 25, 1961, at 9:00 a.m.

HONORABLE WILLIAM R. DAVLIN PRESENTED TO SENATE

The PRESIDING OFFICER. The Chair notes that the Secretary of Commerce, William R. Davlin, who has been quite ill, is back with us and is seated in the Senate Chamber. Will Secretary Davlin please rise?

We all welcome you back.

ADJOURNMENT

Mr. WEINER. Mr. President, I move that the Senate do now adjourn until Tuesday, April 18, 1961, at 2:00 p.m.

Mr. LANE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:33 p.m.

HOUSE OF REPRESENTATIVES

MONDAY, April 17, 1961

The House met at 4 p.m., e.s.t.

The SPEAKER (Hiram G. Andrews) in the Chair

PRAYER

The Reverend Albert W. Smith, Pastor of the First Methodist Church, Carmichaels, Greene County, guest Chaplain and guest of the majority leader, Mr. McCann, and the House Chaplain, offered the following prayer:

Almighty and Eternal God, our Heavenly Father, Thou who art the Creator and Sustainer of all life—Thou art the Giver of every good and perfect gift. It is in Thee we live and move and have our being. We thank Thee for Thy Divine Providence, protection, and perservation. Manifold are the blessings and benefits we receive at Thy hand. Abundant and abounding is Thy Grace toward us. We are so unworthy.

We thank Thee for our Nation and pray for Thy continued mercies and considerations. We thank Thee for this Commonwealth, for its leaders, its peoples and its institutions. May we ever as a people, in this State be grateful and humble and walk before Thee in the land of the living. To this end grant Thy unlimited blessing, spirit and guidance upon this body and House of Representatives that those choices and decisions made may enable the people of this State to more perfectly do Thy will and more worthily magnify Thy Holy Name.

May we find in Thee and in each other, and in the work Thou hast given us to do, inspiration and challenge that will result in a commitment to Thee and the task at hand, that we may be found to be good and faithful servants through Jesus Christ our Lord. Amen.

RECESS

The SPEAKER. The Chair declares a brief recess in order that we may have the pleasure of presenting two distinguished Pennsylvanians.

FORMER MEMBER WELCOMED

The SPEAKER. First, George A. Goodling. I think a great many of you remember Goodling. We miss his apples. We miss his apples very much, and we miss Goodling, and we hope that being down at Washington has not rubbed off any of the gloss and polish that characterized him when he was a member of this House. George, say a few words to the Members.

HONORABLE GEORGE A. GOODLING. Mr. Speaker. I want to assure you I have apples in the Washington office all the time. Any time you come down there you can get your usual apple.

I am scared to say anything. There was a time when I liked to speak, but I no longer do that. I was talking to a group some time ago and I thought I was doing a reasonably good job and some fellow in the back of the room said, "Well, you are silly." I did not pay any attention to him. I just kept on talking and I thought I was doing better all the time. Again he said, "Well, you are silly." That time I thought I had noticed a little thick tongue that he had, and I continued and I thought I was getting to the climax of my speech and doing a still better job, and again he said, "You are silly." I said, "You are drunk." He said, "Well, I will be sober tomorrow morning."

It is nice to come back here and meet with my old friends, and bring you greetings from Washington and I trust that sometime, if you are in Washington, you will drop into the office to see me. The door is always open and I will be delighted to have you. Thank you, Mr. Speaker, for the privilege of being here.

SENATOR SCOTT WELCOMED

The SPEAKER. It is now the Chair's pleasure to present a friend, a political opponent now and then, but a friend throughout the years, United States Senator Hugh Scott.

SENATOR HUGH SCOTT. Mr. Speaker, ladies and gentlemen of the House of Representatives, it is indeed true that some of the things I say are quite partisan and some perhaps may be thought of as unduly harsh, but I assure you that friendship is more valuable than partisanship. My admiration for the Speaker of the House and for its membership is long standing. I have not spoken from this rostrum since 1947. I have had some experience in another House of Representatives, but in January 1959, when I went to the Senate, I was quite curious as to their parliamentary procedure and I assure you that it is far more lax and less orderly and is not kept in quite the same formal control and dignity as the Honorable Speaker here has managed to do with this House.

Not knowing exactly what to do as a new member of the Senate, and being anxious to talk, since under the House Rules I could only talk one minute, and I was told I could talk as long as I wanted in the Senate, I asked Senator Williams of Delaware what I had to do to propose a bill or an amendment or to introduce some document, and he said, "Any time you feel like it, you get up and you address the president. You do it any time of day; you do it whenever you are moved to do it; and if the presiding officer sees you he will recognize you. And the first thing you have to remember in the Senate of the United States is that we do not have any rules down here." I have found that more true with every day that has passed.

I am very happy, indeed, to be here with you. I greatly appreciate the honor. Again my thanks to the Speaker for permitting me the chance to delay and hold up the wheels of progress of the Commonwealth of Pennsylvania and at the same time managing to neglect my duties in Washington, happily, for this one day. Thank you.

AFTER RECESS

The SPEAKER. The time of recess having expired, the Chair will proceed with the regular order.

DELEGATION OF GIRL SCOUTS WELCOMED

The SPEAKER. The Chair notes the presence in the gallery of a delegation of six Sisters, nuns, and more than one hundred girl scouts from St. Raphael's High School in the Morningside district of Pittsburgh. In charge of the delegation is the Reverend Sister Vincent Mary. They left Pittsburgh, incidentally, at 6 a. m. this morning. The delegation are the guests of the gentleman from Allegheny, Mr. Kamyk. Will that delegation please rise?

FORMER MEMBER WELCOMED

The SPEAKER. The Chair also noticed a few minutes ago the presence in the House of a former member of the House, from Fayette County, Burton Tarr. If the gentleman is still in the hall of the House, will he please rise?

The Chair thanks the gentleman.

JOURNAL APPROVAL POSTPONED

The SPEAKER. If there is no objection, the approval of the Journal for Wednesday, April 12, 1961, will be postponed until printed.

The Chair hears none.

BIRTHDAYS

The SPEAKER. There was a big demonstration around about this morning. The Chair is sometimes in doubt as to what it was all about. General of the Army Eisenhower was in town, and it was the birthday today of the gentleman, the minority floor leader, Albert Johnson. He autographed all the cards that were presented to him this morning, every one.

It is also the birthday of the gentleman from Pittsburgh, Mr. Foerster.

Will Dr. Dengler perform his usual function?

Mr. DENGLER. Mr. Speaker, I think we should first sing our adulations to our minority leader, Happy birthday, dear Al," then "Happy birthday, dear Tommy."

The SPEAKER. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, I would like to go a little further on what you mentioned this morning. We were all at the railroad station, waiting for the arrival of the President, and the auditor general, Charlie Smith, came up to me and said, "Albert, this is your birthday today. I know because I sent you a birthday card." So, the news of my birthday, of course, spread through the crowd down there and there was some question as to whether my birthday was not more important than the arrival of President Eisenhower. But soon my thoughts along that line were dispelled because the President came and, of course, it was a tremendous day in Harrisburg, because of the arrival of the President.

I want to thank you people for remembering my birthday and I want to tell you all that I enjoy immensely being a member of this great House of Representatives and I cherish the friendships that I have made with you lovely people all through the years.

I thank you.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. COMER asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS INTRODUCED AND REFERRED

By Messrs. LAMB, RUDISILL, McCANDLESS, and GEORGE. HOUSE BILL No. 1275.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853), providing for the assessment, valuation and taxation of certain mobilehomes or house trailers.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, WILLARD, and McCANDLESS. HOUSE BILL No. 1276.

An Act amending "The Fourth to Eighth Class County Assessment Law," approved May 21, 1943 (P. L. 571), providing for the assessment, valuation and taxation of mobilehomes or house trailers.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, WILLARD, and McCANDLESS. HOUSE BILL No. 1277.

An Act amending the "Local Tax Enabling Law" approved June 25, 1947 (P. L. 1145), limiting the taxation of mobilehomes and house trailers and abolishing the use and occupancy tax on mobilehomes and house trailers.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, McCANDLESS, and GEORGE. HOUSE BILL No. 1278.

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), providing for the sale of mobilehomes or house trailers taxed as real estate.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, McCANDLESS, and GEORGE. HOUSE BILL No. 1279.

An Act amending "The Penal Code," approved June 24, 1939 (P. L. 872), prohibiting the removal of mobilehomes or house trailers to evade certain taxes, and penalizing mobilehome or house trailer court operators for failure to make certain reports.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, McCANDLESS and GEORGE. HOUSE BILL No. 1280.

An Act amending the "Local Delinquent Tax Return Law," approved May 29, 1931 (P. L. 280), providing for the sale as real estate of certain mobilehomes and house trailers subject to tax lien, and providing for notice to the encumbrance holders of record.

Referred to the Committee on Counties.

By Messrs. LAMB, RUDISILL, McCANDLESS and GEORGE. HOUSE BILL No. 1281.

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110), further regulating the contents of installment sales contracts.

Referred to the Committee on Motor Vehicles.

By Messrs. SAKULSKY, ROVANSEK, MAXWELL and WILT. HOUSE BILL No. 1282.

An Act regulating the manufacture, processing, sale, use, transportation, storage or possessing of explosives in Pennsylvania; regulating the location, operating, maintenance, equipment and conduct of explosive manufacturing plants and of explosive storage magazines; providing for licenses and applications for licenses and fees for such licenses; providing for renewal of licenses and fees in connection therewith; providing for the maximum amount of explosives in any magazine; providing for labeling or imprinting explosives with serial numbers; providing for the keeping of records and providing penalties for violations of the act and appeal procedures.

Referred to the Committee on State Government.

By Messrs. WHITTAKER, STIMMEL, IRVIS and GAILEY. HOUSE BILL No. 1283.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), providing that area technical schools for vocational education may be established and operated by board of directors of second or third class school districts now operating an approved vocational school, * * *

Referred to the Committee on Education.

By Messrs. MURPHY, COOLEY, Mrs. KERNAGHAN and Mrs. KOOKER. HOUSE BILL No. 1284.

An Act amending "The Borough Code," approved May 4, 1927 (P. L. 519), authorizing ordinances and certain resolutions to be in force after attachment to the borough ordinance book, and validating certain borough records.

Referred to the Committee on Boroughs.

By Messrs. FINEMAN, GELFAND and McCORMACK. HOUSE BILL No. 1285.

An Act authorizing the commencement of trespass actions in the county in which the plaintiff resides in certain cases, and providing for service of process in such cases.

Referred to the Committee on Judiciary.

By Messrs. MURPHY, FARABAUGH and ROVANSEK. HOUSE BILL No. 1286.

An Act directing the Department of Agriculture to study methods of controlling tent caterpillars and to undertake a program of control and eradication of such insects and making an appropriation.

Referred to the Committee on Agriculture and Dairy Industries.

By Messrs. SHPNIK, GALLAGHER, K. B. LEE and BUCHANAN. HOUSE BILL No. 1287.

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), further regulating supplemental payments to certain school districts.

Referred to the Committee on Education.

By Messrs. WILLARD, FOX, CURWOOD and HEAVEY. HOUSE BILL No. 1288.

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58) authorizing the designation of 4-way stop and other multi-way stop intersections.

Referred to the Committee on Motor Vehicles.

By Mr. SNARE. HOUSE BILL No. 1289.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 1.6 acres, more or less, of land situate in Smithfield Township, Huntingdon County.

Referred to the Committee on State Government.

By Messrs. HOLMAN, A. D. WILLIAMS, GAILEY and POLEN. HOUSE BILL No. 1290.

An Act amending the "County Institution District Law," approved June 24, 1937 (P. L. 2017), regulating taxation for institution district purposes.

Referred to the Committee on Counties.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. GEORGE, OGILVIE, KISTLER, HORST, COMER and WORLEY. RESOLUTION No. 57.

In the House of Representatives, April 12, 1961.

Upon the one hundredth anniversary of the Civil War, the various states which took part in that epic struggle are commemorating the historic events and locations associated therewith. The vital role which Pennsylvania played in the Civil War is known by all. Our Commonwealth was among the first to take a firm stand in defense of the Union, and by many brave deeds and noble efforts fully kept that pledge. In addition thereto, the most decisive battle of the Civil War, the Battle of Gettysburg, was fought within our boundaries.

U. S. Highway Route 15 served as the major route for the armies of both the North and the South to reach that battle. It is fitting that this highway be officially named as a tribute to the men in blue and gray who marched so gallantly into battle thereon; therefore be it

Resolved, That the House of Representatives hereby respectfully requests the Governor and the Secretary of Highways to officially name and designate U. S. Highway Route 15 in Pennsylvania as "The Blue and Gray Highway," and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Secretary of Highways.

Referred to the Committee on Rules.

By Messrs. CURWOOD, CROSSIN, SHUPNIK, WILLARD and DOWN. RESOLUTION (Not Printed)

In the House of Representatives, April 12, 1961.

Saturday night, March 25, 1961, the Nanticoke High School basketball team won the State Championship in the Farm Show Building in Harrisburg, by defeating the Hickory Township Basketball team of Mercer County. The final record of these two teams was Nanticoke won 25 and lost but 1 game. Hickory Township won 25 games and lost only 2.

The enthusiastic welcome received by the Nanticoke players upon their return home testifies to the high esteem by which this team is held in their home town. The people of Pennsylvania are proud of this team. The team represents an enormous amount of effort and work put forth by the Coach Sylvester Bozinski and the members of the team who put out the great efforts that resulted in the championship of the State of Pennsylvania.

The City of Nanticoke and Luzerne County are justifiably proud of this team and the State of Pennsylvania takes this method through the House of Representatives to commend the basketball team of Nanticoke, the Coach, Sylvester Bozinski, the Principal of Nanticoke High School, Anthony Diksa, the Superintendent of Schools, Joseph Siesko, and the good people of Nanticoke and Luzerne County.

The Hickory Township Basketball Team of Mercer County is also to be commended, together with Francis Webster the head coach for the spirit of splendid sportsmanship shown in the playoff for the championship of the State in Harrisburg. Hickory Township and Mercer County are to be congratulated on the splendid record of this team and the championship caliber it evidenced in the final playoff.

The records of these two does not entirely indicate the full meaning of this victory. Basketball has become one of the outstanding sports in this State. Each area of the State has entered the competition with consummate zeal and a will to win. As a consequence more than half the teams faced by the winners were of championship caliber. These young men who participated in these games have received valuable experience in true sportsmanship and life's stern battle of competition. The House of Representatives of the Commonwealth of Pennsylvania is proud to hail these young men as citizens of this State; therefore be it

Resolved That the House of Representatives hereby commends and congratulates the Basketball Team of

Nanticoke in winning the State Championship of Pennsylvania. We further congratulate Sylvester Bozinski the coach of the team, Anthony Diksa, Principal of Nanticoke High School, and Joseph Siesko, Superintendent of Schools, for their efforts in producing a team of this caliber; and be it further

Resolved, That copies of this resolution be sent to Sylvester Bozinski, Coach, Anthony Diksa, Principal of Nanticoke High School, Joseph Siesko, Superintendent of Schools in Nanticoke and to Francis Webster, Coach of Hickory Township, Mercer County.

Referred to the Committee on Rules.

COMMUNICATIONS FROM GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 37, 42, 310, 450, 461, and 569.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg
April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 37, Printer's No. 736, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Bristol certain real property located in the borough."

DAVID L. LAWRENCE.

April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 42, Printer's No. 42, entitled "An Act repealing the act of March 9 1771 (1 Sm L 313) entitled 'An act to prevent the destruction of rock-fish and oysters.' "

DAVID L. LAWRENCE.

April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 310, Printer's No. 339, entitled "An Act repealing section 6 act of June 30 1947 (P L 1154) entitled as amended 'An act to regulate the manufacture sale transportation possession use and advertising of oleomargarine butterine and other similar products and to prohibit the sale possession or use thereof in certain cases and to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses to prevent and punish fraud and deception in such manufacture sale use and advertising to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture' relating to the keeping of records."

DAVID L. LAWRENCE.

April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 450, Printers No. 489, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Secretary of Forests and Waters and the Governor to grant and convey a certain tract of land to the Borough of Ebensburg."

DAVID L. LAWRENCE.

April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 461, Printer's No. 500, entitled "An Act authorizing the conveyance of certain lands in Leidy Township Clinton County to the government of the United States."

DAVID L. LAWRENCE.

April 14, 1961.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 569, Printer's No. 614, entitled 'The Administrative Code of 1925 imposing certain duties on the Governor the Department of Forests and Waters and the Department of Property and Supplies with reference to annual appropriations."

DAVID L. LAWRENCE.

COMMUNICATION

The SPEAKER laid before the House a communication which was read as follows:

HOUSE OF REPRESENTATIVES
HARRISBURG, PA.

Honorable Hiram G. Andrews
House of Representatives
Harrisburg, Pennsylvania
Mr. Speaker:

Having noted my name, among others, in yesterday's Patriot-News, I take this means of asserting it is exactly 300 miles, by the shortest route from my residence in Middlecreek Township, Somerset County, to the Capitol Building in Harrisburg, and return.

Very truly yours,
W. John Stiteler

wjs:gm

BILL SIGNED BY SPEAKER

Joint Resolution numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 1.

A Joint Resolution proposing an amendment to article four section twenty-one of the Constitution of the Commonwealth of Pennsylvania changing the time at which the Secretary of Internal Affairs takes office.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL RE-REFERRED

Mr. McCANN from the Committee on Rules, returned with the recommendation that it be re-referred to the Committee on Motor Vehicles, House bill No. 521, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), imposing powers on the secretary relative to the examination of titles; making it illegal for an agent or a dealer to issue certain temporary plates; prohibiting certain uses of physical examination forms; * * * ; further providing for limitations of actions and providing penalties.

The SPEAKER. The bill is re-referred to the Committee on Motor Vehicles.

REPORTS FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

Mr. McCANN from the Committee on Rules, reported as committed, House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued.

BILLS ON FIRST READING

Agreeabily to order,

The House proceeded to the first reading and consideration of House bill No. 1262, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the purpose of the fund to include the insuring of employers against employer's liability and the issuance of additional medical coverage at the option of the board.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1263, entitled:

An Act amending the "State Workmen's Insurance Fund Law," approved June 2, 1915 (P. L. 762), extending the period for which insurance may be issued.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. McCANN from the Committee on Rules, reported as committed, Senate Concurrent Resolution Serial No. 104.

SENATE CONCURRENT RESOLUTION SERIAL No. 104

Mr. McCANN asked and obtained unanimous consent for the immediate consideration of Senate Resolution Serial No. 104.

The resolution was read by the clerk as follows:

In the Senate, January 23, 1961.

On January 20, 1961, former President Dwight D. Eisenhower returned to Pennsylvania from which his ancestors came prior to the migration which led them to Texas where he was born in 1890.

He gave all of his life to our country and brought honor to the Pennsylvania of his origins.

From a humble beginning, his boyhood, life and training led him in the direction of his country's service to the United States Military Academy at West Point from which he graduated in 1915.

He served the Armed Forces in the Canal Zone under General Fox Conner, in the Philippines with General Douglas MacArthur; was placed in command of the Allied Forces for the North African Invasion in 1942 and, on December 31, 1943, he was named Commanding General of the Allied Powers for the European Theater of Operations. Later he served as Chief of Staff of the United States Army and was placed in command of the NATO Forces in Europe.

A scholar and administrator, he served as President of Columbia University before ascending to the greatest height of our time, the Presidency of the United States.

As our Chief Executive and Commander in Chief of the Armed Forces, he kept the peace through eight long troublesome years.

After half a century of distinguished service to the nation and the world, it is mete and right that he should return to Gettysburg, there to dwell in his first permanent home with his good wife Mamie, overlooking the field of the great decisive battle which preserved the Union of these great United States.

Resolved (the House concurring), that it is with great pride and enthusiasm that the General Assembly of Pennsylvania welcomes Dwight D. Eisenhower and Mrs. Eisenhower to the soil of Pennsylvania.

Resolved, That a copy of this resolution be transmitted to the Eisenhowers at Gettysburg.

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the clerk inform the Senate accordingly.

STATEMENT BY MR. WORLEY

Mr. WORLEY submitted the following statement for the record:

I am sure the Sunday Patriot-News of yesterday was writing in good faith, but on the basis of inadequate information, when their editorial stated that a legislator's job is a part-time job. Mr. Speaker, I want to make it very clear that being a legislator is a full-time job, at least for some of us. Anyone can see me working at this Capitol five full days per week, with the exception of about two weeks before the primary and general elections. For 17 years I have worked five days a week here in Harrisburg whether this General Assembly was in session or not. In addition, my constituents come to our home to consult with me, thus taking up many evenings and a good part of Saturdays and Sundays. Incidentally, I wish to point out that even when the legislature is in session I receive mileage allowance for the 43 miles round trip only once during the week. Thus, for four days each week I pay the mileage myself. When the legislature is not in session, I pay all five days.

Mr. Speaker, I do not see how I can be called anything but a full-time legislator on the basis of the facts.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 320, entitled:

An Act amending the act of May 29, 1956 (P. L. 1804), entitled "An act providing for the establishment of police pension funds or pension annuities in certain boroughs towns and townships and the regulation and maintenance thereof * * * " changing the age at which a member of a police force may retire.

And said bill having been read at length the first time, Ordered, to be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded on the second reading and consideration of House bill No. 319, entitled:

An Act amending "The Second Class Township Code" approved May 1, 1933 (P. L. 103), providing for the election of two additional supervisors in certain townships.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 351, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * * " Further regulating leaves of absence for presidents and faculty members of State Colleges.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 352, entitled:

An Act amending the act of January 18, 1952 (P. L. 2111), entitled "An act to provide for minimum compensation and increments for administrators and members of the faculty of State Teachers Colleges * * * " increasing the minimum compensation and increments and changing conditions of payment.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 359, entitled:

An Act authorizing cities to authorize or provide for the destruction or killing of unowned pigeons by humane means.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 409, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further regulating compensation to aged employes.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 410, entitled:

An Act amending "The Borough Code" approved May 4, 1927 (P. L. 519), further providing for the employment of a certified public accountant.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 637, entitled:

An Act authorizing the Governor to provide for disaster relief under certain circumstances authorizing him to transfer certain funds to a special fund for that purpose and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 644, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58), exempting municipal authorities incorporated under the Municipality Authorities Act of 1945 from certificate of title and registration fees.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 948, entitled:

An Act amending "The Penal Code" approved June 24, 1939 (P. L. 872), prohibiting the purchase acceptance receipt or possession of starter pistols or similar pistols by minors and revising exemptions under this act.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 969, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90), authorizing issuance of temporary permits for the retail sale of liquor at trade shows and conventions in cities of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Liquor Control.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1010, entitled:

An Act amending the "Pennsylvania Public Lands Act" approved July 9, 1959 (P. L. 510), further providing for vacant or unappropriated unimproved land and eliminating the approval of the Water and Resources Board in certain cases.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1098, entitled:

An Act amending "The Insurance Department Act of one thousand nine hundred and twenty-one" approved May 17, 1921 (P. L. 789), extending the provisions requiring the licensing of agents to include domestic mutual fire insurance companies and prescribing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1099, entitled:

An Act amending "The Insurance Company Law of 1921" approved May 17, 1921 (P. L. 862), requiring domestic mutual fire insurance companies conducting certain kinds of insurance to license their agents.

And said bill having been read at length the second time and agreed to.

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1167, entitled:

An Act amending "The Military Code of 1949," approved May 27, 1949 (P. L. 1903), providing for promotions for certain retired major-generals.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1178, entitled:

An Act fixing the salaries and Compensation of members of certain boards and commissions and repealing inconsistent acts.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House bill No. 1252, entitled:

An Act amending the act of June 1, 1959 (P. L. 392), entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto," limiting superannuation retirement allowances of members of the General Assembly.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate bill No. 104, entitled:

An Act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," granting the power to the Secretary of Highways to establish speed limits.

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for third reading.

BILL PASSED OVER

There being no objection

Senate bill No. 313, printer's No. 330

was passed over at the request of the SPEAKER.

LEAVES OF ABSENCE

By unanimous consent leaves of absence were granted as follows:

Mr. Tompkins for Mr. STECKEL for the week because of illness.

Mr. Tompkins for Mr. PRICE for the week because of illness.

Mr. McCann for Mr. NEEDHAM because of illness.

Mr. McCann for Mr. MURRAY because of illness.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 870, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177), removing from the jurisdiction of the Department of Public Welfare jails prisons and penal institutions and inmates thereof.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—192

Adams,	Gailey,	Lawson,	Renwick,
Anderson, J. H.,	Gallagher,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gelfand,	Lee, K. B.,	Royer,
Arlene,	George,	Leonard,	Rubin,
Ashton,	Gibb,	Lippincott,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lutty,	Scarcelli,
Blair,	Goodrich,	Magee,	Schaaf,
Boles,	Gramlich,	Manbeck,	Seltzer,
Bonner,	Gray,	Markley,	Shelton,
Bossert,	Gremminger,	Marsh,	Sherman,
Bower,	Gross,	Maxwell,	Shupnik,
Bowman,	Guesman,	May,	Simmons,
Breth,	Guthrie,	McCandless,	Slack,
Buchanan,	Hamilton,	McCann,	Snare,
Bush,	Hankins,	McCormack,	Stank,
Capano,	Hartley,	McDevitt,	Stimmel,
Capitolo,	Haudenshield,	McDonald,	Stiteler,
Cauley,	Heavey,	McInroy,	Stone,
Cianfrani,	Heffner,	McKeever,	Strausser,
Cioffi,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Mihm,	Tompkins,

Davis,	Horst,	Miller,	Trusio,
Dengler,	Irvis,	Monroe,	Ujobai,
Dennison,	Isaacs,	Morley,	Varner,
Donaldson,	Jenkins,	Mullen,	Verona,
Dougherty,	Jim,	Munley,	Wall,
Doughten,	Johnson, A. W.,	Murphy,	Wargo,
Down,	Johnson, R. P.,	Musto,	Weidner,
Edwards,	Jones,	O'Dell,	Welsh,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Wescott,
Elvey,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Perry,	Williams, E. S.,
Fetterolf,	Kistler,	Petrosky,	Wilt,
Filo,	Klein,	Piper,	Wood,
Fineman,	Knecht,	Polaski,	Worley,
Flynn,	Kooker,	Polen,	Yetter,
Foor,	Kornick,	Prendergast,	Zember,
Fox,	Korns,	Pursley,	Zimmerman,
Frascella,	Kramer,	Reibman,	Andrews,
Fry,	Lamb,	Reidenbach,	Speaker
Fulmer,			

NAYS—0

NOT VOTING—14

Branca,	Limper,	Needham,	Schuster,
Clarke,	Mills,	O'Donnell, J. P.,	Steckel,
Foerster,	Murray,	Price,	Tomascik,
		Rovansek,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 871, entitled:

An Act amending the act of April 14, 1925 (P. L. 234), entitled "An act relating to Boarding Houses for Infants * * *" further defining terms * * * imposing powers and duties on the Department of Public Welfare * * * and making repeals.

On the question,

Will the House agree to the bill on third reading?

Mr. STONE asked unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the clerk for information.

Amend Sec. 2 (Sec. 1), page 3, line 13, by inserting brackets before and after "conducted by or"

Amend Sec. 2 (Sec. 1), page 3, line 15, by striking out "nor" and inserting or

Amend Sec. 2 (Sec. 1), page 3, lines 15 and 16, by inserting brackets before "duly" in line 15 and after "corporations" in line 16

Amend Sec. 2 (Sec. 1), page 3, line 16, by inserting brackets before and after "corporate"

Amend Sec. 2 (Sec. 1), page 3, line 17, by inserting after "and" which are

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as aemnded lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 873, entitled:

An Act amending "The Support Law," approved June 24, 1937 (P. L. 2045), qualifying the liability of property owners with respect to minor children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Adams,	Fulmer,	Lawson,	Renwick,
Angerson, J. H.,	Gailey,	Lee, A. M.,	Riley,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Rovansek,
Arlene,	Gelfand,	Leonard,	Royer,
Ashton,	George,	Limper,	Rubin,
Auker,	Gibb,	Lippincott,	Rudisill,
Bachman,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Backenstoe,	Goldstein, J. H.,	Long, Wm Jos.,	Sakulsky,
Blair,	Goldstein, M. H.,	Lutty,	Scarcelli,
Boles,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Bowman,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	May,	Simmons,
Buchanan,	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Heffner,	McKeever,	Strausser,
Clarke,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Henzel,	McNally,	Sullivan, T. F.,
Cooley,	Hocker,	Meholchick,	Taylor,
Crossin,	Holliday,	Merry,	Thompson,
Curwood,	Holman,	Mihm,	Tomascik,
Davis,	Horst,	Miller,	Tompkins,
Dengler,	Irvis,	Monroe,	Trusio,
Dennison,	Isaacs,	Morley,	Ujobai,
Donaldson,	Jenkins,	Mullen,	Varner,
Dougherty,	Jim,	Munley,	Verona,
Doughten,	Johnson, A. W.,	Murphy,	Wall,
Down,	Johnson, R. P.,	Musto,	Wargo,
Edwards,	Jones,	O'Dell,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Welsh,
Elvey,	Keiser,	Odorisio,	Wescott,
Eshback,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foor,	Kornick,	Prendergast,	Yetter,
Fox,	Korns,	Pursley,	Zember,
Frascella,	Kramer,	Reibman,	Zimmerman,
Fry,	Lamb,	Reidenbach,	Andrews,
			Speaker

NAYS—0

NOT VOTING—10

Branca,	Mills,	Needham,	Schuster,
Foerster,	Murray,	O'Donnell, J. P.,	Steckel,
		Price,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 874, entitled:

An Act amending "The Administrative Code" approved April 9, 1929 (P. L. 177), creating and redesignating boards of trustees of certain institutions in the Department of Public Welfare.

And said bill having been read at length the third time, considered and agreed to.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Gailey,	Lee, A. M.,	Riley,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibb,	Lippincott,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman,	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lutty,	Scarcelli,
Blair,	Goodrich,	Magee,	Schaaf,
Bonner,	Gramlich,	Manbeck,	Seltzer,
Bossert,	Gray,	Markley,	Shelton,
Bower,	Gremminger,	Marsh,	Sherman,
Bowman,	Gross,	Maxwell,	Shupnik,
Breth,	Guesman,	May,	Simmons,
Buchanan,	Guthrie,	McCandless,	Slack,
Bush,	Hamilton,	McCann,	Snare,
Capano,	Hankins,	McCormack,	Stank,
Capitolo,	Hartley,	McDevitt,	Stimmel,
Cauley,	Haudenshield,	McDonald,	Stiteler,
Cianfrani,	Heavey,	McInroy,	Stone,
Cioffi,	Heffner,	McKeever,	Strausser,
Clarke,	Helm,	McLaughlin,	Sullivan, J. A.,
Comer,	Hocker,	McNally,	Sullivan, T. F.,
Cooley,	Holliday,	Meholchick,	Taylor,
Crossin,	Holman,	Merry,	Thompson,
Curwood,	Horst,	Mihm,	Tomascik,
Davis,	Irvis,	Miller,	Trusio,
Dengler,	Isaacs,	Monroe,	Ujobai,
Dennison,	Jenkins,	Morley,	Varner,
Donaldson,	Jim,	Mullen,	Verona,
Dougherty,	Johnson, A. W.,	Munley,	Wall,
Doughten,	Johnson, R. P.,	Murphy,	Wargo,
Down,	Jones,	Musto,	Weidner,
Edwards,	Kamyk,	O'Dell,	Welsh,
Eilberg,	Keiser,	O'Donnell, J. A.,	Wescott,
Elvey,	Kelly,	Odorisio,	Whittaker,
Eshback,	Kernaghan,	Ogilvie,	Willard,
Eshleman,	Kessler,	Parlante,	Willaredt,
Ewing,	King,	Pashley,	Williams, A. D.,
Farabaugh,	Kistler,	Perry,	Williams, E. S.,
Fetterolf,	Klein,	Petrosky,	Wilt,
Filo,	Knecht,	Piper,	Wood,
Fineman,	Kooker,	Polaski,	Worley,
Flynn,	Kornick,	Polen,	Yetter,
Foor,	Korns,	Prendergast,	Zember,
Fox,	Kramer,	Pursley,	Zimmerman,
Frascella,	Lamb,	Reibman,	Andrews,
Fry,	Lawson,	Renwick,	Speaker

NAYS—0

NOT VOTING—15

Boles,	Henzel,	O'Donnell, J. P.,	Steckel,
Branca,	Mills,	Price,	Tompkins,
Foerster,	Murray,	Reidenbach,	Walsh,
Fulmer,	Needham,	Schuster,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 875, entitled:

An Act amending "The Mental Health Act of 1951" approved June 12, 1951 (P. L. 533), changing the name of Laurelton State Village and the Pennhurst and Polk State Schools.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Gailey,	Lee, A. M.,	Royer,
Anderson, J. H.,	Gallagher,	Lee, K. B.,	Rubin,
Anderson, S. A.,	Gelfand,	Leonard,	Rudisill,
Arlene,	George,	Limper,	Rutherford,
Ashton,	Gibb,	Lippincott,	Sakulsky,
Auker,	Gibbons,	Long, Wm. Jos.,	Scarcelli,
Bachman,	Goldstein, J. H.,	Lutty,	Schaaf,
Backenstoe,	Goldstein, M. H.,	Magee,	Schuster,
Blair,	Goodrich,	Manbeck,	Seltzer,
Bonner,	Gramlich,	Markley,	Shelton,
Bossert,	Gray,	Marsh,	Sherman,
Bower,	Gremminger,	Maxwell,	Shupnik,
Bowman,	Gross,	May,	Simmons,
Breth,	Guesman,	McCandless,	Slack,
Buchanan,	Guthrie,	McCann,	Snare,
Bush,	Hamilton,	McCormack,	Stank,
Capano,	Hankins,	McDevitt,	Stimmel,
Capitolo,	Hartley,	McDonald,	Stiteler,
Cauley,	Haudenshield,	McInroy,	Stone,
Cianfrani,	Heavey,	McKeever,	Strausser,
Cioffi,	Heffner,	McLaughlin,	Sullivan, J. A.,
Clarke,	Helm,	McNally,	Sullivan, T. F.,
Comer,	Henzel,	Meholchick,	Taylor,
Cooley,	Hocker,	Mihm,	Thompson,
Crossin,	Holliday,	Miller,	Tomascik,
Curwood,	Holman,	Monroe,	Tompkins,
Davis,	Horst,	Morley,	Trusio,
Dengler,	Irvis,	Mullen,	Ujobai,
Dennison,	Isaacs,	Munley,	Varner,
Donaldson,	Jenkins,	Murphy,	Verona,
Dougherty,	Jim,	Musto,	Wall,
Doughten,	Johnson, A. W.,	O'Dell,	Wargo,
Down,	Johnson, R. P.,	O'Donnell, J. A.,	Weidner,
Edwards,	Jones,	Odorisio,	Welsh,
Eilberg,	Kamyk,	Ogilive,	Wescott,
Elvey,	Keiser,	Parlante,	Whittaker,
Eshback,	Kelly,	Pashley,	Willard,
Eshleman,	Kernaghan,	Perry,	Willaredt,
Ewing,	Kessler,	Petrosky,	Williams, A. D.,
Farabaugh,	King,	Piper,	Williams, E. S.,
Fetterolf,	Kistler,	Polaski,	Wilt,
Filo,	Klein,	Polen,	Wood,
Fineman,	Knecht,	Prendergast,	Worley,
Flynn,	Kooker,	Pursley,	Yetter,
Foor,	Kornick,	Reibman,	Zember,
Fox,	Korns,	Reidenbach,	Zimmerman,
Frascella,	Kramer,	Renwick,	Andrews,
Fry,	Lamb,	Riley,	Speaker
Fulmer,	Lawson,	Rovansek,	

NAYS—0

NOT VOTING—12

Boles,	Long, Wm. Jas.,	Murray,	Price,
Branca,	Merry,	Needham,	Steckel,
Foerster,	Mills,	O'Donnell, J. P.,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 876, entitled:

An Act amending "The Administrative Code of 1929" approved April 9, 1929 (P. L. 177), limiting the Department of Public Welfare power in purchasing services.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Adams,	Fulmer,	Kramer,	Riley,
Anderson, J. H.,	Galley,	Lamb,	Rovansek,
Anderson, S. A.,	Gallagher,	Lawson,	Royer,
Arlene,	Gelfand,	Lee, A. M.,	Rudisill,
Ashton,	George,	Lee, K. B.,	Rutherford,
Bachman,	Gibb,	Leonard,	Sakulsky,
Backenstoe,	Gibbons,	Limper,	Scarcelli,
Blair,	Goldstein, J. H.,	Lippincott,	Schaaf,
Boies,	Goldstein, M. H.,	Long, Wm. Jas.,	Schuster,
Bonner,	Goodrich,	Long, Wm. Jos.,	Seltzer,
Bossert,	Gramlich,	Lutty,	Shelton,
Bower,	Gray,	Magee,	Sherman,
Bowman,	Gremminger,	Manbeck,	Shupnik,
Breth,	Gross,	Markley,	Simmons,
Buchanan,	Guesman,	Marsh,	Slack,
Bush,	Guthrie,	Maxwell,	Snare,
Capano,	Hamilton,	May,	Stank,
Capitolo,	Hankins,	McCandless,	Stimmel,
Caulcy,	Hartley,	McCann,	Stiteler,
Cianfrani,	Haudenshield,	McCormack,	Stone,
Cioffi,	Heavey,	McDevitt,	Strausser,
Clarke,	Heffner,	McDonald,	Sullivan, J. A.,
Comer,	Helm,	McInroy,	Sullivan, T. F.,
Cooley,	Henzel,	McKeever,	Taylor,
Crossin,	Hocker,	McLaughlin,	Thompson,
Curwood,	Holliday,	McNally,	Tompkins,
Davis,	Holman,	Meholchick,	Trusio,
Dengler,	Horst,	Merry,	Ujobai,
Dennison,	Irvis,	Mihm,	Varner,
Donaldson,	Isaacs,	Miller,	Verona,
Dougherty,	Jenkins,	Monroe,	Wall,
Doughten,	Jim,	Morley,	Wargo,
Down,	Johnson, A. W.,	Murphy,	Weidner,
Edwards,	Johnson, R. P.,	Musto,	Welsh,
Ellberg,	Jones,	O'Dell,	Wescott,
Elvey,	Kamyk,	O'Donnell, J. A.,	Whittaker,
Eshback,	Keiser,	Ogilive,	Willard,
Eshleman,	Kelly,	Odorisio,	Willaredt,
Ewing,	Kernaghan,	Parlante,	Williams, A. D.,
Farabaugh,	Kessler,	Pashley,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Yetter,
Foor,	Kooker,	Reibman,	Zember,
Fox,	Kornick,	Reidenbach,	Zimmerman,
Frascella,	Korns,	Renwick,	Andrews, Speaker
Fry,			

NAYS—1

Auker,

NOT VOTING—16

Branca,	Munley,	Perry,	Rubin,
Foerster,	Murray,	Prendergast,	Steckel,
Mills,	Needham,	Price,	Tomascik,
Mullen,	O'Donnell, J. P.,	Pursley,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE ON HOUSE BILL No. 430

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I move that the vote by which House Bill No. 430, Printer's No. 1302, entitled:

"An Act declaring the policy of the Commonwealth with regard to discriminatory practices in educational institutions based upon race, religion, color, ancestry or national origin, prohibiting such discriminatory practices; providing for procedure and enforcement; providing for judicial review; providing for administration by the Pennsylvania Human Relations Commission in the Department of Labor and Industry and defining its functions, powers and duties hereunder."

was defeated on final passage Wednesday, April 5, 1961, be reconsidered.

Mr. HOLMAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Bucks, Mr. Williams vote on the final passage of this bill?

Mr. A. D. WILLIAMS, Jr. Mr. Speaker, I voted with the prevailing side.

The SPEAKER. How did the gentleman from Perry, Mr. Holman vote on the final passage of this bill?

Mr. HOLMAN. Mr. Speaker, I voted with the prevailing side.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TOMPKINS. Mr. Speaker, I desire to interrogate the gentleman from Bucks, Mr. Williams.

Mr. A. D. WILLIAMS, Jr. I will be happy to be interrogated, Mr. Speaker.

Mr. TOMPKINS. Is there any reason why the bill being revised cannot be put on the postponed calendar in order to consider some amendments tomorrow when we have more time?

Mr. A. D. WILLIAMS, Jr. Honestly, if you remember that was the reason we held it up until this time. I think we should roll the bill today.

Mr. TOMPKINS. I am only thinking of the time element here. The order of the day is 6 o'clock adjournment, but we can do the same thing tomorrow when we have more time on our hands. That is the only thing. But I will abide by the wishes of the gentleman.

RECONSIDERATION OF VOTE

Mr. TOMPKINS. Mr. Speaker, I move that the vote by which House bill 430, printer's No. 1302, passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. TOMPKINS asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 4, page 5, by inserting between lines 15 and 16:

(d) Nothing in this section shall prohibit any educational institution from accepting and administering any intervives or testamentary gift upon such terms and conditions as may be prescribed by the donor.

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Cameron, Mr. Tompkins.

Mr. TOMPKINS. Mr. Speaker, I am not going to debate the amendments at length, but merely mention the provisions of the amendments because we have previously gone over this whole subject, I think, quite thoroughly in the debate on the bill when it was up the last time.

These amendments merely provide that nothing in this section shall prohibit any educational institution from

accepting and administering any inter vivos or testamentary gifts upon such terms and conditions as may be prescribed by the donors.

In effect, it means that if a donor leaves a gift to an institution, similar to what was reported on Amherst College just last week, where the courts turned down the gift and declared it invalid because the restrictions as to its use were to the benefit of a restricted class of people and not generally for all classes who want to attend Amherst College, if a person wants to make a gift either during his lifetime or by a will and put certain restrictions on the thing, the educational institution will have to administer the gift according to the terms of the gift.

We ask you to support this amendment.

Mr. FINEMAN. I rise to oppose these amendments, Mr. Speaker.

First of all, I would like to correct—

Mr. LIPPINCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state it.

Mr. LIPPINCOTT. Mr. Speaker, I find it very difficult to follow this argument without having a copy of the bill on my desk. I think this bill should be put on the postponed calendar or, at least, members should be furnished with copies of it.

The SPEAKER. The gentleman well knows the only bills that are on the member's desks are the bills on the day's calendar, and he also knows that a request to a page to get a particular bill with a particular printer's number will result in the gentleman having the bill on his desk.

Mr. LIPPINCOTT. I understand that, Mr. Speaker, but it seems to me that this bill is of such importance that every member should have a copy of the bill on his desk. I do not think there is any reason for haste. I think we can pass this bill tomorrow just as well as today.

The SPEAKER. The Chair would rule that that is not a point of order. That is a complaint which can be remedied by a motion to postpone temporarily.

The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, the gentleman from Cameron made mention of the Amherst College case in which the New Jersey Supreme Court had ruled that a $200,000 scholarship loan bequest could not be restricted to a particular religion.

I want to bring to his attention that the reason the Supreme Court of New Jersey so ruled in that particular case was because of the fact that the charter of the school itself specifically said that it could not accept any such grant under those conditions. It was the school which took the position that it would not accept this bequest because the charter said we cannot restrict the type of students that will come into this college. It was for that reason, and not the reason that you seek to advance at this time, that the bequest was turned down.

Now, the point that I want to make most emphatically to the members of this House, and the reason I stand here today to oppose these amendments and to oppose all amendments that are going to be made to this bill, is this: The Democratic Party, if it can help it, is not going to be called upon to vote for a bill that makes only a pretext of barring discrimination in education. It is not going to have before it a bill for a vote that is only a sham. We either are going to have a law that says there shall be no discrimination, or we shall tolerate discrimination, and that is the choice that you are going to be called upon to make. We cannot accept discrimination in degrees, or in shades, or on a piecemeal basis. We want discrimination outlawed entirely and completely because it is in contravention of existing laws, it is in contravention of every moral and religious tenet that I know of.

Only last week the very charming lady from Lehigh, Mrs. Markley, took the microphone in this House and very eloquently spoke about the Bureau of Motor Vehicles. During the course of her remarks she said words to the effect that we should not tolerate discrimination among our motorists and we should not make certain motorists second-class citizens.

Now, should the plea of those students who desire to enter our institutions of higher learning and who are turned away fall upon less sympathetic ears than the plea by Mrs. Markley on behalf of motorists? I think not.

Last week you will recall that our gallery was full of children from the eighth grade. Is it reasonable to believe for a moment that it is proper that any one of those children should some day be denied the right to pursue a higher education because by accident of birth they happen to be of a religion that is in the minority or a color that is in the minority? There is a very trite but appropriate expression that goes, "There but for the grace of God, go I."

I want to make one more point, and I hope that members of the press will give proper coverage to this point, because when I read the newspaper articles after our debate last week, it was the adamant refusal of the entire Republican delegation, except for two people, and it was your adamant refusal to pass this bill that caused its defeat. Yet you might think, after having read the article, that the defeat was caused by the Democratic Party. And I was not quite sure that the articles described the same occurrence in which I participated.

But I want to repeat this, and I hope the press repeats it in the newspapers, you people have made a pledge, you have made a platform, and there are men sitting in this House today on your side who helped phrase that platform, who helped put together the language and the principles that are in that platform. Do you mean to say that you are going to make a platform that says one thing and you are going to come in this House and do the complete reverse of what you promised the people you would do?

If you expect the people to have any confidence in your integrity, in what you stand for, then you better follow through on your commitments.

I repeat that the Democratic Party, which has also made this pledge, today is going to redeem that pledge; at least, it is going to make an effort to redeem that pledge; and I hope you do likewise.

It is for these reasons that I ask the members on both sides of the aisle to turn down these amendments.

Mr. McCORMACK. Mr. Speaker, I would like to interrogate the sponsor of these amendments.

The SPEAKER. Will the gentleman from Cameron, Mr. Tompkins, permit himself to be interrogated?

Mr. TOMPKINS. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia will proceed.

Mr. McCORMACK. Mr. Speaker, is it the purpose of this amendment to specifically exempt Girard College?

Mr. TOMPKINS. No, these amendments will protect any man who wants to make a gift to an institution of higher learning to see that the funds and the purpose for his bequest or his gift is carried out.

Mr. McCORMACK. Well, it no doubt would include Girard College, but it is not limited to them by any means. So, Girard College would be included within the provisions of the bill as it now is written.

Mr. TOMPKINS. As I understand it, Girard College is not a post-secondary school and therefore it would not be included under the provisions of this bill, but there is nothing that says that the bill could not also draw them into it.

Mr. McCORMACK. Well, is it that you are not sure, sir, that Girard College is included?

Mr. TOMPKINS. My understanding of the bill is that it applies only to post-secondary schools, and Girard College is not a post-secondary school. Therefore the provisions of the bill, in any event, would not apply to Girard College with or without these amendments.

Mr. McCORMACK. The amendments would not affect that, is that correct?

Mr. TOMPKINS. That is my understanding.

Mr. McCORMACK. One further question. With respect to the United States Constitution, does a person have a right to make a provision in his will that discriminates on the basis of color?

Mr. TOMPKINS. I have always understood that a man has the right to do anything with his property that he wants to.

I hope we have not come to the point where they can tell a man what to do with his property other than what they take away from him in taxes.

Mr. McCORMACK. I am sure you are not serious in meaning what you just said, that a person has the right to do anything with his property by will.

Mr. TOMPKINS. Yes, I am serious.

Mr. McCORMACK. Anything that is legal.

Mr. TOMPKINS. Well, of course, you are trying to get into the question of putting out a lot of money for corruption, and so forth—no, I do not believe in that.

If a man wants to give money for the benefit of higher education to a certain group he certainly ought to be allowed to.

Mr. McCORMACK. But there is nothing in the decisions construing the Constitution as now prohibiting a person from discriminating in his will on the basis of color, is that what you said?

Mr. TOMPKINS. That is my understanding. Even the United States Supreme Court in the Girard College case so held, within the last couple of years.

Mr. McCORMACK. I would like to interrogate the gentleman from Philadelphia, Mr. Fineman, and ask him that same question, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McCormack, will proceed.

Mr. McCORMACK. Is that the gentleman's understanding of the decisions construing the Constitution?

Mr. FINEMAN. I think that the gentleman well knows that the right to transfer property, the right to bequeath, or to divide property, is in fact not a right at all. It is a privilege. It is a statutorily created privilege that the State gives to any testator. Since it is a privilege, it can therefore be enshrouded in reasonable restrictions which will prevent a bequest or devise that works contrary to public policy. For instance, a man could not bequeath a certain sum of money to his child, conditioned upon his child never getting married, because that is contrary to public policy. Therefore, the courts would not tolerate any such provision and would strike it down.

Now, when we enacted Senate bill 53, which is our Fair Housing Bill, we adopted a public policy in this State and said "public accommodation." It cleared institutions of higher learning, the same institutions that are referred to in House bill 430, and there cannot be any discrimination in public accommodations. Therefore, if the matter were to come before the court today I would have to say that the court would strike down such a provision. However—and this is the important point—there is nothing in this bill that says that a man cannot leave money that will give preference to a religious sect, to a particular group, to any named group of individuals. All we are saying is that a man cannot leave money if under the condition it says, no Negro, no Italian, no Jew, or any other minority person can come into this clause. But he can give preference.

Mr. McCORMACK. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Cameron.

Mr. TOMPKINS. Mr. Speaker, what the gentleman from Philadelphia has said is exactly what these amendments provide for, that they be administered according to the terms of the donor's will, according to the terms of the gift. I disagree very heartily with his philosophy regarding the inability of a man to dispose of his own property as he may see fit.

Mr. FINEMAN. Mr. Speaker, if these amendments were enacted into law, a testator today would have a perfect right, if this bill were to pass, to leave money creating a school, but the school could get the money only upon the condition that no Negro would come into the portals of this school. If that is what you want, vote for these amendments. That is not what we want on this side of the House.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. TOMPKINS and DONALDSON and were as follows:

YEAS—91

Adams,	Foor,	Kernaghan,	Royer,
Anderson, J. H.,	Fox,	Kessler,	Rutherford,
Ashton,	Fulmer,	King,	Seltzer,
Auker,	George,	Kistler,	Simmons,
Backenstoe,	Gibb,	Kooker,	Slack,
Blair,	Gibbons,	Korns,	Snare,
Bossert,	Goldstein, J. H.,	Lee, A. M.,	Stimmel,
Bower,	Goodrich,	Lee, K. B.,	Strausser,
Bowman,	Gramlich,	Lippincott,	Thompson,
Buchanan,	Gross,	Magee,	Tompkins,
Bush,	Guthrie,	Manbeck,	Ujobai,
Davis,	Haudenshield,	Markley,	Varner,
Dengler,	Heffner,	Marsh,	Wall,
Dennison,	Helm,	May,	Weidner,

Donaldson,	Henzel,	McCandless,	Wescott,
Down,	Hocker,	McInroy,	Whittaker,
Edwards,	Holliday,	Merry,	Willard,
Elvey,	Holman,	Miller,	Willaredt,
Eshback,	Horst,	O'Dell,	Williams, E. S.,
Eshleman,	Isaacs,	Odorisio,	Wilt,
Ewing,	Johnson, A. W.,	Ogilive,	Wood,
Fetterolf,	Johnson, R. P.,	Piper,	Zember,
	Keiser,	Pursley,	Zimmerman,

NAYS—105

Anderson, S. A.,	Gallagher,	Maxwell,	Riley,
Arlene,	Gelfand,	McCann,	Rovansek,
Bachman,	Goldstein, M. H.,	McCormack,	Rubin,
Boies,	Gray,	McDevitt,	Rudisill,
Bonner,	Gremminger,	McDonald,	Sakulsky,
Breth,	Guesman,	McKeever,	Scarcelli,
Capano,	Hamilton,	McLaughlin,	Schaaf,
Capitolo,	Hankins,	McNally,	Schuster,
Cauley,	Hartley,	Meholchick,	Shelton,
Cianfrani,	Heavey,	Mihm,	Sherman,
Cioffi,	Irvis,	Monroe,	Shupnik,
Clarke,	Jenkins,	Morley,	Stank,
Comer,	Jim,	Mullen,	Stiteler,
Cooley,	Jones,	Munley,	Stone,
Crossin,	Kamyk,	Murphy,	Sullivan, J. A.,
Curwood,	Kelly,	Musto,	Sullivan, T. F.,
Dougherty,	Klein.	O'Donnell, J. A.,	Taylor,
Doughten,	Kornick,	Parlante,	Tomascik,
Ellberg,	Kramer,	Pashley,	Trusio,
Farabaugh,	Lamb,	Perry,	Verona,
Filo,	Lawson,	Petrosky,	Wargo,
Fineman,	Leonard,	Polaski,	Welsh,
Flynn,	Limper,	Polen,	Williams, A. D.,
Frascella,	Long, Wm. Jas.,	Prendergast,	Worley,
Fry,	Long, Wm. Jos.,	Reibman,	Yetter,
Gailey,	Lutty,	Reidenbach,	Andrews,
		Renwick,	Speaker

NOT VOTING—10

Branca,	Knecht,	Murray,	Price,
Foerster,	Mills,	Needham,	Steckel,
		O'Donnell, J. P.,	Walsh,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. DONALDSON asked unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk for information.

Amend Sec. 3, page 3, line 13, by striking out "primarily"

The SPEAKER. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson. For what purpose does the gentleman rise?

Mr. DONALDSON. For the purpose of speaking on the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman for that purpose.

Mr. DONALDSON. Mr. Speaker, this is a very simple amendment. It simply takes out the word "primarily" on page 3, line 13, of the bill. The purpose of the amendment is to clarify the exemption from the provisions of the bill for certain universities and colleges that have a religious or denominational connection. This was impressed while I was in church on Sunday when in the Presbyterian Church they requested particular support to six particular colleges in Pennsylvania which have a definite Presbyterian background. These types of institutions, I believe, should be exempt from the provisions of the bill insofar as they might wish to admit a certain number or percentage or quota of their own denominational people for the reason that these colleges and universities receive substantial support from the local churches that make up that particular denomination. In connection with these amendments, Mr. Speaker, I would request permission to interrogate the gentleman from Philadelphia, Mr. Fineman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Fineman, permit himself to be interrogated?

Mr. FINEMAN. I shall, Mr. Speaker.

Mr. DONALDSON. Mr. Speaker, when we considered this bill about two weeks ago, I asked the gentleman this question and I will ask it of him again: If Allegheny College with its long Methodist tradition would decide that it would set a quota for its entering class, and that it would admit 10 percent—

Mr. FINEMAN. I am sorry, set a quota for what?

Mr. DONALDSON. For its entering class, for its new freshman class—if it would decide that 10 percent of its entering class would be Methodist, would that be a violation of this bill?

Mr. FINEMAN. It would not.

Mr. DONALDSON. Then I would ask the gentleman if Allegheny College would set a quota of 50 percent Methodist, would that be a violation of this bill?

Mr. FINEMAN. It would not.

Mr. DONALDSON. Now I would ask the gentleman if Allegheny College would set a quota of 100 percent, would that be a violation?

Mr. FINEMAN. It would.

Mr. DONALDSON. Will the gentleman tell me, without making a speech, what percentage he arrives at between 50 and 100 percent that does not constitute a violation?

Mr. FINEMAN. This bill does not concern itself with percentages. It may be just a single student involved. This bill concerns itself with exclusion. I do not care if a school has 99.99 percent of the faith of a particular religion, or of a particular sect, or a particular color, as long as they do not close their doors to someone who is not of that faith and comes to the school in order to have the opportunity to pursue a higher education.

Mr. DONALDSON. If Allegheny College decided that 99.9 percent of its freshman class must be Methodist, would that be a violation of the bill?

Mr. FINEMAN. Why, you are stretching it to the ridiculous, Mr. Donaldson. I will answer your question.

There is nothing in the bill that says that a school cannot prefer students of one particular religious sect over another. The bill states that no institution shall turn away any student, however, because he does not happen to be of that particular sect, or race, or color.

Mr. DONALDSON. Well, I will ask the gentleman this: If Allegheny College decided that 10 or 50 or 90 percent of its entering freshman class should be of the caucasian race, would that be a violation of this bill?

Mr. FINEMAN. I think not.

Mr. DONALDSON. Well then, the gentleman thinks that if they got to 100 percent they would be in violation, but anything less than that would not be, is that it?

Mr. FINEMAN. That is right. At that point, that marks the delineation between exclusion and preference.

Mr. DONALDSON. I thank the gentleman.

Mr. FINEMAN. You are welcome.

Mr. DONALDSON. Members of the House, I recognize the gentleman is a learned attorney. I have ofttimes heard the term "Philadelphia lawyer" used, sometimes with some humor, and if there is a difference between 99.99 percent and 100 percent, I think you would have to be a Philadelphia lawyer to understand the difference.

The fact of the matter is, Mr. Speaker, that certain denominational institutions are exempted from the operation of this bill because of their organic character, and other denominational institutions that have paid equal attention to the denomination from which they are derived are within the purview of this bill. For that reason I think this amendment should be adopted to clarify the bill and to exempt all these institutions which are denominational in character, which have a right to be and which I think every member of the House agrees they have a right to be. I would ask for a roll call on the amendment.

Mr. FINEMAN. Mr. Speaker, it is my considered judgment that the gentleman from Allegheny does Allegheny College and any other school that has some religious traditions a great injustice to stand here on the floor of the House and tell these members that we want this amendment because we want to give the school the right to discriminate in any extent. That is a serious reflection on those schools. Why, these schools would be the last, the very last, to tolerate any sort of discrimination.

As long as we are in this area of religion, just let me say this, and I am no theologian and I am no student of the Bible, but I know there is a basic tenet that runs through all religions which has to do with fraternity or equality or brotherhood of man, and if you would stand there and tell these members that you are trying to enact into law something that is contrary to what these people believe, contrary to the brotherhood of man, then you are doing them a disservice, and I ask the members, in the interest of Allegheny college and the other schools similarly situated, as well as in the interest of justice, plain, simple, basic decent, honest justice, to vote down these amendments.

Mr. DONALDSON. Mr. Speaker, I thank the gentleman for his great interest in Allegheny College and assure him of my own continued interest in that estimable institution.

The fact of the matter is, Mr. Speaker, there is absolutely nothing wrong with Allegheny College or any Presbyterian college, or any other denominational college having a certain number of its entering class of that denomination because it receives substantial support and revenues from that church or denominational group; there is nothing wrong with that. And the further fact of the matter is, and I think the gentleman knows it, that practice could and I say would be interpreted by the people who are going to administer this bill as a violation of this bill, and they have no business interfering in the affairs of that university or college. I again ask for a roll call on the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. DONALDSON and TOMPKINS and were as follows:

YEAS—95

Adams,	Fox,	King,	Seltzer,
Anderson, J. H.,	Fulmer,	Kistler,	Simmons,
Ashton,	George,	Knecht,	Slack,
Auker,	Gibb,	Kooker,	Snare,
Backenstoe,	Gibbons,	Korns,	Stimmel,
Blair,	Goldstein, J. H.,	Lee, A. M.,	Stiteler,
Bossert,	Goldstein, M. H.,	Lee, K. B.,	Strausser,
Bower,	Gramlich,	Lippincott,	Thompson,
Bowman,	Gross,	Magee,	Tompkins,
Buchanan,	Guthrie,	Manbeck,	Ujobai,
Bush,	Haudenshield,	Markley,	Varner,
Davis,	Heffner,	Marsh,	Wall,
Dengler,	Helm,	May,	Weidner,
Dennison,	Henzel,	McCandless,	Wescott,
Donaldson,	Hocker,	McInroy,	Whittaker,
Down,	Holliday,	Merry,	Willard,
Edwards,	Holman,	Miller,	Willaredt,
Elvey,	Horst,	O'Dell,	Williams, A. D.,
Eshback,	Isaacs,	Odorisio,	Williams, E. S.,
Eshleman,	Johnson, A. W.,	Ogilive,	Wilt,
Ewing,	Johnson, R. P.,	Piper,	Wood,
Fetterolf,	Keiser,	Pursley,	Worley,
Foor,	Kernaghan,	Royer,	Zember,
	Kessler,	Rutherford,	Zimmerman,

NAYS—102

Anderson, S. A.,	Gailey,	Maxwell,	Reidenbach,
Arlene,	Gallagher,	McCann,	Renwick,
Bachman,	Gelfand,	McCormack,	Riley,
Boies,	Gray,	McDevitt,	Rovansek,
Bonner,	Gremminger,	McDonald,	Rubin,
Breth,	Guesman,	McKeever,	Rudisill,
Capano,	Hamilton,	McLaughlin,	Sakulsky,
Capitolo,	Hankins,	McNally,	Scarcelli,
Cauley,	Hartley,	Meholchick,	Schaaf,
Cianfrani,	Heavey,	Mihm,	Schuster,
Cioffi,	Irvis,	Mills,	Shelton,
Clarke,	Jenkins,	Monroe,	Sherman,
Comer,	Jim,	Morley,	Shupnik,
Cooley,	Jones,	Mullen,	Stank,
Crossin,	Kamyk,	Munley,	Stone,
Curwood,	Kelly,	Murphy,	Sullivan, J. A.,
Dougherty,	Klein,	Musto,	Sullivan, T. F.,
Doughten,	Kornick,	O'Donnell, J. A.,	Taylor,
Eilberg,	Kramer,	Parlante,	Tomascik,
Farabaugh,	Lamb,	Pashley,	Trusio,
Filo,	Lawson,	Perry,	Verona,
Fineman,	Leonard,	Petrosky,	Wargo,
Flynn,	Limper,	Polaski,	Welsh,
Frascella,	Long, Wm. Jas.,	Polen,	Yetter,
Fry,	Long, Wm. Jos.,	Prendergast,	Andrews,
	Lutty,	Reibman,	Speaker

NOT VOTING—9

Branca,	Goodrich,	Needham,	Price,
Foerster,	Murray,	O'Donnell, J. P.,	Steckel,
			Walsh,

So the question was determined in the negative and the amendments were not agreed to.

The SPEAKER. The Chair desires to refer some bills and requests the gentleman from Armstrong to preside.

Mr. HELM IN THE CHAIR

On the question recurring,

Will the House agree to the bill on third reading?

Mr. GROSS asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 2, page 2, lines 10 to 15, by striking out all of said lines.

Amend Sec. 2, page 2, line 16, by striking out "(d)" and inserting (c)

Amend Sec. 3, page 3, lines 8 to 15, by striking out "EXCEPT AND RELIGIOUS OR DENOMI-" in line 8 and all of lines 9 to 15

Amend Sec. 3, page 3, line 16, by striking out "(3)" and inserting (2)

Amend Sec. 3, page 3, line 17, by striking out "(4)"

and inserting (3)

Amend Sec. 3, page 3, line 19, by striking out "(5)" and inserting (4)

Amend Sec. 3, page 4, line 1, by striking out "(16)" and inserting (5)

Amend Sec. 4, page 5, lines 12 to 15, by striking out all of said lines.

Amend Sec. 6, page 6, line 7, by striking out "except religious or denominational institutions"

Amend Sec. 6, page 6, lines 11 and 12, by striking out "except religious or denominational institutions"

Amend Sec. 6, page 6, lines 17 and 18, by striking out "except religious or denominational institutions"

Amend Sec. 6, page 7, lines 4 and 5, by striking out "except religious or denominational institutions"

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman from York, Mr. Gross, for the purpose of explaining the amendments.

Mr. GROSS. Mr. Speaker, these amendments are very simple. They are to open a better bill, an education bill. These amendments make it a fair education bill and they include all institutions.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Fineman.

Mr. FINEMAN. Mr. Speaker, these amendments were just handed to me for the first time, but I am not going to ask for any delay on this thing while I read the amendments. We are going to vote this bill today. Now, these amendments, as I gather from my hurried reading of them, seek to strike out religious institutions. Now, religious institutions under the terms of this bill are accepted. And they are accepted for the principle that is set forth on page 2 of the bill, a principle that is set forth in one sentence and I would like to read that one sentence. "It is recognized that there is a fundamental American right for members of various religious faiths to establish and maintain educational institutions exclusively or primarily for students of their own religious faith." I am not going to seek to destroy that principle. And I do not ask any member of this House to seek to destroy it, so for this reason I ask that these amendments be voted down.

The SPEAKER pro tempore. Does the gentleman from Philadelphia, Mr. McCormack, desire to be recognized?

Mr. McCORMACK. Mr. Speaker, I would like to briefly speak on these amendments.

The SPEAKER pro tempore. The gentleman is in order. The gentleman will proceed.

Mr. McCORMACK. Mr. Speaker, although it is true that the sponsors of these amendments said they are very simple ones, nevertheless, they raise a very important and serious question in my mind as to whether or not we are doing the right thing. Now, I have sat here and voted against the amendment by the gentleman from Allegheny, Mr. Donaldson, that struck out the word, "primarily." And I think the primary reason why I voted against that amendment was that you could frustrate the will of the legislature and the very intent behind this legislation by striking out that word. But I say the very important distinction between that amendment and this is that religious institutions are created primarily for the purpose of giving a person a full and a whole education, not alone with the education that we get under the public school system or any other type of private school system. We have a religious school that teaches you the moral law and that is the prime purpose why we have religious schools, to inculcate religious training in the individual student.

Now, I am taking for example a Catholic institution that is controlled by the Catholic Church, that has religious boards of trustees. There is no question but that they fit into the definition, to the exclusion definition in the original bill, and rightly so. I say that they have a right to discriminate, they have a right to permit a student of that particular faith to go to that school over and above a student of another faith. And I say that that is legal discrimination, it is lawful discrimination, and under the Constitution their rights to have that type of a school are protected. Specifically, the case going back to 1925, Pierce versus the Society of Sisters, held that they had a right to have private religious schools. So if this amendment were to be adopted, you would be saying, although this school is primarily established and established exclusively for the purpose of giving, in addition to a secular education, a student the education concerning the laws of the Church and religious education, it just does not make sense. And I therefore say there is a basis for discrimination here that is lawful and legal and entirely moral. And therefore I ask you to vote down this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny, Mr. Donaldson.

Mr. DONALDSON. I agree about one hundred and fifty percent with the statement made by the gentleman from Philadelphia, Mr. McCormack. The only purpose of the prior amendment was to grant that same privilege to those other schools which have denominational characteristics. I thank the House.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GROSS and TOMPKINS and were as follows:

YEAS—89

Adams,	Fulmer,	Knecht,	Seltzer,
Anderson, J. H.,	George,	Kooker,	Simmons,
Ashton,	Gibb,	Korns,	Slack,
Backenstoe,	Goldstein, J. H.,	Lee, K. B.,	Snare,
Blair,	Goodrich,	Lippincott,	Stimmel,
Bossert,	Gramlich,	Magee,	Stiteler,
Bower,	Gross,	Manbeck,	Strausser,
Bowman,	Guthrie,	Markley,	Thompson,
Buchanan,	Haudenshield,	Marsh,	Tompkins,
Bush,	Helm,	May,	Ujobai,
Davis,	Henzel,	McCandless,	Varner,
Dengler,	Hocker,	McInroy,	Wall,
Dennison,	Holliday,	McNally,	Weidner,
Donaldson,	Holman,	Merry,	Whittaker,
Down,	Horst,	Miller,	Willard,
Edwards,	Isaacs,	O'Dell,	Willaredt,
Elvey,	Johnson, A. W.,	Odorisio,	Williams, A. D.,
Eshback,	Keiser,	Ogilve,	Williams, E. S.,
Eshleman,	Kernaghan,	Piper,	Wilt,
Ewing,	Kessler,	Pursley,	Wood,
Fetterolf,	King,	Royer,	Worley,
Foor,	Kistler,	Rutherford,	Zember,
			Zimmerman,

NAYS—109

Anderson, S. A.,	Gailey,	Limper,	Reibman,
Arlene,	Gallagher,	Long, Wm. Jas.,	Reidenbach,
Auker,	Gelfand,	Long, Wm. Jos.,	Renwick,
Bachman,	Gibbons,	Lutty,	Riley,
Boies,	Goldstein, M. H.,	Maxwell,	Rovansek,
Bonner,	Gray,	McCann,	Rubin,
Breth,	Gremminger,	McCormack,	Rudisill,

Capano,	Guesman,	McDevitt,	Sakulsky,
Capitolo,	Hamilton,	McDonald,	Scarcelli,
Cauley,	Hankins,	McKeever,	Schaaf,
Cianfrani,	Hartley,	McLaughlin,	Schuster,
Cioffi,	Heavey,	Meholchick,	Shelton,
Clarke,	Heffner,	Mihm,	Sherman,
Comer,	Irvis,	Mills,	Shupnik,
Cooley,	Jenkins,	Monroe,	Stank,
Crossin,	Jim,	Morley,	Stone,
Curwood,	Johnson, R. P.,	Mullen,	Sullivan, J. A.,
Dougherty,	Jones,	Munley,	Sullivan, T. F.,
Doughten,	Kamyk,	Murphy,	Taylor,
Ellberg,	Kelly,	Musto,	Tomascik,
Farabaugh,	Klein,	O'Donnell, J. A.,	Trusio,
Filo,	Kornick,	Parlante,	Verona,
Fineman,	Kramer,	Pashley,	Wargo,
Flynn,	Lamb,	Perry,	Welsh,
Fox,	Lawson,	Petrosky,	Wescott,
Frascella,	Lee, A. M.,	Polaski,	Yetter,
Fry,	Leonard,	Polen,	Andrews,
		Prendergast,	Speaker

NOT VOTING—8

Branca,	Murray,	O'Donnell, J. P.,	Steckel,
Foerster,	Needham,	Price,	Walsh,

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Mrs. Anderson.

Mrs. ANDERSON. Mr. Speaker, I would like these remarks spread upon the record.

The SPEAKER pro tempore. The lady will send her statement to the desk to be spread upon the record of the House. The Chair hears no objection.

Mrs. ANDERSON filed the following statement for the record:

Mr. Speaker, I rise to speak on behalf of House bill 430 and to urge upon the membership of this House in connection therewith affirmative favorable action that will clearly and unmistakably point up that discrimination, and the denial of equal education opportunities cannot find approval or endure in the Commonwealth of Pennsylvania.

There are certain basic and fundamental principles that give birth to this legislation, the preservation of which is essential to our collective well-being and which every fair-minded citizen knows to be beyond attack. Among these tenets is the proposition forming the very foundation of our Democratic state and being the very bedrock of our Constitution, that all men are created equal, having been endowed with certain inalienable rights, and that among these are life, liberty and the pursuit of happiness. There is implicit in this declaration the right to be able to secure and to pursue an advancement of one's position in society through education. We also adopt with complete accord and unity in our approbation the proposition that the progress of our community relies upon the development, the encouragement, the discovery and the fostering of talent without regard to race, religion, color, ancestry or national origin. We have been made painfully aware of this truism in the last decade since the advent of exploration into outer space which has resulted in a national call for developing on a crash-program basis our full scientific and educational potential.

If then we are in agreement that the most precious asset of American life is the assurance of equal rights for all, the allowance of broader opportunities for all, the preservation of the dignity of the individual, then I say we have too long delayed in striking down those practices that run contrary to these beliefs—practices that we have naively tolerated as not being unduly oppressive or destructive of our desired way of life. This Commonwealth has traditionally been identified as the Keystone State in the struggle for human freedom. It is time, indeed, that this freedom should be extended into the domain of higher education so that educational opportunities should not be denied to anyone because of race, color, religion, ancestry or national origin.

House bill 430 is legislation that seeks to accomplish this equality of opportunity and in this purpose it in no way imposes any undue burden on the schools that are covered by the law. This bill is not an indictment; it is not an accusation—rather it is an expression of policy. It is not geared primarily to the processing of complaints but rather to a comprehensive educational program under which the human relations commission will be empowered to deal with the subject so as to ensure full and equal opportunity to every student on the basis of his individual merit and without regard to his race, color, religion, ancestry or national origin.

The human relations commission is empowered by this bill to make visits to the schools, study their admission practice procedures, observe what factors determine whether a given applicant will be accepted or rejected and work out amicably whatever adjustments are needed in order to eliminate and prevent prejudice and discrimination in educational institutions.

In this day of exploding populations and resultant increased student enrollments, the Commonwealth must publicly declare a policy on admission to institutions of higher learning. The facilities for educating our students have not kept pace with this population expansion and of necessity therefore it is to be anticipated that there will not be space for all. We must therefore insure that the opportunity to obtain an education will be determined solely by merit and ability and not by factors which run contrary to our Constitution and the welfare of this State. The need for this legislation exists and I ask the members of this House to respond to this need and to cast their votes for House bill 430.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—139

Anderson, S. A.,	Gibbons,	Manbeck,	Reidenbach,
Arlene,	Goldstein, M. H.,	Markley,	Renwick,
Bachman,	Gray,	Marsh,	Riley,
Boles,	Gremminger,	Maxwell,	Rovansek,
Bonner,	Guesman,	May,	Rubin,
Bower,	Hamilton,	McCandless,	Rudisill,
Breth,	Hankins,	McCann,	Rutherford,
Buchanan,	Hartley,	McCormack,	Sakulsky,
Bush,	Haudenshield,	McDevitt,	Scarcelli,
Capano,	Heavey,	McDonald,	Schaaf,
Capitolo,	Heffner,	McKeever,	Schuster,
Cauley,	Holliday,	McLaughlin,	Shelton,
Cianfrani,	Holman,	McNally,	Sherman,
Cioffi,	Irvis,	Meholchick,	Shupnik,
Clarke,	Jenkins,	Merry,	Snare,
Comer,	Jim,	Mihm,	Stank,
Cooley,	Johnson, R. P.,	Mills,	Stone,
Crossin,	Jones,	Monroe,	Sullivan, J. A.,
Curwood,	Kamyk,	Morley,	Sullivan, T. F.,

Dengler,	Kelly,	Mullen,	Taylor,
Dennison,	Kessler,	Munley,	Thompson,
Dougherty,	King,	Murphy,	Tomascik,
Doughten,	Klein,	Musto,	Trusio,
Eilberg,	Knecht,	O'Donnell, J. A.,	Ujobai,
Eshleman,	Kornick,	Ogilive,	Verona,
Farabaugh,	Kramer,	Parlante,	Wargo,
Filo,	Lamb,	Pashley,	Welsh,
Fineman,	Lawson,	Perry,	Whittaker,
Flynn,	Lee, K. B.,	Petrosky,	Williams, A. D.,
Fox,	Leonard,	Piper,	Williams, E. S.,
Frascella,	Limper,	Polaski,	Worley,
Fry,	Long, Wm. Jas.,	Polen,	Yetter,
Gailey,	Long, Wm. Jos.,	Prendergast,	Zember,
Gallagher,	Lutty,	Pursley,	Andrews,
Gelfand,	Magee,	Reibman,	Speaker

NAYS—57

Adams,	Ewing,	Horst,	Royer,
Anderson, J. H.,	Fetterolf,	Isaacs,	Simmons,
Ashton,	Foor,	Johnson, A. W.,	Slack,
Auker,	Fulmer,	Keiser,	Stimmel,
Backenstoe,	George,	Kernaghan,	Strausser,
Blair,	Gibb,	Kistler,	Tompkins,
Bossert,	Goldstein, J. H.,	Kooker,	Varner,
Bowman,	Goodrich,	Korns,	Wall,
Davis,	Gramlich,	Lee, A. M.,	Weidner,
Donaldson,	Gross,	Lippincott,	Wescott,
Down,	Guthrie,	McInroy,	Willard,
Edwards,	Helm,	Miller,	Willaredt,
Elvey,	Henzel,	O'Dell,	Wilt,
Eshback,	Hocker,	Odorisio,	Wood,
			Zimmerman,

NOT VOTING—10

Branca,	Murray,	O'Donnell, J. P.,	Steckel,
Foerster,	Needham,	Price,	Stiteler,
		Seltzer,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. For what purpose does the gentleman from Cumberland, Mr. Kistler, rise?

Mr. KISTLER. I would like to have the statement of my reason for my vote spread upon the record.

The SPEAKER pro tempore. The gentleman will send his statement to the desk.

REASONS FOR VOTE

Mr. KISTLER filed the following reasons for his vote on House bill No. 430.

Colleges, whether they be church connected or not, have a responsibility to educate the whole child. To prohibit, by an act of the legislature, an inquiry as to the race, ethnic origin or religion of an applicant for admission to any school will prohibit school administrators from providing for the religious and social welfare and wellbeing of their school students. This will create a vacuum into which the devil will quickly rush, gleefully proclaiming that now the spiritual and social concern of students has been brushed aside by a secular drive in the name of fairness to minority groups.

If there is anything, any place or any point where we languish as a Nation it is in matters of the spirit. The brotherhood of man, under the fatherhood of God, will never be brought into being through the process being considered here today and those who look to the legislative halls for the regimentation and enforcement of social moves of the nature under consideration here today do so in vain and at the expense of the spiritual wellbeing of the students of these institutions of learning. I believe that children of every race, color and creed should be treated with equality, with fairness, with concern for his wellbeing as a child of God in the institutions of learning of this Commonwealth. If it were a matter so simple of solution as to be capable of treatment by legislative action, is any one of us so naive as to believe that it would not have been accomplished long ago?

BILLS PASSED OVER

There being no objection

House bill No. 880, printer's No. 965, and

House bill No. 886, printer's No. 975,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 888, entitled:

An Act to promote the safety of employes upon railroads by requiring industrial or plant railroads to man locomotive trains with competent employes * * *.

On the question,

Will the House agree to the bill on third reading ?

Mr. WELSH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 16, by inserting after "herein": This act shall not apply to any plant or industrial railroad yard in which the number of locomotives operated does not exceed two, or to any plant or industrial railroad yard in which the aggregate length of track does not exceed one mile.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 892, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) requiring the Secretary of Highways to erect signs at major entrance points into the Commonwealth giving notice of the law regulating passing of school buses and the penalty for violation thereof.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. A. W. JOHNSON. Mr. Speaker, we planned to put some slight amendments in this bill but they decided not to. The bill is all right as it is.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—190

Adams,	Fulmer,	Limper,	Rovansek,
Anderson, J. H.	Gallagher,	Lippincott,	Royer,
Anderson, S. A.,	Gelfand,	Long, Wm. Jas.,	Rubin,
Arlene,	George,	Long, Wm. Jos.,	Rudisill,
Ashton,	Gibb,	Lutty,	Rutherford,
Auker,	Gibbons,	Magee,	Sakulsky,
Bachman	Goldstein, J. H.,	Manbeck,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Markley,	Schaaf,
Blair,	Gramlich,	Marsh,	Schuster,
Boies,	Gray,	Maxwell,	Seltzer,
Bonner,	Gremminger,	May,	Shelton,
Bower,	Gross,	McCandless,	Sherman,
Bowman,	Guesman,	McCann,	Shupnik,
Breth,	Guthrie,	McCormack,	Simmons,
Buchanan,	Hamilton,	McDevitt,	Slack,
Bush,	Hankins,	McDonald	Snare,
Capano,	Hartley,	McInroy,	Stank,
Capitolo,	Haudenshield,	McKeever,	Stimmel,
Cauley,	Heavey,	McLaughlin,	Stone,
Cianfrani,	Heffner,	McNally,	Strausser,
Cioffi,	Helm,	Meholchick,	Sullivan, J. A.,
Clarke,	Henzel,	Merry,	Sullivan, T. F.,
Comer,	Hocker,	Mihm,	Taylor,
Cooley,	Holliday,	Miller,	Thompson,
Crossin,	Holman,	Mills,	Tomascik,
Curwood,	Horst,	Monroe,	Tompkins,
Davis,	Isaacs,	Morley,	Trusio,
Dengler,	Jenkins,	Mullen,	Ujobai,
Dennison,	Jim,	Munley,	Varner,
Donaldson,	Johnson, A. W.,	Murphy,	Verona,
Dougherty,	Johnson, R. P.,	Musto,	Wall,
Doughten,	Jones,	O'Dell,	Wargo,
Down,	Kamyk,	O'Donnell, J. A.,	Weidner,
Edwards,	Keiser,	Odorisio,	Welsh,
Eilberg,	Kelly,	Ogilvie,	Wescott,
Elvey,	Kernaghan,	Parlante,	Willard,
Eshback,	Kessler,	Pashley,	Willaredt,
Eshleman,	King,	Perry,	Williams, A. D.,
Ewing,	Kistler,	Petrosky,	Williams, E. S.,
Farabaugh,	Klein,	Piper,	Wilt,
Fetterolf,	Knecht,	Polaski,	Wood,
Filo,	Kooker,	Polen,	Worley,
Fineman,	Kornick,	Prendergast,	Yetter,
Flynn,	Kramer,	Pursley,	Zember,
Foor,	Lawson,	Reibman,	Zimmerman,
Fox,	Lee, A. M.,	Reidenbach,	Andrews,
Frascella,	Lee, K. B.,	Renwick,	Speaker
Fry,	Leonard,	Riley,	

NAYS—3

Bossert,	Korns,	Stiteler,

NOT VOTING—13

Branca,	Goodrich,	Murray,	Price,
Foerster,	Irvis,	Needham,	Steckel,
Galley,	Lamb,	O'Donnell, J. P.,	Walsh,
			Whittaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

The SPEAKER pro tempore. For what purpose does the gentleman from Allegheny, Mr. Irvis, rise?

Mr. IRVIS. Mr. Speaker, I was not recorded on the last roll call and I should like the record to show that had I voted I would have voted in the affirmative.

BILLS PASSED OVER

There being no objection

House bill No. 934, printer's No. 1035, and

House bill No. 935, printer's' No. 1036,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 936, entitled:

An Act amending "The Realty Transfer Tax Act" approved December 27, 1951 (P. L. 1742) exempting from the imposition of this tax, conveyances in lieu of condemnation, and acquisition by municipalities of tax delinquent properties at sheriff sale.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gailey,	Lee, A. M.,	Riley,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Rovansek,
Anderson, S. A.,	Gelfand,	Leonard,	Royer,
Arlene,	George,	Limper,	Rubin,
Ashton,	Gibb,	Lippincott,	Rudisill,
Auker,	Gibbons,	Long, Wm. Jas.,	Rutherford,
Bachman	Goldstein, J. H.,	Long, Wm. Jos.,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Lutty,	Scarcelli,
Blair,	Goodrich,	Magee,	Schaaf,
Boies,	Gramlich,	Manbeck,	Schuster,
Bonner,	Gray,	Markley,	Seltzer,
Bossert,	Gremminger,	Marsh,	Shelton,
Bower,	Gross,	Maxwell,	Sherman,
Bowman,	Guesman,	May,	Shupnik,
Breth,	Guthrie,	McCandless,	Simmons,
Buchanan,	Hamilton,	McCann,	Slack,
Bush,	Hankins,	McCormack,	Snare,
Capano,	Hartley,	McDevitt,	Stank,
Capitolo,	Haudenshield,	McDonald	Stiteler,
Cauley,	Heavey,	McInroy,	Strausser,
Cianfrani,	Heffner,	McKeever,	Sullivan, J. A.,
Cioffi,	Helm,	McLaughlin,	Sullivan, T. F.,
Clarke,	Henzel,	McNally,	Taylor,
Comer,	Hocker,	Meholchick,	Thompson,
Cooley,	Holliday,	Merry,	Tomascik,
Crossin,	Holman,	Mihm,	Tompkins,
Curwood,	Horst,	Miller,	Trusio,
Davis,	Irvis,	Mills,	Ujobai,
Dengler,	Isaacs,	Monroe,	Varner,
Dennison,	Jenkins,	Morley,	Verona,
Donaldson,	Jim,	Mullen,	Wall,
Dougherty,	Johnson, A. W.,	Munley,	Wargo,
Doughten,	Johnson, R. P.,	Murphy,	Weidner,
Down,	Jones,	Musto,	Welsh,
Edwards,	Kamyk,	O'Donnell, J. A.,	Wescott,
Eilberg,	Keiser,	Odorisio,	Whittaker,
Eshback,	Kelly,	Ogilvie,	Willard,
Eshleman,	Kernaghan,	Parlante,	Willaredt,
Ewing,	Kessler,	Pashley,	Williams, A. D.,
Farabaugh,	King,	Petrosky,	Williams, E. S.,
Fetterolf,	Kistler,	Piper,	Wilt,
Filo,	Klein,	Polaski,	Wood,
Fineman,	Knecht,	Polen,	Worley,
Flynn,	Kooker,	Prendergast,	Yetter,
Foor,	Kornick,	Pursley,	Zember,
Fox,	Korns,	Reibman,	Zimmerman,
Frascella,	Kramer,	Reidenbach,	Andrews,
Fry,	Lamb,	Renwick,	Speaker
Fulmer,	Lawson,		

NAYS—2

Elvey,	O'Dell,

NOT VOTING—11

Branca,	Needham,	Price,	Stone,
Foerster,	O'Donnell, J. P.,	Steckel,	Walsh,
Murray,	Perry,	Stimmel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 943, entitled:

An Act amending the act of April 17, 1929 (P. L. 527) entitled "An act providing for the recovery and collection of municipal claims by action of assumpsit ***" by extending the time within which actions of assumpsit may be brought to six years.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gallagher,	Leonard,	Rovansek,
Anderson, J. H.	Gelfand,	Limper,	Royer,
Anderson, S. A.,	George,	Lippincott,	Rubin,
Arlene,	Gibb,	Long, Wm. Jas.,	Rudisill,
Ashton,	Gibbons,	Long, Wm. Jos.,	Rutherford,
Bachman	Goldstein, J. H.,	Lutty,	Sakulsky,
Backenstoe,	Goldstein, M. H.,	Magee,	Scarcelli,
Blair,	Goodrich,	Manbeck,	Schaaf,
Boies,	Gramlich,	Markley,	Schuster,
Bonner,	Gray,	Marsh,	Seltzer,
Bossert,	Gremminger,	Maxwell,	Shelton,
Bower,	Gross,	May,	Sherman,
Bowman,	Guesman,	McCandless,	Shupnik,
Breth,	Guthrie,	McCann,	Simmons,
Buchanan,	Hamilton,	McCormack,	Slack,
Bush,	Hankins,	McDevitt,	Snare,
Capano,	Hartley,	McDonald	Stank,
Capitolo,	Haudenshield,	McInroy,	Stiteler,
Cianfrani,	Heavey,	McKeever,	Stone,
Cioffi,	Heffner,	McLaughlin,	Strausser,
Clarke,	Helm,	McNally,	Sullivan, J. A.,
Comer,	Henzel,	Meholchick,	Sullivan, T. F.,
Cooley,	Hocker,	Merry,	Taylor,
Crossin,	Holliday,	Mihm,	Thompson,
Curwood,	Holman,	Miller,	Tomascik,
Davis,	Horst,	Mills,	Tompkins,
Dengler,	Irvis,	Monroe,	Trusio,
Dennison,	Jenkins,	Morley,	Ujobai,
Donaldson,	Jim,	Munley,	Varner,
Dougherty,	Johnson, A. W.,	Murphy,	Verona,
Doughten,	Johnson, R. P.,	Musto,	Wall,
Down,	Jones,	O'Dell,	Wargo,
Edwards,	Kamyk,	O'Donnell, J. A.,	Weidner,
Eilberg,	Keiser,	Odorisio,	Welsh,
Elvey,	Kelly,	Ogilvie,	Wescott,
Eshback,	Kernaghan,	Parlante,	Whittaker,
Eshleman,	Kessler,	Pashley,	Willard,
Ewing,	King,	Perry,	Willaredt,
Farabaugh,	Kistler,	Petrosky,	Williams, A. D.,
Fetterolf,	Klein,	Piper,	Williams, E. S.,
Filo,	Knecht,	Polaski,	Wilt,
Fineman,	Kooker,	Polen,	Wood,
Flynn,	Kornick,	Prendergast,	Worley,
Foor,	Korns,	Pursley,	Yetter,
Fox,	Kramer,	Reibman,	Zember,
Frascella,	Lamb,	Reidenbach,	Zimmerman,
Fry,	Lawson,	Renwick,	Andrews,
Fulmer,	Lee, A. M.,	Riley,	Speaker
Gailey,	Lee, K. B.,		

NAYS—2

Auker,	Isaacs,

NOT VOTING—11

Branca,	Mullen,	O'Donnell, J. P.,	Stimmel,
Cauley,	Murray,	Price,	Walsh,
Foerster,	Needham,	Steckel,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

Mr. McCANN. For the information of the membership while the machine is recording the vote, we are only going to vote to the bottom of page 19, three more bills, but we will take amendments to bills, those that were agreed to, and at the end of this we will take the amendments to the bills so they will be put into print tonight, and also committee announcements, before adjourning.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 953, entitled:

An Act amending the act of November 21, 1959 (P. L. 1583) entitled "An act providing that in cities and school districts of the first class real estate taxes water rent and sewer rent claims or judgments not filed or revived within the time specified by law shall be reinstated * * * providing that the provisions of this act shall extend to real estate tax water rent and sewer rent claims or judgments filed or revived hereafter.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Adams,	Gailey,	Lee, K. B.,	Rovansek,
Anderson, J. H.	Gallagher,	Leonard,	Royer,
Anderson, S. A.,	Gelfand,	Limper,	Rubin,
Arlene,	George,	Lippincott,	Rudisill,
Ashton,	Gibb,	Long, Wm. Jas.,	Rutherford,
Auker,	Gibbons,	Long, Wm. Jos.,	Sakulsky,
Bachman	Goldstein, J. H.,	Lutty,	Scarcelli,
Backenstoe,	Goldstein, M. H.,	Magee,	Schaaf,
Blair,	Goodrich,	Manbeck,	Schuster,
Boies,	Gramlich,	Markley,	Seltzer,
Bonner,	Gray,	Marsh,	Shelton,
Bossert,	Gremminger,	Maxwell,	Sherman,
Bower,	Gross,	May,	Shupnik,
Bowman,	Guesman,	McCandless,	Simmons,
Breth,	Guthrie,	McCann,	Slack,
Buchanan,	Hamilton,	McCormack,	Snare,
Bush,	Hankins,	McDevitt,	Stank,
Capano,	Hartley,	McDonald	Stimmel,
Capitolo,	Haudenshield,	McInroy,	Stiteler,
Cauley,	Heavey,	McKeever,	Stone,
Cianfrani,	Heffner,	McLaughlin,	Strausser,
Cioffi,	Helm,	McNally,	Sullivan, J. A.,
Clarke,	Henzel,	Meholchick,	Sullivan, T. F.,
Comer,	Hocker,	Merry,	Taylor,
Cooley,	Holliday,	Mihm,	Thompson,
Crossin,	Holman,	Miller,	Tomascik,
Curwood,	Horst,	Monroe,	Tompkins,
Davis,	Irvis,	Morley,	Trusio,
Dengler,	Isaacs,	Mullen,	Ujobai,
Dennison,	Jenkins,	Munley,	Varner,
Donaldson,	Jim,	Murphy,	Verona,
Dougherty,	Johnson, A. W.,	O'Dell,	Wall,
Doughten,	Johnson, R. P.,	O'Donnell, J. A.,	Wargo,
Down,	Jones,	Odorisio,	Weidner,
Edwards,	Keiser,	Ogilvie,	Welsh,
Eilberg,	Kelly,	Parlante,	Wescott,
Elvey,	Kernaghan,	Pashley,	Whittaker,
Eshback,	Kessler,	Perry,	Willard,
Eshleman,	King,	Petrosky,	Willaredt,
Ewing,	Kistler,	Piper,	Williams, A. D.,
Farabaugh,	Klein,	Polaski,	Williams, E. S.,
Fetterolf,	Knecht,	Polen,	Wilt,
Filo,	Kooker,	Prendergast,	Wood,
Fineman,	Kornick,	Pursley,	Worley,
Flynn,	Korns,	Reibman,	Yetter,
Foor,	Kramer,	Reidenbach,	Zember,
Fox,	Lamb,	Renwick,	Zimmerman,
Frascella,	Lawson,	Riley,	Andrews,
Fulmer,	Lee, A. M.,		Speaker

NAYS—0

NOT VOTING—12

Branca,	Kamyk,	Musto,	Price,
Foerster,	Mills,	Needham,	Steckel,
Fry,	Murray,	O'Donnell, J. P.,	Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 973, entitled:

An Act amending the "Estate Tax Apportionment Act of 1951" approved August 24, 1951 (P. L. 1405) authorizing the court to assess certain expenses against non-testamentary property or interests.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—193

Adams,	Gailey,	Lee, A. M.,	Renwick,
Anderson, J. H.	Gallagher,	Lee, K. B.,	Riley,
Anderson, S. A.,	Gelfand,	Leonard,	Rovansek,
Arlene,	George,	Limper,	Royer,
Ashton,	Gibb,	Lippincott,	Rubin,
Auker,	Gibbons,	Long, Wm. Jas.,	Rudisill,
Bachman	Goldstein, J. H.,	Long, Wm. Jos.,	Rutherford,
Backenstoe,	Goldstein, M. H.,	Lutty,	Sakulsky,
Blair,	Goodrich,	Magee,	Scarcelli,
Boies,	Gramlich,	Manbeck,	Schaaf,
Bonner,	Gray,	Markley,	Schuster,
Bossert,	Gremminger,	Marsh,	Seltzer,
Bowman,	Gross,	Maxwell,	Shelton,
Breth,	Guesman,	May,	Sherman,
Buchanan,	Guthrie,	McCandless,	Shupnik,
Bush,	Hamilton,	McCann,	Simmons,
Capano,	Hankins,	McCormack,	Slack,
Capitolo,	Hartley,	McDevitt,	Snare,
Cauley,	Haudenshield.	McDonald	Stank,
Cianfrani,	Heavey,	McInroy,	Stimmel,
Cioffi,	Heffner,	McKeever,	Stiteler,
Clarke,	Helm,	McLaughlin,	Stone,
Comer,	Henzel,	McNally,	Strausser,
Cooley,	Hocker,	Meholchick,	Sullivan, J. A.,
Crossin,	Holliday,	Merry,	Sullivan, T. F.,
Curwood,	Holman,	Mihm,	Taylor,
Davis,	Horst,	Miller,	Thompson,
Dengler,	Irvis,	Mills,	Tompkins,
Dennison,	Isaacs,	Monroe,	Trusio,
Donaldson,	Jenkins,	Morley,	Ujobai,
Dougherty,	Jim,	Mullen,	Varner,
Doughten,	Johnson, A. W.,	Munley,	Verona,
Down,	Johnson, R. P.,	Murphy,	Wall,
Edwards,	Jones,	O'Dell,	Weidner,
Eilberg,	Kamyk,	O'Donnell, J. A.,	Welsh,
Elvey,	Keiser,	Odorisio,	Wescott,
Eshback,	Kelly,	Ogilvie,	Whittaker,
Eshleman,	Kernaghan,	Parlante,	Willard,
Ewing,	Kessler,	Pashley,	Willaredt,
Farabaugh,	King,	Perry,	Williams, A. D.,
Fetterolf,	Kistler,	Petrosky,	Williams, E. S.,
Filo,	Klein,	Piper,	Wilt,
Fineman,	Knecht,	Polaski,	Wood,
Flynn,	Kooker,	Polen,	Worley,
Foor,	Kornick,	Prendergast,	Yetter,
Fox,	Korns,	Pursley,	Zember,
Frascella,	Kramer,	Reibman,	Zimmerman,
Fry,	Lawson,	Reidenbach,	Andrews,
Fulmer,			Speaker

NAYS—0

NOT VOTING—13

Bower,	Murray,	O'Donnell, J. P.,	Tomascik,
Branca,	Musto,	Price,	Walsh,
Foerster,	Needham,	Steckel,	Wargo,
Lamb,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 974, entitled:

An Act amending the "Orphans' Court Act of 1951" approved August 10, 1951 (P. L. 1163) clarifying provisions relating to verdicts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Adams,	Fulmer,	Lawson,	Riley,
Anderson, J. H.	Gailey,	Lee, A. M.,	Rovansek,
Anderson, S. A.,	Gallagher,	Lee, K. B.,	Royer,
Arlene,	Gelfand,	Leonard,	Rudisill,
Ashton,	George,	Limper,	Rutherford,
Auker,	Gibb,	Lippincott,	Sakulsky,
Bachman	Gibbons,	Long, Wm. Jas.,	Scarcelli,
Backenstoe,	Goldstein, J. H.,	Long, Wm. Jos.,	Schaaf,
Blair,	Goldstein, M. H.,	Lutty,	Schuster,
Boies,	Goodrich,	Magee,	Seltzer,
Bonner,	Gramlich,	Manbeck,	Shelton,
Bossert,	Gray,	Markley,	Sherman,
Bower,	Gremminger,	Marsh,	Shupnik,
Bowman,	Gross,	Maxwell,	Simmons,
Breth,	Guesman,	May,	Slack,
Buchanan,	Guthrie,	McCandless,	Snare,
Capano,	Hamilton,	McCann,	Stank,
Capitolo,	Hankins,	McCormack,	Stimmel,
Cauley,	Hartley,	McDevitt,	Stiteler,
Cianfrani,	Haudenshield,	McDonald	Stone,
Cioffi,	Heavey,	McInroy,	Strausser,
Clarke,	Heffner,	McKeever,	Sullivan, J. A.,
Comer,	Helm,	McLaughlin,	Sullivan, T. F.,
Cooley,	Henzel,	McNally,	Taylor,
Crossin,	Hocker,	Meholchick,	Thompson,
Curwood,	Holliday,	Merry,	Tomascik,
Davis,	Holman,	Mihm,	Tompkins,
Dengler,	Horst,	Miller,	Trusio,
Dennison,	Irvis,	Mills,	Ujobai,
Donaldson,	Isaacs,	Morley,	Varner,
Dougherty,	Jenkins,	Mullen,	Verona,
Doughten,	Jim,	Munley,	Wall,
Down,	Johnson, A. W.,	Murphy,	Wargo,
Edwards,	Johnson, R. P.,	O'Dell,	Weidner,
Eilberg,	Jones,	O'Donnell, J. A.,	Wescott,
Elvey,	Kamyk,	Odorisio,	Whittaker,
Eshback,	Keiser,	Ogilvie,	Willard,
Eshleman,	Kelly,	Parlante,	Willaredt,
Ewing,	Kernaghan,	Pashley,	Williams, A. D.,
Farabaugh,	Kessler,	Perry,	Williams, E. S.,
Fetterolf,	King,	Petrosky,	Wilt,
Filo,	Kistler,	Piper,	Wood,
Fineman,	Klein,	Polaski,	Worley,
Flynn,	Knecht,	Polen,	Yetter,
Foor,	Kooker,	Prendergast,	Zember,
Fox,	Kornick,	Pursley,	Zimmerman,
Frascella,	Korns,	Reibman,	Andrews,
Fry,	Kramer,	Renwick,	Speaker

NAYS—0

NOT VOTING—15

Branca,	Monroe,	O'Donnell, J. P.,	Steckel,
Bush,	Murray,	Price,	Walsh,
Foerster,	Musto,	Reidenbach,	Welsh,
Lamb,	Needham,	Rubin,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

APPROPRIATIONS, Mr. Polen, Chairman, Room 245, Tuesday, April 18, at 10 a. m.

CITIES—COUNTIES FIRST CLASS, Mr. Dougherty, Chairman, Room 521, Tuesday, April 18, at 11:30 a. m.

EDUCATION, Mrs. Reibman, Chairman, Room 324, Tuesday, April 18, at 9 a. m.

FISHERIES, Mr. Jim, Chairman, Room 323, Tuesday, April 18, at 10:30 a. m.

INSURANCE, Mr. Hamilton, Chairman, Room 522, Tuesday, April 18, at 10:30 a. m.

JUDICIARY, Mr. Rudisill, Chairman, Room 149, Tuesday, April 18, at 10 a. m.

LIQUOR CONTROL, Mr. Reidenbach, Chairman, Room 131-E, Tuesday, April 18, at 9 a. m.

MINES and MINERAL INDUSTRIES, Mr. Rovansek, Chairman, Room 131-E, Tuesday, April 18, at 12 noon.

MOTOR VEHICLES, Mr. Limper, Chairman, Room 521, Tuesday, April 18, at 11 a. m.

PROFESSIONAL LICENSURE, Mr. Boies, Chairman, Room 134, Tuesday, April 18, at 11 a. m.

STATE GOVERNMENT, Mr. Fineman, Chairman, Room 522, Tuesday, April 18, at 11 a. m.

REPORTS FROM COMMITTEE

Mr. CURWOOD from the Committee on Highways, reported as committed, House bill No. 1259, entitled:

An Act relating to State highways, roads and bridges and certain use thereof; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto; establishing the State Highway System; providing for the construction, abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System; ***.

Mr. KORNICK from the Committee on Highways, reported as committed, Senate bill No. 153, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles, establishing speed limits, and providing penalties for violations.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1259, entitled:

An Act relating to State highways, roads and bridges and certain use thereof; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto; establishing the State Highway System; providing for the construction, abandonment and vacation of State highways and placing of existing roads and bridges on the State Highway System; ***.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate bill No. 153, entitled:

An Act amending the act of April 29, 1959 (P. L. 58) entitled "The Vehicle Code" empowering the Secretary of Highways to designate certain restrictive areas for commercial vehicles, establishing speed limits and providing penalties for violations.

And said bill having been read at length the first time,

Ordered, to be laid aside for second reading.

BILL CALLED UP OUT OF ORDER

Mr. McCANN. Mr. Speaker, I request unanimous consent to call up bills out of order for amendment and recommittal.

Mr. Speaker, I call up House bill No. 990 on page 20 of the calendar.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 990, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) prescribing the prices at which malt and brewed beverages may be sold by manufacturers, distributors and importing distributors and fixing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. SCARCELLI asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Sec. 1 (Sec. 480), page 3, line 3, by striking out "manufacturers."

Amend Sec. 1 (Sec. 486), page 5, line 11, by striking out "manufacturer."

Amend Sec. 1 (Sec. 486), page 6, lines 3 and 4, by striking out "manufacturer."

Amend Sec. 1 (Sec. 487), page 6, line 15, by striking out "manufacturer of malt or brewed beverages."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1083, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) providing for the issuance by the board of identification cards and changing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. POLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1084, entitled:

An Act amending the "Liquor Code" approved April 12, 1951 (P. L. 90) further regulating the transfer of distributor and importing distributor malt and brewed beverage licenses.

On the question,
Will the House agree to the bill on third reading?
Mr. TOMASCIK asked unanimous consent to offer an amendment at this time.
The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 468), page 2, line 9, by striking out "in its discretion."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 1119, entitled:

An Act amending the act of May 29, 1945 (P. L. 1132) entitled "An act providing for the health and safety of persons employed in and about coal mines in the Commonwealth ***" removing compensation provisions for first aid and mine rescue workers.

On the question,
Will the House agree to the bill on third reading?
Mr. McCANN asked unanimous consent to offer an amendment at this time.
The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Bill, page 2, by inserting after line 9: Section 2. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 1120, entitled:

An Act amending the act of April 25, 1945 (P. L. 289) entitled "An act providing for the health and safety of persons employed in and about the coal mines of the Commonwealth of Pennsylvania ***" removing salary provisions for electrical inspectors.

On the question,
Will the House agree to the bill on third reading?
Mr. McCANN asked unanimous consent to offer an amendment at this time.
The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend bill, page 3, by inserting after line 7: Section 3. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

Agreeably to order,
The House proceeded to the third reading and consideration of House bill No. 1121, entitled:

An Act repealing the act of May 26, 1949 (P. L. 1846) entitled "An act fixing the salaries of State mine inspectors under the jurisdiction of the Department of Mines and the expenses incident to their office."

On the question,
Will the House agree to the bill on third reading?
Mr. McCANN asked unanimous consent to offer an amendment at this time.
The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend bill, page 2, by inserting after line 2: Section 2. This act shall take effect immediately.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.
On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the bill on third reading as amended?
It was agreed to.
Ordered, that the bill as amended lie over for printing.

BILL ON FINAL PASSAGE

Agreeably to order,
The House proceeded to the consideration on final passage of House bill No. 455, entitled.

An Act amending the act of September 29, 1951 (P. L. 1646) entitled "An act authorizing the Commonwealth to negotiate temporary emergency loans to defray current and other expenses of the State government during any fiscal biennium evidenced by tax anticipation notes ***" authorizing powers conferred by the act to be done on a fiscal period basis and changing the amount of money which may be borrowed and providing two additional methods of borrowing money.

On the question,
Shall the bill pass finally?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Rules.
The motion was agreed to.

BILLS ON FINAL PASSAGE POSTPONED

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 632, entitled:

An Act authorizing an incoming Governor to arrange for temporary staffing to expedite the transition of government and providing for an appropriation in certain years.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1, page 2, line 16, by inserting after "propriation": not to exceed fifty thousand dollars ($50,000).

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. McCANN.

The House resumed the consideration on final passage of House bill No. 850, entitled

An Act amending "The Game Law" approved June 3, 1937 (P. L. 1225) permitting the purchase and sale of the flesh of raccoons.

RECONSIDERATION OF VOTE

Mr. McCANN. Mr. Speaker, I move that the vote by which this bill passed be reconsidered.

Mr. PETROSKY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by inserting after "permitting": for a period of two years.

Amend Sec. 1 (Sec. 716), page 3, line 6, by inserting after "or": for a period of two years after the effective date of this act.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 147, entitled:

An Act amending the "Real Estate Tax Sale Law," approved July 7, 1947 (P. L. 1368), further regulating notice given to delinquent taxables.

On the question,

Will the House agree to the bill on third reading?

Mr. GAILEY asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 308), page 3, line 11 by striking out the brackets before "and" and after "affected."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 428, entitled:

An Act amending "The Vehicle Code" approved April 29, 1959 (P. L. 58) redefining Motorcycle, limiting the use of the transcript and the record of a suspension hearing providing for the designation of inspection stations for trucks and truck tractors permitting the private vehicle of the chief and first assistant chief of police and the first assistant chief of any fire department to be equipped with a siren prohibiting parking in certain additional places extending the time during which the secretary shall suspend certain operators' privileges and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Mr. FINEMAN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2 (Sec. 1021), page 6, line 20 by inserting after "highways," "which disabled vehicles may remain there for a period of twenty-four (24) hours, after which said vehicle shall be deemed to have been abandoned and peace officers shall have authority to remove it and place it in storage."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 605, entitled:

An Act regulating the payment of wages or compensation for labor or services in certain private employments establishing regular pay days imposing duties upon employers conferring powers and duties upon the Department of Labor and Industry imposing additional powers and duties on the Secretary of Labor and Industry for the civil collection of wages imposing civil and criminal penalties for violations of the act and providing for their collection and disposition.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. McCANN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 663, entitled:

An Act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes * * * authorizing rules and regulations and providing penalties for violations thereof and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

Mr. McCANN asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 2, page 3, lines 5 and 6 by striking out "not to exceed one hundred and thirty-four."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 715, entitled:

An Act amending the act of June 1, 1959 (P. L. 392) entitled "An act relating to the retirement of State employes amending revising consolidating and changing the laws relating thereto," providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, by striking out the last three lines of Title and inserting in lieu thereof, "creation of a dual coverage group and the right of certain members to elect dual coverage."

Amend Sec. 1, page 2, lines 1 to 15 by striking out all of said lines and inserting in lieu thereof:

Section 1 The section heading of section 203 act of June 1, 1959 (P. L. 392), known as the "State Employes' Retirement Code of 1959" is amended and the section is amended by adding at the end thereof a new subsection to read:

Section 203 Joint and Dual Coverage of Contributors Under Retirement System and Social Security.—The membership of each class defined in section 202 subsection (1), shall belong to one of the following groups:

* * *

(3) Dual Coverage Group consisting of:

(a) Any State employe who is a member of the joint coverage group on June 1, 1961, who files an election with the retirement board on or before December 1, 1961, to make contributions without the reduction provided for in article III, section 301 subsection (4) and whose superannuation retirement allowance or withdrawal allowance shall be computed without the reduction provided by article IV, section 403 subsection (1) provided that he makes the back contributions required under article III, section 302 subsection (3).

(b) Any State employe who becomes eligible subsequent to June 1, 1961, for membership in the joint coverage group for the first time and who files an election to make contributions from the date of elegibility for membership in the joint coverage group without the reduction provided for in article III, section 301 subsection (4) and whose superannuation retirement allowance or withdrawal allowance shall be computed without the reduction provided in article IV, section 403 subsection (1).

(c) Any State employe who has elected membership in the dual coverage group and any State employe who has been eligible to make such an election whether as a member of the State Employes' Retirement System or the Public School Employes' Retirement System, shall not thereafter be accorded the privilege of making a subsequent election.

Amend Sec. 2, page 2, lines 16 to 19, and page 3, lines 1 to 9, by striking out all of said lines and inserting in lieu thereof:

Section 2. The first paragraph of subsection (1) section 301 of the act is amended to read:

Section 301. Members' Contributions on Account of Current Services.—

(1) From the salary of each member of the single or dual coverage group who is a contributor there shall be deducted and paid into the fund by the State Treasurer through the Department of Revenue such percent of his salary as shall be computed according to the class of his membership as follows:

* * *

Amend Sec. 3, page 3, lines 10 to 19, and page 4, lines 1 to 3, by striking out all of said lines and inserting in lieu thereof:

Section 3. Section 302 of the act is amended by adding at the end thereof a new subsection to read:

Section 302. Members' Contributions on Account of Past Services.

* * *

(3) Any State employe who is a member of the joint coverage group on June 1, 1961, who elects according to the provisions of section 203 subsection (3) to become a member of the dual coverage group shall pay to the fund to the credit of the members' annuity savings account on or before December 1, 1961, an amount equal to the difference between the accumulated deductions to his credit in the members' annuity savings account as of the date of

his election and the accumulated deductions which would have been to his credit in such account if contributions had been made without the reduction provided for in article III, section 301 subsection (4).

Amend Bill, page 4, by inserting after line 3,

"Section 4. The first paragraph of subsection (1) and subsection (1.1) of section 401 of the act subsection (1) amended and subsection (1.1) added August 4, 1959 (P. L. 621), are amended to read:

"Section 401. Superannuation Retirement Allowances.—

"(1) Upon retirement at or after superannuation retirement age, a contributor who is a member of the single or dual coverage group whose entire service shall have been in one class of membership and who has made application in accordance with the provisions of article V, section 506 subsection (1) shall receive a superannuation retirement allowance in accordance with the following provisions:

"* * *

"(1.1) A contributor who is a member of the single or dual coverage group and becomes eligible for a superannuation retirement allowance while a member of any one class of membership in either the State Employes' Retirement System or the Public School Employes' Retirement System and at that time or thereafter applies for a superannuation retirement allowance in accordance with the provisions or article V section 506 subsection (1) and at the time of application has credit for multiple service shall receive a superannuation retirement allowance which shall be the sum of the annuition computed separately with respect to service in each class of membership for which the contributor has received credit in accordance with the appropriate provisions of section 401 subsection (1) of this article or article IV, section 401 subsection (1) of the Public School Employes' Retirement Code, Provided That (i) the final average salary used in the computation of the retirement allowance attributable to each class of membership shall be computed with reference to the contributor's total credited service, (ii) the State annuity or combined member's and State annuity as the case may be computed for service in any claim of membership for which the superannuation retirement age is greater than the age of the contributor at the effective date of superannuation retirement shall have a value equal to the present value of such annuity beginning at the superannuation retirement age for such class of membership, and (iii) in the case of a contributor who has transferred from Class B to Class A and who has not made back payments according to the provisions of article III. Section 302 subsection (2) (g) of this code the prior service component applicable to an original member shall equal one one-hundred-sixtieth (1/160) of his final average salary multiplied by total years of prior service multiplied by the ratio of years of contributory service at the one one-hundred-sixtieth (1/160) rate to total years of contributory service plus one one-hundredth (1/100) of his final average salary multiplied by total years of prior service multiplied by the ratio of years of contributory service at the one one-hundred (1/100) rate to total years of contributory service.

"* * *

"Section 5. The first paragraph of subsection (2) and the first paragraph of subsection (2.1) of section 402 of the act subsection (2) amended and subsection (2.1) added August 4, 1959 (P. L. 621), are amended to read:

"Section 402. Withdrawal Benefits.—

"* * *

(2) Upon discontinuance of service before reaching superannuation retirement age a contributor who is a member of the single or dual coverage group and whose entire service shall have been in one class of membership if qualified in accordance with the following provisions may elect to receive a withdrawal allowance for his class of membership as follows:

"* * *

"(2.1) A contributor who is a member of the single or dual coverage group who has credit for multiple service whose service is discontinued voluntarily or involuntarily before reaching the superannuation retirement age for any of such classes and who applies for a withdrawal allowance shall receive a voluntary or involuntary withdrawal allowance in accordance with the following provisions:

"* * *

"Section. 6 Subsection (2) of section 405.1 of the act added August 4, 1959, (P. L. 621), is amended to read:

"Section 405.1. Annuitant's Allowance Upon Return to Service and Subsequent Retirement.—

"Section 405.1. Annuitant's Allowance Upon Return to Service and Subsequent Retirement.—

"* * *

"(2) Upon subsequent discontinuance of service, the allowance of a contributor who was formerly receiving a superannuation retirement allowance or a withdrawal allowance according to the provisions of the State Employes' Retirement System or the Public School Employes' Retirement System, shall be computed according to the following provisions:

"(a) A contributor who is a member of the single or dual coverage group and whose entire service shall have been in one class of membership shall receive an allowance computed with respect to total credited service according to the provisions of section 401 subsection (1) or section 402 subsection (2) of this article, as the case may be.

"(b) A contributor who is a member of the single or dual coverage group who has credit for multiple service shall receive an allowance computed with respect to total credited service according to the provisions of section 401 subsection (1.1) or section 402 subsection (2.1) of this article as the case may be.

"(c) A contributor who is a member of the joint coverage group shall receive an allowance computed with respect to total credited service according to the provisions of clause (a) or clause (b), as the case may be, of this subsection but reduced in accordance with the provisions of section 403 of this article.

"Section 7. Section 504 of the act is amended by adding at the end thereof a new subsection to read:

"Section 504. Duties of Heads of Departments.—

"* * *

"(6) The head of each department shall advise each employe who is eligible, of his right to make an election to become a member of the dual coverage group.

"Section 8. Section 506 of the act is amended by adding at the end thereof a new subsection to read:

"Section 506. Duties of State Employes.—

"* * *

"(7) Each State employe who is or becomes eligible for membership in the dual coverage group and who desires such membership shall file an election with the retirement board in accordance with the provisions of article II, section 203 subsection (3)."

Amend Sec. 4, page 4, line 4, by striking out "4" and inserting in lieu thereof: "9."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 716, entitled:

An Act amending the act of June 1, 1959 (P. L. 350) entitled "An act relating to the retirement of public school employes amending revising consolidating and changing the laws relating thereto" providing for the elimination of certain reductions in allowances in the case of members of the joint coverage group who elect to make additional contributions.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, by striking out the last three lines of Title and inserting in lieu thereof: "for the creation of a dual coverage group and the right of certain members to elect dual coverage."

Amend Sec. 1, page 2, lines 1 to 15 by striking out all of said lines and inserting in lieu thereof:

"Section 1. The section heading of section 203 act of June 1, 1959 (P. L. 350), known as the 'Public School Employes' Retirement Code of 1959" is amended and the section is amended by adding at the end thereof a new subsection to read:

"Section 203. Joint and Dual Coverage of Contributors Under Retirement System and Social Security.—The membership of each class defined in section 202 subsection (1), shall belong to one of the following groups:

"* * *

"(3) Dual Coverage Group consisting of

"(a) Any school employe who is a member of the joint coverage group on June 1, 1961, who files an election with the retirement board on or before December 1, 1961, to make contributions without the reduction provided for in article III, section 301 subsection (4) and whose superannuation retirement allowance or withdrawal allowance shall be computed without the reduction provided by article IV, section 403 subsection (1) provided that he makes the back contributions required under article III, section 302 subsection (2.1).

"(b) Any school employe who becomes eligible subsequent to June 1, 1961, for membership in the joint coverage group for the first time and who files an election to make contributions from the date of eligibility for membership in the joint coverage group without the reduction provided for in article III, section 301 subsection (4) and whose superannuation retirement allowance or withdrawal allowance shall be computed without the reduction provided in article IV, section 403 subsection (1).

"(c) Any school employe who has elected membership in the dual coverage group and any State employe who has been eligible to make such an election whether as a member of the Public School Employes' Retirement System or the State Employes' Retirement System, shall not thereafter be accorded the privilege of making a subsequent election."

Amend Sec. 2, page 2, lines 16 to 19, and page 3, lines 1 to 8, by striking out all of said lines and inserting in lieu thereof:

"Section 2. The first paragraph of subsection (1) section 301 of the act is amended to read:

"Section 301. Members' Contributions on Account of Current Service.—

"(1) From the compensation of each member of the single or dual coverage group who is a contributor there shall be deducted and paid into the fund to the credit of the employes' annuity savings account by the State Treasurer through the Department of Revenue such percent of his compensation as shall be computed according to his class of membership as follows:

"* * *"

Amend Sec. 3, page 3, lines 9 to 18, and page 4, lines 1 to 3, by striking out all of said lines and inserting in lieu thereof:

"Section 3. Section 302 of the act is amended by adding after subsection (2) a new subsection to read:

"Section 302. Members' Contribution on Account of Past Service.—

"* * *

"(2.1) Any school employe who is a member of the joint coverage group on June 1, 1961, who elects according to the provisions of section 203 subsection (3) to become a member of the dual coverage group shall pay to the fund to the credit of the employes' annuity savings account on or before December 1, 1962, an amount equal to the difference between the accumulated deductions to his credit in the employes' annuity savings account as of the date of his election and the accumulated deductions which would have been to his credit in such account if contributions had been made without the reduction provided for in article III, section 301 subsection (4).

"* * *

Amend Bill, page 4, by inserting after line 3:

Section 4. The first paragraph of subsection (1) and subsection (1.1), section 401 of the act, subsection (1) amended and subsection (1.1) added August 4, 1959 (P. L. 599), are amended to read:

Section 401. Superannuation Retirement Allowance.—

(1) Upon retirement at or after superannuation retirement age, a contributor who is a member of [a] the single or dual coverage group whose entire service shall have been in one class of membership and who has made application in accordance with the provisions of article V. section 505 subsection (4) shall receive a superannuation retirement allowance in accordance with the following provisions:

* * *

(1.1) A contributor who is a member of the single or dual coverage group and becomes eligible for a superannuation retirement allowance while a member of any one class of membership in either the Public School Employes' Retirement System or the State Employes' Retirement System and at that time or thereafter applies for a superannuation retirement allowance in accordance with the provisions of article V. section 505 subsection (4) and at the time of application has credit for multiple service shall receive a superannuation retirement allowance which shall be the sum of the annuities computed separately with respect to service in each class of membership for which the contributor has received credit in accordance with the appropriate provisions of section 401 subsection (1) of this article or article IV. section 401 subsection (1) of the State Employes' Retirement Code, Provided That (i) the final average salary used in the computation of the retirement allowance attributable to each class of membership shall be computed with reference to the contributor's total credited service, (ii) the State annuity or combined member's and State annuity as the case may be computed for service in any class of membership for which the superannuation retirement age is greater than the age of the contributor at the effective date of superannuation retirement shall have a value equal to the present value of such annuity beginning at the superannuation retirement age for such class of membership, and (iii) in the case of a contributor who has transferred from Class B to Class A in the State Employes' Retirement System and who has not made back payments according to the provisions of article III. section 302 subsection (2) (g) of the State Employes' Retirement Code the prior service component applicable to an original member shall equal one one-hundred-sixtieth (1/160) of his final average salary multiplied by total years of prior service multiplied by the ratio of years of contributory service at the one one-hundred-sixtieth (1/160) rate to total years of contributory service plus one one-hundredth (1/100) of his final average salary multiplied by total years of prior service multiplied by the ratio of years of contributory service at the one one-hundredth (1/100) rate to total years of contributory service.

* * *

Section 5. The first paragraph of subsection (2) and the first paragraph of subsection (2.1) of section 402 of the act, subsection (2) amended and subsection (2.1) added August 4, 1959 (P. L. 599), are amended to read:

Section 402. Withdrawal Benefits.—

* * *

(2) Upon discontinuance of service before reaching superannuation retirement age a contributor who has completed twenty-five (25) years of credited service as a member of Class T-A and who is a member of the single or dual coverage group shall be paid as he shall elect as follows:

* * *

(2.1) A contributor who is a member of the single or

dual coverage group who has credit for multiple service and whose service is discontinued voluntarily or involuntarily before reaching the superannuation retirement age specified for any class of membership for which he has credited service and who applies for a withdrawal allowance shall receive a voluntary or involuntary withdrawal allowance in accordance with the folowing provisions:

* * *

Section 6. Subsection (2) of section 405.1 of the act added August 4, 1959, (P. L. 599), is amended to read:

Section 405.1. Annuitant's Allowance Upon Return to Service and Subsequent Retirement.—

* * *

(2) Upon subsequent discontinuance of service, the allowance of a contributor who was formerly receiving a superannuation retirement allowance or a withdrawal allowance according to the provisions of the Public School Employes' Retirement System or the State Employes' Retirement System, shall be computed according to the following provisions:

(a) A contributor who is a member of the single or dual coverage group and whose entire service shall have been in one class of membership shall receive an allowance computed with respect to total credited service according to the provisions of section 401 subsection (1) or section 402 subsection (2) of this article, as tne case may be.

(b) A contributor who is a member of the single or dual coverage group and who has credit for multiple service shall receive an allowance with respect to total credited service according to the provisions of section 401 subsection (2) or section 402 subsection (3) of this article as the case may be.

(c) A contributor who is a member of the joint coverage group [and who has credit for multiple service] shall receive an allowance with respect to total credited service according to the provisions of section 401 subsection (2) or section 402 subsection (3) but reduced according to the provisions of section 403 of this article.

Section 7. Section 504 of the act is amended by adding at the end thereof a new subsection to read:

Section 504. Duties of Employers.—

* * *

(10) The head of each department shall advise each employe who is eligible, of his right to make an election to become a member of the dual coverage group.

Section 8. Section 505 of the act is amended by adding at the end thereof a new subsection to read:

Section 505. Duties of School Employes.—

* * *

(9) Each State employe who is or becomes eligible for membership in the dual coverage group and who desires such membership shall file an election with the retirement board in accordance with the provisions of article II. section 203 subsection (3).

Amend Sec. 4, page 4, line 4, by striking out "4" and inserting in lieu thereof: "9."

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 718, entitled:

An Act amending the "Bedding and Upholstering Law" approved May 27, 1937 (P. L. 926) adding a definition changing tag, stamp and registration provisions providing for licenses and certain fees reports prescribing penalties and providing for the creation of the Bedding and Upholstered Furniture Division in the Department of Labor and Industry.

On the question,

Will the House agree to the bill on third reading?

Mr. POLEN asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 2, third line of Title, by inserting after "reports": "and."

Amend Title, page 2, last two lines of Title, by striking out both of said lines.

Amend Sec. 3 (Sec. 9), page 7, lines 3 to 8 by striking out "The Department shall create the "Bed-" in line 3 and all of lines 4 to 8.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is ther objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Wil the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 812, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) integrating existing law giving protection to and regulating the catching, taking, killing or having possession of frogs, tadpoles and turtles into the act providing additional penalties for violation of provisions relating to frogs, tadpoles and turtles and repealing certain acts.

On the question,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendments will be read by the clerk for information.

Amend Title, page 1, last line of Title, by striking out "additional."

Amend Sec. 3 (Sec. 302), page 6, lines 1 to 5, by striking out all of said lines.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 814, entitled:

An Act amending "The Fish Law of 1959" approved December 15, 1959 (P. L. 1779) authorizing the promulgation of rules and regulations relating to the use of property owned or controlled by the Commission.

On the question,

Will the House agree to the bill on third reading?

Mr. BRETH asked unanimous consent to offer an amendment at this time.

The SPEAKER pro tempore. The amendment will be read by the clerk for information.

Amend Sec. 1 (Sec. 251), page 2, line 11, by inserting after "necessary": "In no case shall such rules and regulations impose a fee for the use of property owned or controlled by the Commission.

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of an amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS PASSED OVER

Mr. McCANN. Mr. Speaker, I request that all other bills on today's calendar not acted upon be passed over.

The SPEAKER pro tempore. The Chair hears no objection.

RESOLUTION

COMMENDATION

Messrs. TOMPKINS, A. W. JOHNSON and RENWICK offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, April 17, 1961.

Whereas, On April 17, 1861, Thomas L. Kane, of Smethport, McKean County, Pennsylvania, issued a call by authority of Governor Curtin for volunteer rifles and marksmen "prepared to take up arms immediately, to support the Constitution of the United States and defend the Commonwealth of Pennsylvania"; and

Whereas, James Landregan, while lounging in front of the Smethport headquarters, spied a deer hide hanging outside a butcher shop across the street. Noticing that the tail was somewhat larger than the average, he cut it off and stuck it in his hat, little dreaming that he was about to give an entire regiment its distinctive insignia. Thomas Kane thought that there could not be a more appropriate name for an outfit from the mounains of Northern Pennsylvania since deer abounded upon every hillside. Kane decided immediately that it would be the "Bucktails"; and

Whereas, Volunteers from McKean, Elk and Cameron Counties responded and converged upon the town of Driftwood, Cameron County, Pennsylvania, from where, on April 27, 1861, the Cameron County Rifles under the Command of John A. Eldred, afterwards Company "C" Bucktails, mustered in June 1, 1861, mustered out June 11, 1864; the Elk County Rifles under the Command of Captain Thomas B. Winslow, afterwards Company "G" Bucktails, mustered in May 29, 1861, mustered out June 11, 1864; and the McKean County Rifles under the Command of Captain William T. Blanchard, afterwards Company "I" Bucktails, mustered in May 30, 1861, mustered out June 11, 1864; all under the leadership of Thomas L. Kane, afterwards Commanding Officer of the Regiment and later a Major-General, embarked upon four rafts for Harrisburg, where they were mustered into the service of the State and formed the nucleus about which the Bucktail Regiment of the 13th Pennsylvania Reserve Corps, the 42nd Pennsylvania Volunteers was organized, which, during the term of service, was almost continuously attached to the Army of the Potomac.

During their service, they participated and were engaged in the following campaigns and battles: Danesville, Mchanicsville, Gaines Mills, New Market Cross Roads, Malvern Hill, Harrisonburg, Cross Keys, Catlett's Station, Groveton, Second Bull Run, South Mountain, Antietum, Fredericksburg, Gettysburg, Wilderness, Spottsylvania Court House, North Anna and Bethesda Church; and

Whereas, On April 27, 1908, the Commonwealth of Pennsylvania caused to be erected at Driftwood an appropriate monument to the valor and glory of this patriotic Regiment; and

Whereas, The Historical Societies of McKean, Elk and Cameron Counties are meeting at Driftwood on April 27, 1961, to mark the centennial of the departure of this colorful outfit for enlistment in the service of their country; and

Whereas, On May 30, 1961, the present Veterans' Organizations of McKean, Elk and Cameron Counties, together with descendants of this famous Regiment, will gather at the Bucktail Monument at Driftwood to commemorate the centennial of the departure of these volunteer rifles and marksmen for the war between the States; therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, pays tribute to these valiant men who constituted the volunteer rifles and marksmen who became known as the "Bucktails"; and be it further

Resolved, That we commend the Historical Societies of McKean, Elk and Cameron Counties and the Veterans' Organizations of said Counties, for commemorating this centennial event, and for carrying on the spirit, the courage, the faith and the patriotism of such worthy and hardy men; and be it further

Resolved, That copies of this resolution be sent to the Historical Societies of McKean, Elk and Cameron Counties.

ADJOURNMENT

Mr. GEORGE. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 18, 1961, at 1 p.m., e.s.t.

The motion was agreed to, and (at 6:25 p.m., e.s.t.) the House adjourned.

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